PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 347

HOUSE OF COMMONS

OFFICIAL REPORT

THIRD SESSION OF THE FIFTY-SECOND PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-NINTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1999–2000

COMPRISING PERIOD
27 March—7 April 2000

Cam/Reg A

325

1100

HER MAJESTY'S GOVERNMENT

MEMBERS OF THE CABINET

(Formed by the Rt. Hon. Tony Blair, MP, October 1999)

Prime Minister, First Lord of the Treasury and Minister for the Civil Service—The Rt. Hon. Tony Blair, MP
Deputy Prime Minister and Secretary of State for the Environment, Transport and the Regions—The Rt. Hon. John Prescott, MP
Chancellor of the Exchequer—The Rt. Hon. Gordon Brown, MP
Secretary of State for Foreign and Commonwealth Affairs—The Rt. Hon. Robin Cook, MP
Lord Chancellor—The Rt. Hon. The Lord Irvine of Lairg
Secretary of State for the Home Department—The Rt. Hon. Jack Straw, MP
Secretary of State for Education and Employment—The Rt. Hon. David Blunkett, MP
President of the Council and Leader of the House of Commons—The Rt. Hon. Margaret Beckett, MP
Parliamentary Secretary to the Treasury—The Rt. Hon. Ann Taylor, MP
Secretary of State for Culture, Media and Sport—The Rt. Hon. Chris Smith, MP
Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster—The Rt. Hon. Marjorie Mowlam, MP
Secretary of State for International Development—The Rt. Hon. Clare Short, MP
Secretary of State for Social Security—The Rt. Hon. Alistair Darling, MP
Minister of Agriculture, Fisheries and Food—The Rt. Hon. Nicholas Brown, MP
Lord Privy Seal, Leader of the House of Lords and Minister for Women—The Rt. Hon. The Baroness Jay of Paddington
Secretary of State for Trade and Industry—The Rt. Hon. Stephen Byers, MP
Secretary of State for Health—The Rt. Hon. Alan Milburn, MP
Secretary of State for Scotland—The Rt. Hon. Dr. John Reid, MP
Secretary of State for Wales—The Rt. Hon. Paul Murphy, MP
Secretary of State for Northern Ireland—The Rt. Hon. Peter Mandelson, MP
Secretary of State for Defence—The Rt. Hon. Geoffrey Hoon, MP
Chief Secretary to the Treasury—The Rt. Hon. Andrew Smith, MP

DEPARTMENTS OF STATE AND MINISTERS

Agriculture, Fisheries and Food—
Minister—The Rt. Hon. Nicholas Brown, MP
Ministers of State—
The Rt. Hon. Joyce Quin, MP
The Baroness Hayman
Parliamentary Secretary—
Elliot Morley, Esq, MP

Cabinet Office—
Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster—The Rt. Hon. Marjorie Mowlam, MP
Ministers of State—
The Lord Falconer of Thoroton, QC
The Rt. Hon. Ian McCartney, MP
Lord Privy Seal, Leader of the House of Lords and Minister for Women—The Rt. Hon. The Baroness Jay of Paddington
Parliamentary Secretary—Mr. Graham Stringer

Culture, Media and Sport—
Secretary of State for Culture, Media and Sport—The Rt. Hon. Chris Smith, MP
Parliamentary Under-Secretaries of State—
Kate Hoey, MP (Minister for Sport)
Alan Howarth, Esq, MP (Minister for the Arts)
Janet Anderson, MP (Minister for Tourism, Film and Broadcasting)

Defence—
Secretary of State—The Rt. Hon. Geoffrey Hoon, MP
Ministers of State—
Minister for Defence Procurement—The Baroness Symons of Vernham Dean
Minister for the Armed Forces—John Spellar, Esq, MP
Parliamentary Under-Secretary of State—Dr. Lewis Moonie, MP

Education and Employment—
SECRETARY OF STATE—The Rt. Hon. David Blunkett, MP
MINISTERS OF STATE—
Minister for Employment, Welfare to Work and Equal Opportunities—The Rt. Hon. Tessa Jowell, MP
Minister for School Standards—The Rt. Hon. Estelle Morris, MP
Minister for Education and Employment—The Baroness Blackstone
PARLIAMENTARY UNDER-SECRETARIES OF STATE—
Jacqui Smith, MP
Ms Margaret Hodge, MP
Malcolm Wicks, Esq, MP
Michael Wills, Esq, MP

Environment, Transport and the Regions—
SECRETARY OF STATE—The Rt. Hon. John Prescott, MP
MINISTERS OF STATE—
Minister for Transport—The Rt. Hon. The Lord Macdonald of Tradeston
Minister for the Environment—The Rt. Hon. Michael Meacher, MP
Minister for Local Government and the Regions—The Rt. Hon. Hilary Armstrong, MP
Minister for Housing and Planning—Nick Raynsford, Esq, MP
PARLIAMENTARY UNDER-SECRETARIES OF STATE—
Keith Hill, Esq, MP
Chris Mullin, Esq, MP
The Lord Whitty
Ms Beverley Hughes, MP

Foreign and Commonwealth Affairs—
SECRETARY OF STATE—The Rt. Hon. Robin Cook, MP
MINISTERS OF STATE—
Peter Hain, Esq, MP
John Battle, Esq, MP
Keith Vaz, Esq, MP
PARLIAMENTARY UNDER-SECRETARY OF STATE—The Baroness Scotland of Asthal, QC

Health—
SECRETARY OF STATE—The Rt. Hon. Alan Milburn, Esq, MP
MINISTERS OF STATE—
John Denham Esq, MP
John Hutton, Esq, MP
PARLIAMENTARY UNDER-SECRETARIES OF STATE—
The Lord Hunt of Kings Heath
Ms Gisela Stuart, MP
Yvette Cooper, MP (Minister for Public Health)

Home Office—
SECRETARY OF STATE—The Rt. Hon. Jack Straw, MP
MINISTERS OF STATE—
The Rt. Hon. Paul Boateng, MP
Charles Clarke, Esq, MP
Mrs. Barbara Roche, MP
PARLIAMENTARY UNDER-SECRETARIES OF STATE—
The Lord Bassam of Brighton
Mike O'Brien, Esq, MP

International Development—
SECRETARY OF STATE—The Rt. Hon. Clare Short, MP
PARLIAMENTARY UNDER-SECRETARY OF STATE—George Foulkes, Esq, MP

Law Officers' Department—
ATTORNEY-GENERAL—The Rt. Hon. The Lord Williams of Mostyn, QC
SOLICITOR-GENERAL—Ross Cranston, Esq, QC, MP
ADVOCATE-GENERAL FOR SCOTLAND—Dr. Lynda Clark, QC, MP

Lord Chancellor's Department—
LORD CHANCELLOR—The Rt. Hon. The Lord Irvine of Lairg, QC
PARLIAMENTARY SECRETARIES—
Jane Kennedy, MP
David Lock, Esq, MP

Northern Ireland Office—

SECRETARY OF STATE—The Rt. Hon. Peter Mandelson, MP

MINISTER OF STATE—

The Rt. Hon. Adam Ingram, MP

PARLIAMENTARY UNDER-SECRETARY OF STATE—

George Howarth, Esq, MP

Paymaster General's Office—

PAYMASTER GENERAL—Dawn Primarolo, MP

Privy Council Office—

PRESIDENT OF THE COUNCIL AND LEADER OF THE HOUSE OF COMMONS—The Rt. Hon. Margaret Beckett, MP

PARLIAMENTARY SECRETARY—Paddy Tipping, Esq, MP

Scotland Office—

SECRETARY OF STATE—The Rt. Hon. Dr. John Reid, MP

MINISTER OF STATE—Brian Wilson, Esq, MP

Social Security—

SECRETARY OF STATE—The Rt. Hon. Alistair Darling, MP

MINISTER OF STATE—The Rt. Hon. Jeff Rooker, Esq, MP

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

The Rt. Hon. The Baroness Hollis of Heigham

Angela Eagle, MP

Hugh Bayley, Esq, MP

Trade and Industry—

SECRETARY OF STATE—The Rt. Hon. Stephen Byers, MP

MINISTERS OF STATE—

Minister for Energy and Competitiveness in Europe—The Rt. Hon. Helen Liddell, MP

Minister for Trade—The Rt. Hon. Richard Caborn, MP

Minister for Small Business and E-Commerce—Ms Patricia Hewitt, MP

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

Dr. Kim Howells, MP (Minister for Competition and Consumer Affairs)

Alan Johnson, Esq, MP (Minister for Competitiveness)

The Lord Sainsbury of Turville (Minister for Science)

Treasury—

PRIME MINISTER, FIRST LORD OF THE TREASURY AND MINISTER FOR THE CIVIL SERVICE—The Rt. Hon. Tony Blair, MP

CHANCELLOR OF THE EXCHEQUER—The Rt. Hon. Gordon Brown, MP

CHIEF SECRETARY—The Rt. Hon. Andrew Smith, MP

PAYMASTER GENERAL—Dawn Primarolo, MP

FINANCIAL SECRETARY—Stephen Timms, Esq, MP

ECONOMIC SECRETARY—Miss Melanie Johnson, MP

PARLIAMENTARY SECRETARY—The Rt. Hon. Ann Taylor, MP

LORDS COMMISSIONERS—

Robert Ainsworth, Esq, MP

Jim Dowd, Esq, MP

Clive Betts, Esq, MP

David Jamieson, Esq, MP

ASSISTANT WHIPS—
David Clelland, Esq, MP
Kevin Hughes, Esq, MP
Greg Pope, Esq, MP
Mrs. Anne McGuire, MP
Mike Hall, Esq, MP
Gerry Sutcliffe, Esq, MP
Tony McNulty, Esq, MP
Don Touhig, Esq, MP

Wales Office—
SECRETARY OF STATE—The Rt. Hon. Paul Murphy, MP
PARLIAMENTARY UNDER-SECRETARY OF STATE—
David Hanson, Esq, MP

Her Majesty's Household—
LORD CHAMBERLAIN—The Rt. Hon. The Lord Camoys, GCVO
LORD STEWARD—The Viscount Ridley, KG, GCVO, TD
MASTER OF THE HORSE—The Lord Somerleyton, KCVO
TREASURER—Keith Bradley, Esq, MP
COMPTROLLER—Thomas McAvoy, Esq, MP
VICE-CHAMBERLAIN—Graham Allen, Esq, MP
CAPTAIN OF THE HONOURABLE CORPS OF GENTLEMEN-AT-ARMS—The Rt. Hon. The Lord Carter
CAPTAIN OF THE QUEEN'S BODYGUARD OF THE YEOMAN OF THE GUARD—The Lord McIntosh of Haringey
LORDS IN WAITING—The Lord Bach, The Lord Burlison
BARONESSES IN WAITING—The Baroness Farrington of Ribbleton, The Baroness Ramsay of Cartvale, The Baroness Amos

---

SECOND CHURCH ESTATES COMMISSIONER, REPRESENTING CHURCH COMMISSIONERS—Stuart Bell, Esq, MP

HOUSE OF COMMONS

PRINCIPAL OFFICERS

THE SPEAKER—The Rt. Hon. Betty Boothroyd, MP

CHAIRMAN OF WAYS AND MEANS—The Rt. Hon. Sir Alan Haselhurst, MP

FIRST DEPUTY CHAIRMAN OF WAYS AND MEANS—Michael J. Martin, Esq, MP

SECOND DEPUTY CHAIRMAN OF WAYS AND MEANS—Michael Lord, Esq, MP

CHAIRMEN'S PANEL—

Mrs. Irene Adams, MP, Joe Benton, Esq, MP, John Butterfill, Esq, MP, Dr. Michael Clark, MP, Frank Cook, Esq, MP, John Cummings, Esq, MP,Jim Cunningham, Esq, MP, Mrs. Gwyneth Dunwoody, MP, Roger Gale, Esq, MP, Mike Hancock, Esq, MP, Jimmy Hood, Esq, MP, Eric Illsley, Esq, MP, Barry Jones, Esq, MP, Dr. Ashok Kumar, MP, John McWilliam, Esq, MP, Sir David Madel, Humfrey Malins, Esq, MP, John Maxton, Esq, MP, Mrs. Ray Michie, MP, Bill O'Brien, Esq, MP, Edward O'Hara, Esq, MP, Bill Olner, Esq, MP, Mrs. Marion Roe, MP, Jonathan Sayeed, Esq, MP, George Stevenson, Esq, MP, Bowen Wells, Esq, MP, Andrew Welsh, Esq, MP, Nicholas Winterton, Esq, MP

HOUSE OF COMMONS COMMISSION—

The Rt. Hon. The Speaker (Chairman), Archy Kirkwood, Esq, MP, The Rt. Hon. Eric Forth, MP, Mr. Stuart Bell, Esq, MP, The Rt. Hon. Margaret Beckett, MP, The Rt. Hon. Sir George Young, MP

SECRETARY OF THE COMMISSION—M. R. Jack, PhD

BOARD OF MANAGEMENT—

W. R. McKay, CB, (Chairman) (Clerk of the House of Commons), M. J. A. Cummins, (Serjeant at Arms), Miss P. J. Baines (Librarian), A. J. Walker (Director of Finance and Administration), I. D. Church (Editor of the Official Report), Mrs. S. J. Harrison (Director of Catering Services)

SECRETARY OF THE BOARD OF MANAGEMENT—B. A. Wilson CBE (Head of the Establishments Office)

SPEAKER'S SECRETARY—N. Bevan, CB

SPEAKER'S COUNSEL—J. S. Mason, CB, J. E. G. Vaux

SPEAKER'S CHAPLAIN—Rev. Canon A. R. Wright

MEDICAL ADVISER TO THE SPEAKER—Dr. R. Zeegen, OBE, FRCP, MRCS, DObst, RCOG

PARLIAMENTARY COMMISSIONER FOR STANDARDS—Elizabeth Filkin

27 March 2000

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE THIRD SESSION OF THE FIFTY-SECOND PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 7 MAY 1997]

FORTY-NINTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 347**

NINTH VOLUME OF SESSION 1999–2000

House of Commons

Monday 27 March 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

CULTURE, MEDIA AND SPORT

The Secretary of State was asked—

Subtitling

1. **Mr. Paul Burstow** (Sutton and Cheam): What his Department's policy is for increasing the proportion of television programmes that are subtitled. [114851]

The Minister for Tourism, Film and Broadcasting (Janet Anderson): The Government's aim is to ensure the provision of the maximum practicable amount of subtitling of television programmes. We are encouraging all broadcasters to respond positively to the Royal National Institute for Deaf People's initiative for a voluntary charter on broadcast subtitling, the foreword for which was provided by my right hon. Friend the Secretary of State.

Mr. Burstow: I am grateful to the Minister for reconfirming the Government's commitment to extending subtitling and other means of improving access to broadcasting for deaf people. I have two requests of the Government. First, will the Minister explore further ways of improving the publicity for subtitling with the Independent Television Commission and the BBC? As well as advertisements for "EastEnders" and other programmes, there should be advertisements for this valuable service. Secondly, will she discuss with the Director General of the BBC the fact that the BBC has a lower percentage of subtitled broadcasts than Channel 4 and ITV? That is not acceptable for our public service broadcaster, which should be taking the lead. Will she encourage the BBC to do so?

Janet Anderson: I assure the hon. Gentleman that the BBC's policy is at least to match the targets set for any other broadcaster. The BBC has recently increased its targets for the subtitling of new digital services to 50 per cent. within five years and 100 per cent. within 10 years. In the early summer, we shall begin a review of the statutory target for the subtitling of digital terrestrial television services. My right hon. Friend the Secretary of State and I will continue a dialogue with the RNID on these important issues.

Miss Anne Begg (Aberdeen, South): There is a generation of deaf people for whom signing is their only language. They find reading difficult. Will my hon. Friend encourage broadcasters to put out more programmes with signing as an integral part, particularly current affairs programmes?

Janet Anderson: I assure my hon. Friend that we will take every opportunity to raise that with the appropriate bodies. My right hon. Friend and I are very concerned to ensure that access to those services should be as wide as possible.

Swimming

2. **Mr. Nigel Evans** (Ribble Valley): What steps he is taking to encourage greater participation in swimming throughout the country. [114852]

The Minister for Sport (Kate Hoey): The Government attach great importance to swimming. It is a fun and healthy sport in which youngsters can aspire to excellence. Swimming is a statutory part of the primary national curriculum, giving all young people the opportunity to participate.

Mr. Evans: I am grateful to the Minister for that response. Will she come to the Ribble valley and take a swimming lesson with me—she could even give me a swimming lesson—and youngsters from local schools? I promise not to leave her languishing in the deep end. That happened to too many parents in the Ribble valley when the county council cut the money for swimming provision, which meant that parents had to pay. That in turn resulted in a halving of the number of swimming lessons. The county council is offering more money this year, but it is still a real-terms cut on two years ago. Will the Minister use her influence with her colleagues at the Department for Education and Employment to ensure that all our youngsters throughout the country have free access to swimming lessons and that no child will be denied those life-saving skills simply because their parents cannot afford to pay?

Kate Hoey: I remind the hon. Gentleman that we have already swum together in Botswana. I thank him for his question and for his commitment to swimming, which I share. It is important that youngsters get that opportunity at an early age and that swimming should be a compulsory part of the curriculum. Local authorities must bear that in mind when considering how to use their facilities.

Mr. Nick Hawkins (Surrey Heath): Does the Minister recognise that there are grave problems with the number of primary school pupils who are not getting the amount of swimming that they need? In particular, will she comment on the fact that Labour-controlled Walsall council has engendered a funding crisis, resulting in swimming pools being closed? Will she ensure that school children and other swimmers in Walsall are properly provided for? Will she reinforce her concerns about the need for all primary school pupils to have proper swimming lessons?

Kate Hoey: As a result of the concern throughout the country that not all primary school children were getting their full entitlement to swimming, my Department and the Department for Education and Employment asked Ofsted to investigate the issue. That is now happening. I do not know the details of the situation in Walsall, but I shall make a point of finding out. I shall write to the hon. Gentleman if I think it necessary.

Mr. Andrew Reed (Loughborough): Will my hon. Friend recognise Loughborough's contribution to this country's excellent swimming reputation? It is the home of the Amateur Swimming Association and its outspoken spokesperson, David Sparkes. We need integration between primary schools, medium-term facilities and the excellent facilities that will be required as part of the UK sports institute. Will my hon. Friend ensure that Loughborough's swimming pool is built as soon as possible, to ensure such integration?

Kate Hoey: My hon. Friend is quite right. Loughborough has been chosen as one of the sites for a new 50 m pool. Sport England has given its support in principle, and I hope that the first ground work will be done soon. He mentioned David Sparkes, the chief executive of the Amateur Swimming Association. He is a forthright person who has stood up for his sport, and he has done an enormous amount to make sure that sport is available not just to our highly talented swimmers, but to all. He has done an enormous amount of work on the swimming for life campaign too, and I pay tribute to him.

Seaside Resorts

3. **Mr. Ivan Henderson** (Harwich): What steps his Department is taking to encourage the regeneration of British seaside resorts; and if he will make a statement. [114853]

The Minister for Tourism, Film and Broadcasting (Janet Anderson): Many resorts have been included in the UK's proposals for the new objective 2 structural funds and assisted areas maps. We have also ensured that the chairmen of the new regional development agencies are aware of the importance of resort regeneration. The English Tourism Council has set up a resorts task force, which is due to report in December with a programme of action to assist resorts with their regeneration strategies.

Mr. Henderson: Does my hon. Friend agree that high-quality bathing water is a major factor in encouraging people to visit our seaside resorts? Does she agree that local authorities and water companies should work together closely to make sure that there is an increase in the number of European blue flags flying over this country's bathing beaches?

Janet Anderson: My hon. Friend is right, and the Government will do all we can to encourage co-operation between local bodies to achieve as many blue flags as possible. I congratulate my hon. Friend on the fact that his constituency is featured in the tier 3 assisted areas map, and on the fact that Dovercourt—which falls within his constituency—has just received a resort award from the Tidy Britain group.

Mr. Dafydd Wigley (Caernarfon): The quality of water and beaches is central to regenerating our coastline. Will the Minister join me in welcoming last week's figures, which indicated that no fewer than 97 beaches in Wales had been awarded the star award—over a third of the total number of beaches to be granted that status? To ensure that we maximise the number of tourists coming to the UK, will the Minister put pressure on the Treasury to achieve a more realistic value for the pound, so that we can get the benefit of those beaches?

Janet Anderson: I am sure that the right hon. Gentleman would not wish to advocate any policy which would return us to the policies of the Conservative party. As he knows, there is no going back to boom and bust. I congratulate all those concerned on achieving that status, and I hope that that encourages other resorts around the country to do the same.

Miss Geraldine Smith (Morecambe and Lunesdale): Will my hon. Friend join me in congratulating my right hon. Friend the Chancellor on his decision to remove the

annual licence duty on small amusement-with-prizes machines, as that will provide a huge boost to the operators of seaside arcades? Is not that another example of the Government's commitment to seaside resorts, along with assisted area status and the other measures taken by the Government? After years of neglect by the Conservative Administration, these measures are certainly welcomed in seaside resorts.

Janet Anderson: I thank my hon. Friend for that timely question. She is quite right to say that my right hon. Friend the Chancellor has shown, by his action, that he understands some of the problems facing our seaside resorts. As my hon. Friend rightly says, that is in stark contrast to the record of the Conservative party, which did nothing whatever to help to regenerate our important seaside resorts.

Mr. John Greenway (Ryedale): The seaside resorts are fighting hard to strengthen their appeal, but the Minister will be aware of the understandable concern at the number of asylum seekers being placed in many seaside towns, often in large numbers and without notice. The complete mess that the Government have made of the issue means that asylum seekers already in Britain will remain the responsibility of local authorities this summer.

This is a sensitive issue, and seaside resorts, like all communities, are happy to take their fair share of asylum seekers. Does the Minister, however, agree that local authorities have the right to be consulted? On behalf of seaside tourism, will she press the Home Secretary to ensure that there is always prior consultation, so that the number of asylum seekers placed in seaside towns can be kept to realistic numbers and be fair to all concerned?

Janet Anderson: The hon. Gentleman will be aware that this is a matter for my right hon. Friend the Home Secretary and not for me, but I can assure him that we are concerned that there should not be an adverse impact on seaside towns, and the Home Office is in continual discussion with the Local Government Association and local authorities about the particular problems that they might be facing.

In recognition of the importance of the matter to the tourist industry, I recently had a meeting with the immigration Minister, my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche), together with Labour Members representing seaside towns, and she gave us reassurances that we found most welcome.

Coalfield Communities

4. **Mr. David Watts** (St. Helens, North): What action he is taking to ensure that former coalfield areas benefit from the national lottery. [114854]

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): The Government are committed to ensuring that all areas, and especially those in which there are high levels of economic and social deprivation, benefit from lottery funding. My Department and the distributors have therefore jointly commissioned research into the impact of the national lottery on former coalfield areas. The results, which are due shortly, are likely to shed further light on the situation and to suggest recommendations for improving it.

Mr. Watts: I thank my right hon. Friend for that reply, but is he aware that many poor communities lack the expertise to put in an initial bid; and will he consider providing resources for such communities, so that they can prepare good-quality bids?

Mr. Smith: I take my hon. Friend's point absolutely. We have already put in place several measures to help by changing the way in which lottery money is distributed. We have issued an instruction to the distributors that they must pay particular attention to areas of social deprivation, and enabled them, through the National Lottery Act 1998, to solicit applications and delegate decisions. We have encouraged the introduction of the small grants scheme, and the distributors now have schemes and programmes—such as Sport England's sport action zones policy—that target funding on areas of particular need.

In addition, my hon. Friend's point is being taken on board through the introduction of a two-stage process in the lottery decision-making procedures, so that an applicant can submit an initial in principle application, get a steer from the distributing body on whether it is likely to attract support, and then embark on the task of working it up further, if it is indeed likely to be accepted in due course.

Mr. John Bercow (Buckingham): Is it not possible that former coalfield areas have suffered from a lack of lottery proceeds as a direct consequence of the fact that the Secretary of State's constituency, Islington, South and Finsbury, as of 3 March this year, was the seventh largest recipient of lottery funds? Does he intend speedily to address the problem, for fear that if he does not, the hon. Member for Bolsover (Mr. Skinner) will jump out of his pram?

Mr. Smith: I am pleased to be able to tell the hon. Gentleman that his constituency has received £8.8 million from the national lottery, which is just below the national average—it has not done especially badly. There has been variation across the country, which is a matter of concern. It is of particular concern in the coalfield areas, which is precisely why we have embarked on detailed research to establish why applications have not been coming in from those areas. That is what we want to rectify.

Mr. Dennis Skinner (Bolsover): Does my right hon. Friend recall that, when the lottery was set up and the Tories were in power, my right hon. Friend the Member for Chesterfield (Mr. Benn), my hon. Friend the Member for North-East Derbyshire (Mr. Barnes) and I asked questions on behalf of the Derbyshire coalfield, because the Tories were so embittered by our politics that they put the lottery applications from our constituencies down among the lowest 10 per cent? In the past few months, we have managed to get a few bob back: not yet as much as has been spent on the millennium dome, but we expect to get that much. I do not expect the hon. Member for

Buckingham (Mr. Bercow) to know about that, because at the time I was raising those questions, little Noddy was still in his pram.

Mr. Smith: It is always a pleasure to be able to agree with my hon. Friend. He has rightly identified that we are making progress on that issue. He has also rightly identified that when the lottery was first established it was an application-driven process, with no strategy or provision—as we now have in the directions that are in place for the lottery distributors—for particular attention to be paid to the needs of areas of deprivation. Those factors are now in place and the lottery is working better as a result. I am pleased that my hon. Friend's constituency is now beginning to benefit.

Regional Television

5. **Mr. Eric Martlew** (Carlisle): If he will make a statement on his powers to intervene in proposed takeovers of regional television stations. [114855]

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): My powers in this area are laid down in the Broadcasting Acts 1990 and 1996. They are limited to order-making powers to amend detailed provisions within the Acts. I therefore have no direct power to intervene in a proposed takeover of regional television stations, which is a matter for the Independent Television Commission and the Office of Fair Trading. However, the importance of regional content, regional programme making and the regional flavour of programmes, which were an integral part of the franchises initially awarded to the ITV companies, must remain firmly in place.

Mr. Martlew: I thank my right hon. Friend for that reply. He is well aware of my opposition to the possible takeover of Border Television. Does he agree that Border Television's licence is unique, in that it covers the full length of the Anglo-Scottish border, and that it would be very difficult for a company based in Glasgow, Manchester or London to replicate the excellent provision that we get on the border at the moment? Does he also agree that takeovers such as the one proposed should be discouraged? If it goes ahead, will he give a guarantee that local content of programmes will continue as now and that some job security will be given to my constituents?

Mr. Smith: My hon. Friend is absolutely right to identify the particular character of Border Television. It covers both the southern part of Scotland and the northern part of England, and operates in a genuinely cross-border manner. That was the nature of the franchise that was awarded in the first place. Whoever takes the franchise over and whatever happens in the current negotiations, that character must remain clearly in place. I shall expect the ITC to uphold that firmly. I do not want to see identikit programming across the world of ITV, because we must have a proper, regional character to the programmes that we receive on that popular channel.

Mr. William Ross (East Londonderry): Will the Secretary of State see to it that regional television stations are not taken over by interests outwith the United Kingdom, but remain firmly in local hands?

Mr. Smith: That is ultimately a matter for the ITC, the Office of Fair Trading and the competition authorities, and not for me. However, I am sure that those bodies will take careful note of the hon. Gentleman's point.

Miss Anne McIntosh (Vale of York): Will the Secretary of State join me in paying tribute to Tyne Tees Television and Yorkshire Television, which cover my constituency? When I was Noddy in my pram, I was brought up on Tyne Tees Television and, like the hon. Member for Carlisle (Mr. Martlew), I am concerned by the proposed takeover and the impact that it might have on local and regional coverage. Can he give a commitment to the House that he will make representations to the decision takers to ensure that the franchise is respected?

Mr. Smith: The franchises must be respected: the hon. Lady is right. For example, Yorkshire Television makes "Emmerdale", Carlton, which used to be Central, makes "Peak Practice", and Granada makes "Coronation Street". All those programmes have a strong regional character, they are part of the wealth of the fabric of television in this country, and we must protect that.

Lottery Funding

6. **Mr. Andrew Love** (Edmonton): What steps he is taking to increase the share of national lottery funding for community projects in outer London. [114857]

The Minister for Sport (Kate Hoey): The Government are committed to the fair distribution of lottery money across all groups and areas of the country and have provided a framework, by means of the National Lottery Act 1998 and policy directions, to ensure that that happens. This framework is already ensuring that a greater number of grants are being given to benefit communities right across the country. Lottery distributors now have schemes in place to focus funding on areas of need, including those in outer London.

Mr. Love: I thank my hon. Friend for that reply. I congratulate her and my right hon. Friend the Secretary of State on their foresight in choosing Pickett's Lock in my constituency as the site for the new national athletics stadium. I wish them good luck in their negotiations with the International Amateur Athletic Federation in Paris next week.

For national and international sport to thrive, however, we need good-quality local and community facilities. I welcome the recent changes introduced by the Government, but local sports men and women in my constituency, which is a deprived area, are still missing out. What further steps can be taken to redress the balance?

Additionally—

Hon. Members: Oh no.

Madam Speaker: Order. It is Question Time. The hon. Gentleman has had a long preamble. He must put a question to the Minister.

Kate Hoey: I am delighted that my hon. Friend welcomes the decision by UK Athletics, supported by all bodies in sport, that Pickett's Lock in the Lea Valley in his constituency should be proposed as the site for the world athletics championship in 2005. The championship will leave a legacy for the sport of athletics, and we look forward to the negotiations and to the work that must be done to ensure that the event takes place here.

I agree with my hon. Friend that we must get all our community groups involved and that they should get support from the lottery. We can do more by getting the lottery bodies to be more proactive. I hope that Sport England will go out and talk to the community groups when it first devises its application, so that time is not wasted gathering support and information. That will also save money: consultants often spend a lot of money that belongs to community groups devising applications that could have been compiled if the right support from the statutory organisations had been available to start with.

Sir Sydney Chapman (Chipping Barnet): I recognise that successful lottery applications must be of good quality and that they must be effective in regenerating local areas. However, when the Minister makes her regional assessment, will she disentangle from the rather large amount that goes to London the pretty considerable element that goes to national institutions, as opposed to the amounts that go towards more local requirements? There is a feeling in outer London, and it is not confined to the hon. Member for Edmonton (Mr. Love), that we do not get a proper share of the cake devoted to our great capital city.

Kate Hoey: I think that the hon. Gentleman speaks for the many people who feel that their areas do not get a fair share of the national lottery. However, it is true that a lot of money went to very large, high-prestige projects in the first few years of the national lottery, but that is probably only natural. I hope that we can now turn our attention to getting the money down to the grass roots, where it can make a real difference. My right hon. Friend the Secretary of State and I will certainly do all we can to ensure that that happens.

7. **Mr. Nick St. Aubyn** (Guildford): If he will make a statement on the distribution of unallocated national lottery funds. [114858]

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): I am pleased to be able to answer this question, as there has been much erroneous press reporting on the matter in recent days. All the funds in the national lottery distribution fund available for distribution have been allocated to the national lottery distributing bodies, and all but £200 million of this money—just 6 per cent. of the overall amount—has already been committed by them. Where money remains in the fund, it earns tax-free interest that goes to the good causes, not to the Government.

Mr. St. Aubyn: Will the Secretary of State confirm that the amount of unspent lottery charity money is now in the region of £3.5 billion, and that the amount being spent on good causes is only one sixth of the amount people spend on lottery tickets? That is less than half the proportion of lottery proceeds that it was intended would go to good causes. Does not the right hon. Gentleman realise that as long as the money stays in the Government's hands, it will be regarded—quite rightly—as yet another example of a Labour stealth tax? Does he accept that that stealth tax will damage the success of the lottery, just as the Government's other stealth taxes are damaging the British economy?

Mr. Smith: No, the hon. Gentleman is wrong. For a start, the money is not in the hands of the Government. Secondly, although there is £3.5 billion in the national lottery distribution fund, 94 per cent. of that—more than £3 billion—has been committed by the distributing bodies to particular applications. If the hon. Gentleman thinks—as he seems to—that all normal public accountancy rules should be jettisoned and that, when a project is approved, the entire sum should immediately be given to the project rather being properly fed out as the project is built or developed, I suspect that his right hon. Friend the Member for Haltemprice and Howden (Mr. Davis), the Chairman of the Public Accounts Committee, might have a thing or two to say to him.

Mr. Lindsay Hoyle (Chorley): Will my right hon. Friend consider allocating some of that unallocated money to Chorley Little theatre, which has applied on several occasions? The theatre would benefit greatly from the money, if my right hon. Friend would consider helping it.

Mr. Smith: I hear what my hon. Friend says. I am sure that a properly submitted application to the Arts Council of England would receive proper consideration. It is not for me to decide such things.

Mr. David Faber (Westbury): As we heard a moment ago, the Secretary of State has personally pledged £60 million towards the building of a new national athletics stadium. Can he give the House a single previous example of a Minister making such a pledge, at any time since the introduction of the lottery, before an application was received or, indeed, considered by the lottery distribution body? Can he tell us what personal representations he has received from Sport England as to the legality of how that figure of £60 million was arrived at? Most importantly, will he tell us where the estimated extra £70 million needed to build such a stadium will come from?

Mr. Smith: No money has yet been committed, because there must be a proper application before that can happen. However, £40 million that would have had to be spent by Sport England to create temporary athletics facilities at Wembley has been saved from the exercise. That money and the £20 million that is being returned to

the pot by the world of football will—it is hoped—be used for the benefit of athletics. That is a sensible proposal.

Ms Rosie Winterton (Doncaster, Central): Will my right hon. Friend consider making representations to the distribution body about allocating funds to pigeon fanciers in my constituency? They cannot currently benefit from national lottery money because pigeon fancying is not considered a sport. Were my constituents to keep clay pigeons and shoot them, they would be eligible for the money. Will my right hon. Friend take action to show his support for the pigeon fanciers' campaign?

Mr. Smith: My hon. Friend is right to point out the—perhaps anomalous—fact that pigeon fancying is not statutorily regarded as a sport. Consequently, it cannot, unfortunately, qualify for Sports Council lottery funding. However, if, for example, it was taking place on a piece of derelict ground, it might be eligible for funding under the green spaces initiative of the new opportunities fund. My hon. Friend may want to hold discussions with pigeon fanciers in her area on how to identify ingenious ways of using the lottery system to their benefit.

Mr. Peter Ainsworth (East Surrey): With regard to Wembley, the right hon. Gentleman should know that the £40 million to which he referred is disputed by Sport England, and that there is no guarantee of the £20 million from the Football Association. It would be nice to have a little more clarity and less spin on the issue.

Does not the right hon. Gentleman's response to the question of my hon. Friend the Member for Guildford (Mr. St. Aubyn) betray the fact that, yet again, the biggest lottery winner of all is the Chancellor of the Exchequer? Not content with taking 12 per cent. in tax for every pound spent, the Government have ensured that a full third of the good causes lottery money will be syphoned off and used to support core Government spending programmes. The Government are now presiding over a mounting pile of lottery cash, which—as far as most of us can see—is being used primarily to offset the public sector borrowing requirement. With interest rates at 6 per cent., what rate of return is that cash earning? Is it 3 per cent—or 3.5 per cent?

What does the right hon. Gentleman plan to do to unlock the lottery logjam? Will he be having a word with his right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson), the Labour candidate for mayor of London, who seems to have some curious views on the lottery?

Mr. Smith: The hon. Gentleman is wrong about Wembley, as he has been throughout the discussion about it. He is wrong also about the national lottery distribution fund. As I have said, there is only £200 million of uncommitted funds within the NLDF. To ensure that there is no doubt in future about what is happening, I have asked that there should be quarterly reports from each of the lottery distributors, detailing exactly how much they have in the NLDF, what proportion of the funds is committed and what proportion is uncommitted, and their proposals for the spending of that money.

It is clear that the hon. Gentleman does not think that the creation of the new opportunities fund, with projects being supported related to health, education and the environment, is something that the lottery should be supporting. That is the line that he took at the Tory party conference. Does he want to see under, God help us, a future Conservative Government a complete abandonment of the new opportunities fund and an abandonment of the after-school clubs, of the healthy living centres, the cancer initiative and the green spaces initiative? That is precisely what he seems to be telling the House.

Lottery Funds (Allocation)

8. **Angela Smith** (Basildon): If he will take steps to consult national lottery players on a regional basis on how the proceeds of the lottery are allocated. [114859]

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): Under the National Lottery Act 1998, I instructed lottery distributors to produce and consult on strategic plans which proposed their priorities for funding. Distributors now have plans in place on which there has been broad consultation. Distributors also take account of public opinion through open meetings, polls and other research.

The National Lottery Charities Board selects two committee members in each region by lot, using the lottery draw numbers to identify potential members from the electoral roll. The Arts Council has now delegated a substantial proportion of lottery decision making to the regional arts boards. I welcome these moves by the distributors.

Angela Smith: I welcome that answer from my right hon. Friend. He will be aware that I do not think that my constituents get a fair deal from the lottery. They have spent £60 million on tickets and received back only £1.5 million. I greatly welcome the changes that are being made, but will my right hon. Friend look into the matter to ensure that they come into force quickly? I accept that it is not possible to allocate funds and to link money and expenditure on a constituency basis, but it can be done on a regional basis. I ask for greater consultation with my constituents, given the amount of money that they spend on tickets, on how the money is being spent in their region.

Mr. Smith: My hon. Friend raises an entirely understandable point. The changes that we brought in with the 1998 Act have enabled the distributors for the first time—this was not put in place by the previous Government—to delegate decision making to a regional level. I believe that to be extremely important. Regional cultural consortiums have a specific remit to advise the lottery distributors on the regional priorities for spending. That will be an added way of ensuring that the voice of the regions in this process is firmly heard.

Mr. Nicholas Soames (Mid-Sussex): Will the right hon. Gentleman acknowledge that the regional voice, because of the substantial size of some of the regions, is not always nearly sharp enough on constituency applications. I endorse entirely what the hon. Member for Basildon (Angela Smith) has said. Sussex has not done well under the national lottery distribution. Will the right hon. Gentleman see what he can do to refine the structure

that is there already to ascertain whether he could take up the hon. Lady's suggestion to take the advise-giving process lower than regional level?

Mr. Smith: I am sure that it will be possible for regional cultural consortiums, regional arts boards, regional committees of the National Lottery Charities Board and other regional elements in the structures now being put in place to consult widely, deep down within the regions, as to the people's priorities for the spending of lottery money. We now have in place—again for the first time ever—an instruction to all the distributing bodies to ensure a fairer geographical spread of national lottery funds. That is beginning to take place, especially as the smaller grants programmes begin to roll out. That contrasts with what happened at the outset when there was a concentration on very large capital projects.

NESTA Projects

9. **Dr. Ian Gibson** (Norwich, North): What assessment he has made of the effectiveness of the projects funded by the National Endowment for Science, Technology and the Arts programme. [114860]

The Minister for the Arts (Mr. Alan Howarth): NESTA is currently funding a series of pilot projects, prior to going live with its full programmes in the very near future, and I can confirm that it is undertaking detailed assessments of the value and effectiveness of each of these projects. I expect NESTA to make a real difference in tapping the creative potential of the country.

Dr. Gibson: My hon. Friend will be aware that last week was science and technology week, when many young scientists went into schools and deprived areas to teach the wonders of the science. They took their equipment with them and showed young people how to use it. When grants are given, will my hon. Friend guarantee that science and technology are not, as opposed to the arts, the Cinderella groups and that the wonders of science are brought, and money given, to deprived schools?

Mr. Howarth: As a distinguished scientist himself, my hon. Friend speaks with authority on this subject and I very much take his point. He will be reassured by the fact that, among the trustees of NESTA, are Sir Martin Rees and Dame Bridget Ogilvie, who have great authority in the scientific field. I entirely agree with my hon. Friend that it is extremely important that we do all that we can to encourage young people to commit themselves to the creative opportunities that scientific study and the pursuit of scientific careers offer. He may agree that one of the unfortunate features of British life has been that, however brilliant our basic science, we seem to have had a national difficulty in getting the benefits of that science out of the laboratory and into the showroom.

Film Industry

10. **Mr. Geoffrey Clifton-Brown** (Cotswold): What measures he is taking to increase investment in the British film industry. [114861]

The Minister for Tourism, Film and Broadcasting (Janet Anderson): The Government have set up a strategic body, the Film Council, which will be in place on 1 April under the able chairmanship of Alan Parker, with the specific task of helping to develop a sustainable UK film industry. Over the next three years, the council will have about £150 million in grant in aid and lottery funding to support film.

Mr. Clifton-Brown: I am sure that the whole House would wish to congratulate last night's British Oscar winners, Michael Caine and Mike Leigh and, in particular, Sam Mendes on his film "American Beauty". Will the Minister therefore examine how it is that more than £100 million of lottery money has been spent on 60 films that virtually no one will ever see let alone go on general release? Would it not be better for lottery funds in the future to go towards seedcorn money producing the Oscar-winning films, such as "American Beauty", of the future?

Janet Anderson: The hon. Gentleman will be aware that, in future, this will be a matter for the Film Council. The total level of lottery support for film in England is £97 million to date. Perhaps more importantly, the total cost of films supported was £378 million, so the gearing is about three to one. It is important to highlight that, under this Government, investment in film production in the United Kingdom last year was £570 million, up £93 million on the previous year. It is clear that the interests of the British film industry are very dear to the Government's heart.

Mr. Tom Clarke (Coatbridge and Chryston): Does my hon. Friend agree that she and my right hon. Friend the Secretary of State should be beaming with pride at last night's brilliant British successes in the Oscars? Does she further agree that my right hon. Friend the Chancellor's tax concessions and the Government's strategy for film as a creative industry suggest that the success of British film is there? Not only have the Brits arrived, but we are saying to the world that they ain't seen nothing yet.

Janet Anderson: My right hon. Friend is right. I take this opportunity to pay tribute to him, because when he was the Minister with responsibility for film, he was responsible for the film policy action group, which produced the document, "A Bigger Picture", and for securing the tax concession that has done so much to regenerate the film industry. He is right to say that the Brits have arrived, and we are very proud of the success of all our people in the Oscars last night. That just goes to show that we have a pool of excellent skills and talent here, and it is no wonder that more and more people want to make their films in Britain.

Mr. Peter Ainsworth (East Surrey): May I associate myself with the tributes that have been paid to our talented people who have again done well in Hollywood, and who include Phil Collins, who has not yet been mentioned? However, those people did not get very much out of the national lottery. Is the Minister happy that hardly any of the 60 films that have so far been funded by the lottery have earned anything like enough money to cover their

costs? Is she proud of the fact that of the £97 million of lottery money that has gone into those projects, less than £6 million has so far been paid back?

I suggest that the hon. Lady and the Secretary of State nominate themselves for a golden raspberry award because the criteria for that award correspond exactly with their achievements. As the president of the Golden Raspberry Foundation said, they

spend too much, entertain no one and fall flat on their face.

Janet Anderson: The hon. Gentleman's attempts at humour get more and more pathetic with every Question Time. May I give him a little advice? If he is to continue with this portfolio, he ought to read a little more about the subject and make sure that he is better informed when he comes to the House. "Topsy Turvy", which won two awards last night, for best make-up and best costume and design, is a British film and was made with the help of £2 million of lottery funding from the Arts Council.

Moreover, is the hon. Gentleman saying that films that we have all enjoyed, such as "Hilary and Jackie", "Ratcatcher", "My Name is Joe", "Shooting Fish" and "An Ideal Husband"—which is the most successful lottery film—should not have been made? If so, the British film industry will be listening carefully to his remarks.

Museums and Galleries

11. **Mrs. Ann Cryer** (Keighley): How many children have benefited from his measures allowing free entry to national museums and galleries. [114864]

The Minister for the Arts (Mr. Alan Howarth): Since additional funds were proviued at the start of April last year to enable free entry to those national museums and galleries sponsored by my Department which charge for admission, 4,275,951 children are estimated to have benefited up to the end of January. That figure represents an increase of some 18 per cent. on the same period in the previous 12 months.

Mrs. Cryer: I have a twofold financial interest in the measures because I have six grandchildren under eight and I am 60, so we will all benefit. Does my hon. Friend agree that the railway operating companies could offer cheap fares to school parties, which would be helpful because more children would go to national galleries and museums in term time, alleviating some of the pressures at weekends and in school holidays? I took three of my grandchildren to the science museum last August on three occasions, and each time the queues were so long that they missed many opportunities to participate in activities that I know they would have enjoyed.

Does my hon. Friend agree also that the onus is now on the Conservative party to make clear its policy on reintroducing charges for entry to our museums?

Mr. Howarth: I think that there must be an error on my hon. Friend's birth certificate. However, I would not accuse her of misleading the House, so clearly when she takes her grandchildren to any of our national museums and galleries from the beginning of April she will, like them, benefit from free entry. Those places are popular and, as she says, sometimes the queues are long, and those problems certainly need to be managed. I take her point about the desirability of finding ways to enable people to have cheap or even free public transport to national museums and galleries. There is a fund available: the museums and galleries access fund, funded and administered by the heritage lottery fund, which has ring-fenced £7 million to enable museums to run projects that will increase access to their collections. Subject to the discretion of trustees, it would be in order for railway operators to work with museums to take advantage of that funding.

Several hon. Members *rose—*

Madam Speaker: Order. Time is up. The last question took three minutes—we are taking far too long over questions and answers.

CHURCH COMMISSIONERS

The hon. Member for Middlesbrough, representing the Church Commissioners, was asked—

Church Repairs (VAT)

27. **Miss Anne McIntosh** (Vale of York): When he will meet a Minister of the Crown to discuss reduced rates of VAT for church repairs. [114843]

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): The hon. Lady will be pleased to learn that I led a delegation to meet the Minister for the Arts on 23 March. The delegation included the hon. Member for South Staffordshire (Sir P. Cormack) and my hon. Friend the Member for Blackpool, South (Mr. Marsden). I thank the Minister, who is still in the Chamber, for his courtesy and his time, as well as for the manner in which he conducted the meeting. I am pleased to say that the meeting was constructive. Although the Church was disappointed not to obtain any relief in the Budget by way of reduced rates of VAT on church repairs, we continue to journey in hope.

Miss McIntosh: I am grateful to the hon. Gentleman for that answer. Will he join me in renewing our campaign, based on the understanding that other member states of the European Union treat churches as heritage buildings and apply a reduced rate of VAT? Following his meeting with the Minister for the Arts, does the hon. Gentleman think that there is some chance of churches in this country being treated similarly?

Mr. Bell: I am glad to take the opportunity to thank the hon. Lady and other hon. Members on both sides of the House who have taken an interest in this important subject. It cannot be right that a tax that falls hardest on individual parishes and faith communities also works against the widely accepted view that repair and maintenance play a key role in the conservation and reuse of buildings. We are considering every avenue of discussion with the Treasury, and I shall be glad to examine the point that the hon. Lady raises.

Mr. Gordon Marsden (Blackpool, South): Does my hon. Friend agree that it is nonsense that new build in this country attracts no VAT, whereas repairs to historic buildings and churches attract VAT at the full rate? Does he also agree that the importance of church renewal to the rural economy should be presented to colleagues at the Department of the Environment, Transport and the Regions, to be taken into account in the forthcoming rural White Paper?

Mr. Bell: I am grateful to my hon. Friend for tabling an early-day motion on the subject. He has forcefully pointed out the contradictions between a Government policy that favours conservation and a tax regime that penalises repair and maintenance but zero rates inappropriate alterations and new build, and disadvantages brownfield development in relation to greenfield development. It cannot be right for the Treasury each year to cream off in VAT far more than it gives to English Heritage in grants to help our precious inheritance. My hon. Friend's support and that of hon. Members on both sides of the House will help our efforts to persuade the Treasury, the Department of the Environment, Transport and the Regions and the Department for Culture, Media and Sport to accept our proposals.

Consultation

28. **Mr. Simon Hughes** (Southwark, North and Bermondsey): What processes they use for consulting Church members on their proposals. [114844]

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): The Commissioners send copies of draft schemes under the Pastoral Measure 1983 by post to parochial church councils and other interested parties. If the scheme is to declare a church redundant, or to deal with the future of a redundant church, they also publish a notice in a local newspaper. Anyone may make representations to the commissioners within the period of at least 28 days prescribed in the notice. On the matter of finances, the commissioners' annual report and accounts will be published shortly and will be widely disseminated within the Church and to the general public.

Mr. Hughes: On the issue of Church finances, the Church Commissioners are the equivalent of the Chancellor of the Exchequer. Can we ensure that every Church member at diocese, deanery and parish level is annually consulted about the Church's financial policy—for example, on questions of ethical investment and where money should be spent? We must establish a democratic process by which to decide how the Church raises money and how it spends it.

Mr. Bell: The Church Commissioners will spend their money in accordance with the statute, to pay the stipends of the parish priests and also the pensions. That is our statutory responsibility. In relation to the annual report and accounts, we will seek to disseminate that information as widely as we can. While we welcome suggestions about how we should spend our money, we are nevertheless bound by statute and our statutory obligations.

Mr. Andrew Reed (Loughborough): Although I welcome the attempts to make the process as open and accountable as possible, does my hon. Friend agree that ordinary church members in the constituencies, like ourselves, feel a long way away from the decision-making process, particularly on questions of ethical investment? Will my hon. Friend give the matter further consideration to see whether there could be greater involvement for ordinary church members, like many of those in the House, who have little say over the present arrangements?

Mr. Bell: I am grateful for my hon. Friend's question. He will be pleased to know, as the House will be pleased to know, that the unaudited results of the Commissioners for 1999 show that their assets fully committed to the support of the Church's ministry were valued at more than £4.4 billion at the end of last year. I am sure that every churchgoer in the land will be happy to see that, if I may say so, under my stewardship the assets of the Church Commissioners has risen from £3 billion to £4.4 billion.

PUBLIC ACCOUNTS COMMISSION

The Chairman of the Public Accounts Commission was asked—

National Audit Office

29. **Mr. David Heath** (Somerton and Frome): What recent discussions he has had with the Chancellor of the Exchequer on the implications for the National Audit Office of proposals within the Government Resources and Accounts Bill. [114845]

Mr. Robert Sheldon (Chairman of the Public Accounts Commission): Together with the Chairman of the Public Accounts Committee, I met the Chief Secretary to the Treasury in December to put our concern that the Government Resources and Accounts Bill represented a wasted opportunity to bring the powers of the Comptroller and Auditor General and the National Audit Office in line with modern government. That concern was most recently set out in the Public Accounts Committee's ninth report of this Session. Since then, the Bill has addressed some of our concerns and the Chief Secretary has announced a study to recommend suitable audit and accountability arrangements for central Government in the 21st century. I hope that during the remainder of the Bill's passage, the Government will add appropriate enabling clauses to ensure that the review's recommendations can have statutory force.

Mr. Heath: I am sure that I speak for the entire House in warmly welcoming the right hon. Gentleman back to his place.

Does the right hon. Gentleman welcome the announcement by Ministers that they were prepared to continue to talk about bringing executive non-departmental public bodies into the remit of the National Audit Office, or is he disappointed that the necessary

BEST COPY AVAILABLE

provisions have not already been put into the Bill? Will he take part in those discussions over the next few weeks?

Mr. Sheldon: Clearly, there is much to be done. Parliamentary accountability must go hand in hand with Government accountability. Many Treasury Ministers in the past have been allies of the ideas of the Public Accounts Committee in bringing these matters to the front, so that we could follow public money where it goes. That is the important aspect. We must be able to follow that public money, in most cases—not necessarily all, but in most cases—so that we can show that the money has been properly spent. That is the only way in which we can achieve such accountability, which both the Public Accounts Committee and the Public Accounts Commission dearly want.

Mr. Dale Campbell-Savours (Workington): On the behalf of the staff of the National Audit Office, may I express their thanks to Mr. Duncan Goodhew for ensuring that my right hon. Friend is here today to represent the National Audit Office in the dispute with the Treasury?

Mr. Sheldon: I am overwhelmed by the generosity of so many friends.

Mr. Geoffrey Clifton-Brown (Cotswold): May I, too, offer the right hon. Gentleman a warm welcome on his return to the House? Does he recall that during the passage of the Government Resources and Accounts Bill, we had a long discussion about the fact that the European Court of Auditors in many instances has greater access than our own Comptroller and Auditor General? Does he think that that is right?

Mr. Sheldon: Clearly, that is wrong. Not only that, but the Audit Commission has power to seek information, which the National Audit Office does not. There are obviously a number of gaps, which must be closed.

CHURCH COMMISSIONERS

The hon. Member for Middlesbrough, representing the Church Commissioners, was asked—

Church Revenues

30. **Mr. Paul Flynn** (Newport, West): What is his estimate of the proportion of Church revenues that will be donated by congregations in 2020. [114846]

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): In 1997, congregations provided approximately 62 per cent. of the Church of England's income. It is the hope and aspiration of the Church that giving by individuals will increase and that they might, on average, give 5 per cent. of their net income by 2020.

Mr. Flynn: Did my hon. Friend read a rather bleak forecast in a recent edition of the *Church Times*, which said that if current trends in the decline of congregations continued, they would reach nil by 2020? While I congratulate my hon. Friend on the great improvement in the finances of the Church under his stewardship, does he accept that a problem was created by the clergy of the Church of England opting out of the state earnings-related pension scheme, and thus not benefiting from the marvellous far-sighted initiative of a previous Labour Government that is enjoyed by retired clergy of the Church in Wales?

Mr. Bell: My hon. Friend will be interested to know that more people attend church on a Sunday than go to football matches on a Saturday. The Church has been around for 2,000 years; I therefore surmise that it will survive the next 20.

European Council (Lisbon)

3.30 pm

The Prime Minister (Mr. Tony Blair): With your permission, Madam Speaker, I should like to make a statement.

With my right hon. Friends the Foreign and Commonwealth Secretary and the Chancellor of the Exchequer, I attended a special meeting of the European Council in Lisbon on 23 and 24 March.

Ever since the Government took office, we have consistently advocated the need for comprehensive economic reform in the European Union. From the first European Council that I attended at Noordwijck, to the launch of the British presidency and since, we have made clear that the central European economic issue for Britain in this Parliament is reform: how we modernise the European social model and how Europe embraces the enterprise agenda and seeks to match the dynamism of the United States, while preserving our commitment to social justice.

The idea of holding a special summit at Lisbon on economic reform was originally put forward as a joint British-Spanish initiative. The Portuguese presidency has been rightly praised for the energetic and thorough way in which it took the issue forward.

The challenge that faces Europe today is fundamental. In many aspects of the new knowledge economy, the United States has established a clear lead. Seventy per cent. of all electronic commerce business in the world is conducted in the US; less than 20 per cent. in Europe. Despite the gathering strength of Europe's economic recovery and the advances that we have made in some key areas—for example, mobile telephones—15 million European men and women are without jobs.

The Council marks a sea change in European economic thinking. It points Europe in a new direction—away from heavy-handed intervention and regulation, towards a new approach based on enterprise, innovation and competition. As part of that fundamental reorientation of economic policy, the Council agreed a series of concrete measures with clear deadlines, including: rapid agreement this year on an effective legal framework for e-commerce in the EU; a fully liberalised and competitive telecoms market by the end of the next year; access to the internet for all schools by 2001; electronic access to the main basic public services by 2003; the introduction of a European diploma for basic information technology skills; a Community-wide patent by the end of 2001, making European patent protection as simple, inexpensive and comprehensive as it is anywhere in the world; and Government and Community procurement to be done fully online by 2003.

The need for reform is not confined to the so-called new economy. We agreed at Lisbon on the need for urgent measures to make the European economy as a whole more competitive, flexible and dynamic.

To support that objective, the Council reached the following conclusions: there must be faster liberalisation of previously protected sectors like gas, electricity and transport; there should be further support for European research and development, with the European investment bank making an additional 1 billion euro available for venture capital to support small businesses over the next three years; there should be a general reduction in the level of state aids throughout the Union; the financial services action plan should be implemented in full by 2005, with earlier progress in priority areas—for example, the introduction of a single prospectus for companies raising capital across the EU and the elimination of barriers to investment in pension funds. The Council also agreed that a European charter for small firms should be developed to clear the obstacles to the growth of small businesses.

On those and other matters, we agreed to benchmark each member state's performance and progress not only against other countries in Europe but, when appropriate, against the best in the world.

We also agreed that EU social policy must be modernised to respond to changing employment patterns, increasing life expectancy and deepening social exclusion.

Again, the European Council agreed on a number of specific measures to take the new agenda forward. We agreed action to combat social exclusion, with member states setting targets on specific matters such as unemployment, youth unemployment, overall employment and child poverty. We agreed to halve by 2010 the number of 18-to-24-year-olds excluded from the labour market because of low educational qualifications. We finally opened up the issue of the long-term sustainability of member states' pension systems and the need to reform them across the European Union. We agreed to establish a new Europewide database on jobs and learning opportunities. We agreed to put lifelong learning at the centre of job creation and to monitor each member state's progress against a series of agreed aims. We also agreed to improve equal opportunities, to increase the provision of child care and to promote greater flexibility in the management of working time.

Each year, the European Council will now meet to examine progress and agree further action specifically on economic reform.

The Lisbon European Council represents a turning point in Europe's approach to economic and social policy. With a sound macro-economic framework in place and the euro safely introduced, the concrete actions agreed at the Council should help to deliver an increase in the European Union employment rate over the next 10 years, from an average of some 61 per cent. today to something close to 70 per cent. I have no doubt that that is achievable. In the last three years, we have created more than 800,000 jobs in Britain. In Spain, there have been more than 1 million new jobs. In France, too, employment has risen by over 800,000 in the last three years, which, in part, reflects new measures to cut the cost of labour.

Above all, the European Council agreed that, once again in Europe, we can seriously contemplate a return to full employment. That post-war goal, achieved 30 or 40 years ago but then abandoned, is back on the agenda, and quite right too—each citizen unemployed is a resource wasted. We have had the courage to recognise that the aspiration cannot be met unless we are prepared to make the fundamental reforms that are necessary to equip our countries for the modern age—for a 21st century economy. The true significance of Lisbon lies in the combining of traditional aims and values with modern means and reforms.

We also had a full discussion of the situation in the Balkans, including the continuing problems in Kosovo and Montenegro. We agreed that the countries of the

[The Prime Minister]

region needed to be brought more into the European mainstream, and committed ourselves to enhancing economic assistance through, among other things, early trade liberalisation. The Lisbon Council recognised the immense progress made since the Kosovo conflict began a year ago, but agreed that a more coherent approach on the part of the international community was needed. We asked the Council's Secretary-General, Javier Solana, and the European Commission to present early recommendations on how to strengthen the impact of the European contribution, and enhance co-ordination of the overall international effort. We believe that that will enable Mr. Solana and Chris Patten to promote a more coherent international strategy for Kosovo and the region.

Finally, we discussed relations with Russia on the eve of the presidential elections, agreeing on the need for a full partnership between the European Union and Russia and emphasising again our concerns about the situation in Chechnya. I spoke to President Putin this morning to congratulate him on his emphatic election victory. He was very conscious of the weight of responsibility on his shoulders, both to restore order and democracy in Chechnya and to rebuild the Russian economy.

The Lisbon summit was highly successful. By getting our way in Europe, we are indeed standing up for Britain's economic interests. Making Europe more dynamic benefits Britain. More competition in Europe means new markets for British business; more enterprise in Europe means more jobs in Britain; more electronic commerce means more opportunities for British companies; more jobs, cheaper goods and better access to the internet are good for Britain.

Once again, constructive engagement has been shown to be the right policy for Britain and for Europe.

Mr. William Hague (Richmond, Yorks): I join the Prime Minister in welcoming the completion of another democratic election in Russia. Hon. Members in all parts of the House wish Vladimir Putin well in the difficult responsibility that he has taken, and fervently want him to succeed in promoting prosperity and bringing order and stability to his country, while always remembering the value of liberty and freedom.

The whole House will also endorse what the Prime Minister said about the importance of peace and stability in the Balkans. One year after the start of the NATO action, I know that he recognises that serious problems remain in Kosovo. As the Lisbon conclusions state, Europe and the international community need to provide support in a

much more co-ordinated, coherent fashion.

Will the Governments in Europe now ensure that our service men, operating in extremely difficult circumstances, receive the political back-up that they deserve at all times?

Following the discussions at Lisbon, can the Prime Minister categorically deny stories on the front pages of today's newspapers claiming that the Government intend to opt into the full Schengen arrangements, which would mean abandoning our own immigration and border controls? That would cause great alarm and be a very serious policy mistake.

We welcome the fact that the central topic for discussion at Lisbon was economic and social reform. It is obviously sensible for the Heads of Government to discuss what can be done to promote the creation of more jobs and sustainable economic growth. However, it is notable that there was a great deal more adoption of targets—benchmarking exercises, reports and studies, strategic goals, co-ordination exercises, commonly agreed indicators, reflections on Commission communications, exchanges of experience on information networks, "a European innovation scoreboard" and "a European award for particularly progressive firms"—than of actions. Many or all may be sensible in themselves, but is not the real challenge to turn them into action?

Is it not the case that, alongside all those targets, a major shift in the direction of policy is needed if the European Union is to overcome the problem of high unemployment and catch up with America in the development of the new economy? Is it not time for everyone to recognise that businesses, not Governments, create real jobs? Should not Governments cut down on red tape and regulation and get out of business's way? Unless all that happens, the setting of targets and empty gestures will be all that is remembered in future years. All those Air Force meals will have been eaten in vain, even by the Chancellor and the Foreign Secretary. It is vital to remember that such rhetoric will not create a single job. If the object—*[Interruption.]* We are all entitled to have a little dig at Ministers now and again.

If the object is to create jobs, as we all agree that it should be, why did the Prime Minister do the following in the summit communiqué? Why did he commit himself to the so-called pending tax package—tax harmonisation by another name? Will that not lead to higher taxes in countries such as Britain? Why did he commit himself to renewing the European social model—the very thing that has led to such high unemployment in Europe in the first place? Is he aware of Lionel Jospin's comment that

People tell us to take inspiration from Anglo Saxon countries. That isn't our approach at all?

Why was President Chirac able to conclude after the summit that the

European social model was recognised by all?

What, exactly, gave him that idea? Why did the Prime Minister give the green light to the forthcoming French presidency on proposing a new five-year European social agenda at the Nice summit, about which the Confederation of British Industry, for example, has expressed great concern? As the *International Herald Tribune* noted:

Some reports said that France had been isolated at the summit meeting in opposing the . . . views championed by Mr. Blair and Mr. Aznar, but these reports emanated mostly from the British Prime Minister's spokesman, Alastair Campbell.

Surely not! Whoever could imagine such a thing?

Although we welcome any genuine commitment to updating the public procurement rules and completing the financial services internal market, if adapting the economy for global competition is a priority—again, we agree that it should be—why did the Prime Minister agree to drop the target dates for the liberalisation of transport and energy markets? Last year, at the CBI conference, he described some of the working time directive as "over the top". In a speech to business leaders in Bristol, he said:

A lot of these different regulations that have come about from a slightly different era can be revisited again.

Was not Lisbon a unique opportunity to put his money where his mouth is, reform such things as the working time directive and say precisely which regulations will be revisited? If he does not do those things, he will be accused of saying one thing to the CBI and another in Europe. Of course he would not want to be accused of that. Was not Lisbon a chance to turn those words into action?

Although we welcome the holding of the summit and the subjects that it discussed and believe that it is time to set Europe on the path of free enterprise and increased prosperity and to shorten some scandalously long dole queues, is it not also time to recognise that soundbites, pious pledges and rhetoric will have to be backed up by action to cut the burdens of tax and regulation, which still stand in the way of job creation?

The Prime Minister: I am glad that the right hon. Gentleman at least welcomed the fact that the summit took place, and that it was on this topic. The trouble is that, if we pursued the policy that he outlines, no such summit would ever take place under a British initiative. He is dedicated to attending his first European Council to renegotiate the treaty of Rome. *[Interruption.]* That may come as a shock to Conservative Members, but that is their party's policy.

The other day, the Bruges group of MPs—to which 120 Conservative Members are signed up—told the right hon. Gentleman that the option of withdrawal should be clearly contemplated if the treaty renegotiation was not agreed. He has never been able to name a single country in favour of a treaty renegotiation—not one. [HON. MEMBERS: "Norway."] We will glide over that small misunderstanding. As he cannot name one such country, it is highly unlikely that he would be able to initiate such a summit. Anyway, I shall leave that aside and come to the points that he made—[HON. MEMBERS: "Oh!"]—out of generosity to the right hon. Gentleman.

I shall deal first with the issue of the Balkans and Kosovo. Of course our service men and women have our strong political back-up—they have had that all the way through. However, the real issue is how we better co-ordinate European and international action. The purpose of highlighting the roles of Javier Solana and Chris Patten is to have at the right level people with the authority and weight to carry through the decisions that the international community are making. Following the Lisbon summit, I hope that there will be greater clarity and co-ordination, and therefore a greater push given to our efforts in Kosovo.

It is barely a year since the conflict ended. Even though there are still enormous problems in Kosovo, let us never forget that it is better that those people are back in Kosovo than still being shut out of their homeland. We need to ensure that, having won the conflict, we also win the peaceful resolution following it.

On the Schengen arrangements, there is no question of us giving up border controls. That story was wrong, as could have been discovered had the Conservative party asked us. We have made it clear that we will work more closely under the Schengen arrangements on police co-operation, judicial co-operation, tackling organised crime and drug trafficking. That is perfectly sensible. However, I remind the right hon. Gentleman that, at Amsterdam, this Government won the legal protection of our border controls, and we do not intend to give that up.

The right hon. Gentleman said that the summit was all targets and no action. That is unfair: it was both targets and action. It is important to have targets on key issues to do with education and employment, but we also agreed measures on gas, electricity and telecommunications liberalisation. Specific measures were agreed by the European investment bank on the help that it will give small businesses. A directive on electronic commerce was agreed, and there were agreements on information technology skills to make them portable across Europe. There was a set of deadlines and agreements on Government procurement of services, which is immensely important. It would not be right to say that the Council was all targets and no specific action: it was a mixture of both targets and action, and rightly so.

On the tax package, we are committed to finding agreement, and I believe that we can do so on our terms. We are not against everything in the tax package. Indeed, we are strongly in favour of some parts of it. We want tax laws that are used as a hidden state subsidy to be removed, and that is a major part of the tax package. We must resolve the issue of the withholding tax, but we are making progress on that, and it is sensible that we continue to be engaged in discussion. It is always better to win the argument, and I believe that we can.

The right hon. Gentleman asked me why I agreed to the European social model. Let me make it clear, because he has misunderstood our position. I fully support the notion of a European social model—I am 100 per cent. in favour of it—but it should be updated, reformed and modernised for today's world. In case the right hon. Gentleman thinks that that is an extraordinary thing to say, let me quote to him from the Single European Act 1985, to which Margaret Thatcher, no less, signed up—that should instil calm and discipline in Conservative Members. An article, to which she agreed, states:

> Member states shall pay particular attention to encouraging improvements, especially in the working environment, as regards the health and safety of workers, and shall set as their objective the harmonisation of conditions in this area, while maintaining the improvements made.

It is not so long ago that even those whom Conservative Members worship were prepared to take a slightly more open-minded view towards the social agenda. Margaret Thatcher also recognised, rightly, that Europe should have a social dimension, but that it should be sensible and improve employment and job opportunities for people.

In relation to the working time directive, I said that I believed that some parts of it were "over the top" because I thought that some of it was an unnecessary interference with the way in which employers run their business. For that very reason, we revisited it and have issued new guidance and made it more flexible, but the directive was agreed in 1990 under the previous Conservative Government.

In relation to the issue of dole queues and how we shorten them, one of the great points about the summit was that it recognised that there will be pockets of high unemployment and social exclusion that traditional policies of macro-economic demand management will simply not cure. It is for that very reason that, in this country, we have the new deal. I would have hoped that, if the right hon. Gentleman believed in cutting the dole queues, he would support a measure that has cut them here by 200,000. A total of 200,000 young people have

[The Prime Minister]

jobs in this country today as a result of precisely the same type of measure that the rest of Europe is now willing to follow.

This summit has been highly successful not simply for Britain, but, most important of all, for Europe. It set a new direction for European economic policy. It has set very clear policy and targets for how we are going to achieve it. It is a very straightforward, clear example of how a positive, constructive engagement, rather than destructive negativism, yields results not just for Europe but, far more important, for Britain.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): On the last part of the Prime Minister's statement, may we echo the sentiments expressed in congratulating and wishing President Putin well? As the Prime Minister took the opportunity a couple of weeks ago to visit him, perhaps he might be able to flesh out whether there is some early possibility of the new president visiting this country. While we all wish him well in all parties, equally, in all parties there will be those of us who will want to express direct concern to him—appreciating the difficulties that he faces domestically—over some of the military engagements that he was, apparently, willing to sanction in Chechnya, which must be a great humanitarian concern.

In regard to the Balkans in general and to Kosovo in particular, the Prime Minister speaks about the need for "enhanced economic assistance". Will he clarify whether there has been further more detailed discussion about that? On television yesterday, Chris Patten said, for example, that the issue is either greater contributions from member states, or a rearrangement of existing budgets within the European Union. Can the Prime Minister give us some further flesh on those bones?

There is much to welcome in the Lisbon summit conclusions, but, at the end of the day, the communiqués must be judged in terms of not just their words, but actions. Will the Prime Minister acknowledge that liberalisation and greater deregulation are welcome, but that the truth is that, over the past five years, the burden of bureaucracy emanating from Whitehall has been significantly in excess of that emanating from Brussels? Therefore, if we wish to see more liberalisation and deregulation within the single market, we must tackle some of the problems at home, as well as some of those at a European level.

Can the Prime Minister clarify the French position in respect of liberalisation? What is their position in respect of energy and utilities in particular? A date has been specified on the liberalisation of telecoms, but not on those two other sectors. Can he clarify what the position is and whether the French are proving a particular obstacle?

The Prime Minister is right to say that, where Britain takes a lead, we can benefit in Britain and Europe benefits with that. Where the Government are still not taking a sufficient lead is on the issue of the euro. Given the generally positive response that he had at the weekend, will he and his colleagues redouble their efforts so that we make continuing constructive progress in Europe, and do not disappear up the cul de sac that the Conservative party is offering?

The Prime Minister: I think that I can promise at least not to do the latter, I hope.

President Putin has a standing invitation to visit this country. Of course we continually express our concerns about the action in Chechnya. Nevertheless, I believe that the European Union was right to emphasise the importance of engaging with Russia.

On the Balkans, at least currently, it is more a case of ensuring that the economic aid that we have already agreed gets through and is used properly in Kosovo and in the wider Balkan strategy. I think that, if that were happening, people would look far more favourably on any fresh applications. In my view, it is essential that we co-ordinate the different aspects of that policy. I and other European leaders have been concerned at the recent lack of co-ordination. Our efforts will therefore be directed at improving that.

On liberalisation, the important thing is the combination of liberalisation in the internal market plus measures that improve social justice. Traditionally, there has been at least as much regulation coming out of Whitehall as out of Brussels. I hope that the right hon. Gentleman will therefore support us in the measure that we wish to introduce to make it easier to get rid of unnecessary regulation. It is important that Governments are doing that themselves nationally, as well as at a European level.

The most important aspect of this economic summit is that the focal point was on measures to reduce unemployment and to improve educational qualifications and skills—whereas, if this type of economic summit had been held a few years ago and discussed social policy, the focal point would have been on regulation. I think that that is a big difference.

We have agreed to open up the energy and utilities market in each individual country as quickly as possible. Some countries have a different position on the matter—France has been mentioned. On the other hand, as we all know, French utilities have quite a significant part of the British utilities market. Obviously, we point that out to our French colleagues as well. It is important to realise that that process of liberalisation will go on, and that it is the right process for the future of Europe.

Our position on the euro remains as it is.

Mr. Ian Pearson (Dudley, South): I welcome the Lisbon summit's progress on market liberalisation and the prominence that it has given to electronic commerce. However, does my right hon. Friend agree that we must aim at providing internet access for all, and that particularly the elderly stand to benefit enormously from being able to buy goods on-line? Will he therefore consider providing free internet training courses for pensioners and letting our grannies go Windows shopping?

The Prime Minister: That bit came a little late for the Budget. Certainly one of the principal purposes of the summit was to improve access to the internet, and we agreed a series of measures to do that, including measures on access to learning centres as well as access to the internet in schools. We are in the process of setting up 1,000 learning centres across the United Kingdom, so that people should be able to get access to decent information technology literally wherever they live. We are also giving help—both tax breaks and a subsidy—for information technology courses. That action will help our

elderly as much as people in the work force, who will need increasing access to internet skills to be able to do their job.

Sir Peter Tapsell (Louth and Horncastle): After what has happened to Rover and the west midlands, did the Prime Minister, at Lisbon, repeat his wish at the earliest practicable moment to place the British pound under German management by joining the euro?

The Prime Minister: I did not. Our position on the euro remains unchanged. That was a fairly bizarre intervention, in the light of the comments that have been made about the matter. Our concern is to ensure that we do everything that we possibly can for the workers who have been displaced by the news. It is important that we do so. The difference between this Government and the Government whom we replaced is that we recognise that we have a responsibility and an obligation to develop job opportunities and, particularly where restructuring occurs, to help people to find new employment.

Mr. David Winnick (Walsall, North): Is my right hon. Friend aware that—both before the elections, and in their immediate aftermath—a number of Russians have expressed fears about the possibility of an authoritarian regime being restored to Russia? Is not the position of the European Union and of the British Government that we do not want any type of repression—military or otherwise—in Russia, but we want a fully law-based state with justice and protection for ordinary people in Russia?

The Prime Minister: I agree entirely. That has to be the purpose of the European Union's engagement with Russia.

Sir Raymond Whitney (Wycombe): Is it not surprising, but none the less welcome, that the Prime Minister's statement made no reference to the third way? Was the third way discussed at Lisbon, or does the Prime Minister now accept that the concept is dead and that, as a collection of empty clichés, it deserved to die?

The Prime Minister: No, I do not. Perhaps I shall send the hon. Gentleman cuttings from the various foreign media that have paid tribute to the influence of the third way on the summit.

Mr. Bill Rammell (Harlow): Does my right hon. Friend share my view that, when the European Union talks of pursuing structural reform to increase competitiveness and modernising the European social model, it shows that Europe is working to this country's agenda? Does that not show that we can and do win the debate in Europe, as was reflected throughout the quality press in Europe at the weekend? Should that not be contrasted with the view of the Conservatives, who increasingly want to renegotiate the past and join the North American Free Trade Agreement at the expense of our position in Europe, in the process putting 3.2 million British jobs at risk?

The Prime Minister: I do not know whether the initiative on NAFTA has the blessing of those on the Conservative Front Bench but, if we joined NAFTA, we would have to leave the European Union. That is probably why it has been proposed by those who have proposed it. My hon. Friend is right to say that we are modernising the European social model and combining policies for enterprise with policies that tackle social exclusion. That answers the question from the hon. Member for Wycombe (Sir R. Whitney).

Mr. Dafydd Wigley (Caernarfon): I warmly welcome the full employment targets, particularly the gender balance targets, that have been accepted. Does the Prime Minister accept that, to take those targets forward in the UK, we need action plans for employment on a UK level and within the nations and regions? Do we not need to look at the guidelines for the Bank of England to make the maintenance of full employment one of its targets, alongside inflation?

The Prime Minister: Of course it is important that activity to stimulate jobs and tackle social exclusion happens in every part of the UK. I think that the Bank of England's remit is the right one. We have long since moved beyond the notion that, by taking a responsible view of inflation, we are somehow acting in a way contrary to the interests of employment. The balance between the Bank of England remit and the Government remit is the right one.

Mr. Denzil Davies (Llanelli): Given that 13 of the official languages of the member states of the European Union are not English and that the language of the internet is English—or perhaps American—is there not a strong likelihood that, in the age of the internet, the European Union may never catch up with America?

The Prime Minister: That is a slightly limited view of how people can develop in the modern world. Some Scandinavian countries that are at the forefront in developments of new technology and the internet use English perfectly easily. That is the world in which we live. A better way of putting it is that the fact that English is the internet language gives us a huge opportunity, which we should use.

Mr. Ian Taylor (Esher and Walton): The Prime Minister is at his best when he follows a positive Conservative agenda, which the previous Government set on opening up Europe for e-commerce, on telecoms liberalisation, the first stage of which was reached in 1997, and on movements towards a European patent. I congratulate the Prime Minister on those issues. Will he ensure that the target dates are met? The Commission has real power and must exercise its responsibility. There are always ways to throw obstacles in the course of progress on such issues at Council of Ministers meetings. I hope that the Commission will be given the authority to ensure that all member states, including those which are less likely to be enthusiastic, are obliged to carry out the commitments that they made at Lisbon.

The Prime Minister: Of course, where there is European legislation, the Commission will have a power to enforce it. It will be able to take an active role on issues such as the European patent, when we develop it. There will be a European Council every year on economic reform, which will also provide impetus.

[The Prime Minister]

The Conservatives used to take a sensible view of Europe. In the first six or seven years even of Margaret Thatcher's time as Prime Minister, whatever some of the rhetoric, a constructive attitude was taken. The single European market was a British Government initiative. Conservative Front Benchers express their horror at what the Labour party's policy used to be; it is precisely for that reason that we changed it. What a shame it is that, as we left our extremism behind, the Conservatives took it up.

Dr. Phyllis Starkey (Milton Keynes, South-West): I very much welcome the positive role that the UK Government played in persuading our European partners to address the issue of promoting employment and enterprise. Was the UK-Swedish joint statement before the Council on promoting female entrepreneurship discussed by the Council? Did the Council take up some of its positive suggestions about removing barriers to women entrepreneurs?

The Prime Minister: It is for precisely that reason that the Council's conclusions contained passages on the better balance of work and family life and on more flexible time. We recognise that specific groups of people have had difficulty gaining access to such things as venture capital, which are necessary to start businesses. The UK tabled a number of papers with other countries, and the contents of the Swedish paper were well reflected in the Council's conclusions.

Mr. Patrick McLoughlin (West Derbyshire): Did the Prime Minister have time to discuss the future of Sellafield with either the Irish or Danish Governments?

The Prime Minister: I did discuss that with the Irish Taoiseach, who expressed concern on environmental grounds—a traditional Irish concern. I gave him the traditional British answer, which is that we are sure that the procedures are entirely safe.

Mr. Piara S. Khabra (Ealing, Southall): The Prime Minister is considering participating in the Schengen agreement. I hope that he will not open this country's borders to facilitate the entry of racists into this country to stir up racial trouble.

The Prime Minister: Of course we will not do that. As I said, the border controls of the UK remain in place. The purpose of our further engagement with Schengen is to tackle some cross-border issues that we really need to tackle.

Mr. David Curry (Skipton and Ripon): It was bad luck that Lionel Jospin arrived at the summit hotfoot from a total retreat on pensions reform, a failure to reform the Finance Ministry and yet another capitulation to France's extremely greedy public sector unions. Does the Prime Minister understand why it is that, however much we want the agenda that he has outlined to succeed, we have genuine concerns about the willingness and ability of the continent's socialist Governments to deliver it? Would he take them aside and explain to them that socialism does not work?

The Prime Minister: I shall make two points in response to the right hon. Gentleman. First, real reform is going on in the rest of Europe. A FF40 billion tax cut has been proposed by the French Government in various areas to encourage business, and liberalisation is being pursued also in certain areas. In Germany, there is a comprehensive corporate tax reform package. In Denmark and Holland, for example, major welfare reform is taking place. All those countries have centre-left Governments.

Secondly, it would be true to say that some people take a different position in terms of their enthusiasm for economic reform. That would be entirely natural. What is different now is that they are in the minority, not the majority. It is also different because this country, by engaging in the process and in the summit, has been able to get a result. That is surely the right way to approach the matter. There will be people with different views on different aspects of economic reform. The important thing is that a summit such as this, dedicated to economic reform and with the specifics that it contained, would have been unthinkable a few years ago. It would be instructive for the right hon. Gentleman and some of his Conservative colleagues to read the French press if they want to see where the balance of argument lies.

Mr. Dale Campbell-Savours (Workington): Does not the raft of highly important initiatives that my right hon. Friend led the discussions on in Lisbon point the way to an early decision on entry into the euro? May I suggest that the five conditions should be met as soon as possible, because business men in my constituency now totally reject the Tory approach and want entry into the euro?

The Prime Minister: Of course the Conservatives' approach would be a disaster. To rule out the euro irrespective of the economic circumstances for a certain period or for ever—whatever is their latest policy—would be a disaster, sending a terrible signal right across Europe about Britain and British industry. It would put at risk the 800,000 jobs linked to inward investment. Surely the policy of keeping the option open, making the economic tests clear and saying that the final decision should be with the British people in a referendum is the right decision.

I emphasise to those who want me to commit myself to going in without regard to the economic circumstances that it is an economic and monetary union, so the intelligent way forward is to set down the economic conditions and pursue them, with the final choice left to the British people. We should neither stay out nor join without having proper regard to the economic circumstances.

Mr. John Swinney (North Tayside): I welcome the direction of the Prime Minister's statement. Does he recognise the genuine challenge of e-commerce for the small and medium-sized enterprise community, as it is estimated that only about 7 per cent. of SMEs are equipped to trade on the internet? What was agreed at the summit specifically to intensify preparedness to trade on the internet, and does he believe that it would be strengthened by a swifter time scale for joining the single currency?

The Prime Minister: The most important measures for small businesses are telecoms liberalisation, the charter for small businesses that was agreed and the programme of the European investment bank. For the United

Kingdom, the measures announced by my right hon. Friend the Chancellor in the Budget—in particular, the tax relief for small businesses in relation to investment in technology—will have a big impact. Perhaps the most important thing that we can do is to keep emphasising to our business community that the whole question of the internet and electronic commerce is not only about businesses specifically engaged in that business: every business will be affected by the new technology, so they should all look into how they can use it. It has been interesting to see the number of not only multinational but UK companies that have recognised within the past 12 months that that has to be their No. 1 business priority.

Mr. Tam Dalyell (Linlithgow): Was anybody in Lisbon the least bit surprised that it was deemed unsafe for George Robertson to go to Mitrovica? If the Prime Minister talks about winning the peace, does he not have to address the subject of Serbia—a wounded and deeply resentful animal—and may it not mean spending a great deal of money and talking, however unpalatable it may be, to Mr. Milosevic?

The Prime Minister: Of course we discussed the Balkans and Serbia in detail. Money is reserved for Serbia, but there has to be the democratic transition. We are not prepared to put money in the pockets of Milosevic. It is important for us to keep up the pressure for change there, to engage properly with the democratic opposition in Serbia and to recognise that it is in the interests of a wider Balkan strategy for Serbia to become a proper democratic state. We are working to that end, and that is really the best thing that we can do.

Mr. Tim Collins (Westmorland and Lonsdale): Does the Prime Minister have any message from Lisbon for the hon. Member for Liverpool, Walton (Mr. Kilfoyle), who is about to give him a message?

The Prime Minister: I have not the faintest idea what the hon. Gentleman is talking about.

Mrs. Alice Mahon (Halifax): On the Balkans, does the Prime Minister agree that it is equally important to get back home the 800,000 refugees who are now living in Serbia, a quarter of a million of whom have been ethnically cleansed from Kosovo? During a recent visit to a camp there, my hon. and learned Friend the Member for Medway (Mr. Marshall–Andrews) and I witnessed at first hand just how miserable the conditions are, and we were informed by the Red Cross and the United Nations High Commissioner for Refugees that sanctions are really hurting refugees, some of whom have been there for eight years. Did the European Council discuss what could be done to relieve the plight of those 800,000 people, or do we have undeserving and deserving refugees?

The Prime Minister: No, we certainly do not have those two categories. We have agreed already that humanitarian aid can go to those refugees, and that is not the principal problem. The principal problem is how one reconstructs Serbia while a highly dictatorial, undemocratic regime is in place there. That we cannot allow. My hon. Friend is right to say that there were refugees from Kosovo into Serbia, but think how much worse the situation would be if we had allowed Kosovo to be ethnically cleansed and we had a million Kosovo Albanian refugees going around Europe. The only way forward was to right the wrong that was done and work constructively to win the peace, but that cannot be done—or at least, it is far more difficult—while Milosevic remains in power in Serbia.

Mr. Julian Brazier (Canterbury): While the Prime Minister was having discussions with colleagues on the sustainability of pensions, did he tell his European colleagues that when he took office, this country had as much saved in its pension funds as the whole of the rest of Europe put together? Did he advise them to do what he has done, which is to tax £5 billion a year out of pension funds, and to tax even very small amounts of dividend income held by pensioners, while at the same time providing a minimum income guarantee to those who have not been able to provide for their pensions?

The Prime Minister: That is a slightly different topic. First, the single most important aspect is the value of the money in people's pension funds. As a result of what has happened in this country over the past two or three years and the strength of the economy, that value is high and has risen enormously. Secondly, the 10p tax rate on savings has been very helpful and, thirdly, we have agreed a series of measures—such as lifting the savings rate on capital and ensuring that all pensioners get a proper tax-free winter allowance—that help not just the poorest pensioners. I make no apologies, as I have said before to the hon. Gentleman and his colleagues, for taking the necessary measures in the first two years of office to ensure that we eliminated the huge financial deficit that we inherited. The worst thing that we could possibly have for pensioners is a return to the high inflation and the boom-and-bust days that were presided over by his party's Government.

Mr. Dennis Skinner (Bolsover): Is my right hon. Friend the Prime Minister aware that, when all the glitz and the glamour of the Common Market and the summits and the rosy-eyed views have been removed, bosses still have power to sack workers? Did he bump into any of the Germans across there, and tell them that the British people are disgusted by the way in which BMW tore up all the so-called agreements that were started when the Tories were in power when they negotiated the Rover deal in the first place? Whatever happened to the social chapter and the mountain of legislation that is supposed to protect workers inside the Common Market? Will he tell BMW, if he has not told it already, that it is time that it operated in a totally different fashion? If it believes in togetherness, it should not have sacked those workers like it did, leaving us to try to pick up the pieces. If he did not do that, I hope that he will get on the blower immediately.

The Prime Minister: We certainly did, and we have repeated our concerns about BMW management's handling of this situation and our strong disagreement with the way in which the announcement was made. We have made that clear all the way through. It is worth pointing out that the German Chancellor also made clear on Saturday his disagreement with the way in which BMW handled the issue. We are living in a European market in which changes will be made, but the very

[The Prime Minister]

reason that we want to be part of the social chapter is to ensure that basic minimum standards in the workplace apply to people.

Mr. John Wilkinson (Ruislip-Northwood): Are not the bland words in section 3 of the communiqué on the western Balkans belied by the dire report of Secretary-General Solana and Commissioner Patten on the situation in Kosovo? Will not the Government and their European partners have to make up their minds whether to get more deeply involved in the military task of containing the growing insecurity in Kosovo or to get out?

The Prime Minister: The conclusions welcomed the paper by Solana and the European Commission, so I do not believe that they were bland. The very purpose of raising the issue in that way was to ensure that Europe co-ordinates its assistance better.

There will inevitably be problems sorting out an issue such as Kosovo, especially given the wider problems in the Balkans. However, the alternative—a policy of disengagement—would be disastrous. It would destabilise the entire region, and lead to renewed bouts not just of ethnic conflict, but of ethnic war, into which we would inevitably be drawn back. That is why I took the view from the very beginning that we had to become engaged with the conflict. We shall see the peace through in the same way that we saw the conflict through.

Mr. Ben Bradshaw (Exeter): Is my right hon. Friend aware of the other comments made by the German Chancellor at the weekend, when he said that the liberalisation and deregulation achieved at Lisbon would not have been possible without the leadership shown by the British Government? Does my right hon. Friend agree that the best proof that Lisbon was a success is the deafening silence about the summit among the anti-European British newspapers?

The Prime Minister: The summit showed that, with a positive attitude in Europe, Britain can be successful. I hope that we carry on learning that lesson.

Mr. David Chidgey (Eastleigh): In the Prime Minister's discussions about security and stability in the Balkans, did he touch on the acute problem of the shortage of law-enforcement officers in Kosovo? Was he made aware of the high regard in which British police officers working on secondment there are held? British officers lack of firearms training means that there is a great shortage of them, although the authorities in Kosovo say that they would be more than happy to provide that training because they value the officers' skills so highly. Will the Prime Minister revisit the matter and make more British police officers available to restore peace in Kosovo?

The Prime Minister: We are doing what we can, and we have already doubled the contingent of British police officers in Kosovo. I understand what the hon. Gentleman says about firearms training, although I think that the matter is a little more complicated. However, we are also providing additional help to crack organised crime. We are giving a range of help and we stand ready to do more, but that help has to be given in conjunction with the authorities in Kosovo.

Points of Order

4.22 pm

Mrs. Angela Browning (Tiverton and Honiton): On a point of order, Madam Speaker. Have you received a request from the Secretary of State for Trade and Industry to come to the House and report the progress made in the various meetings that he has held over the past 10 days on the subject of Rover? You will know that the right hon. Gentleman was due to open this afternoon's debate on the Budget but, because the Government have withdrawn him, there will now be no Budget debate dedicated to business and industry. Are you able to use your influence to ensure that the House is kept apprised of this matter, which is very important, especially in the midlands?

Madam Speaker: I am not aware that the Secretary of State for Trade and Industry is seeking to make a statement on the subject to which the hon. Lady referred. However, those on the Treasury Bench will have heard the plea of the hon. Lady, who speaks officially on these matters for the Opposition, and perhaps we shall be hearing something soon.

Mr. Bob Russell (Colchester): On a point of order, Madam Speaker. I seek your guidance and protection for Back-Bench Members in respect of oral questions. Two weeks ago, I drew Question 7 for this afternoon, but my question was subsequently removed from the Order Paper. The question had to do with Wembley stadium, so who should answer it if not the Secretary of State for Culture, Media and Sport or the Minister for Sport? I understand that the question was transferred to another Department. Do you not agree that in such cases the matter should be discussed with the hon. Member concerned?

Madam Speaker: I cannot agree that there should be discussion with the hon. Member concerned. I believe that the question was not only about Wembley, but about rail links to the stadium. It is for the Minister involved to determine whether a question should be transferred. I understand that the hon. Gentleman tabled his question on 13 March, and that it was transferred on 15 March. I accept his word as an hon. Member that he was not informed of the transfer until this very day, and I very much deprecate that. I have sympathy with the hon. Gentleman's position, and I hope that he will take my remarks this afternoon from the *Official Report* and use them to make the strongest possible representations to the Secretary of State concerned.

Residential Care Homes and Nursing Homes (Medical Records)

4.24 pm

Mr. Paul Flynn (Newport, West): I beg to move,

That leave be given to bring in a Bill to require persons registered to carry on residential care homes or nursing homes to keep records concerning medicines and their use; to provide for inspection of such records by medical practitioners; and for connected purposes.

The whole House will have been shocked at the level of abuse in homes for young people that has been revealed in the past few years. However, at least a similar level of abuse exists in homes for the elderly, and it remains hidden. The majority of residential homes are run in an exemplary manner by kind, dedicated staff who receive poor wages for their thankless and trying work. However, a recent television programme, secretly filmed in a residential home, revealed a degree of physical and verbal violence against residents that would shock us all.

The purpose of the Bill is to counter another form of abuse—the use of medicinal drugs in such homes. Many families tell a similar story of relatives who, although frail, were active and lively, but, within a short period of entering a home were reduced to inactivity, their behaviour being similar to that of zombies. That is usually explained as being the result of the declining faculties of the residents concerned. However, there is a wealth of evidence to suggest that over-medication is the major factor.

All independent studies have found vast over-prescription of powerful, anti-psychotic drugs. In Glasgow, 28 nursing homes were visited to examine the prescribing of the "chemical cosh" to 217 residents. The study found that 190—88 per cent.—of those residents did not need the drugs. At the end of the day, some nursing homes routinely switch off their patients with the lights. An elderly person living in a nursing home receives four times as many prescription items as elderly people living in their own home. On average, elderly people in nursing homes are given between six and seven medicines—some take as many as 19—many of which are inappropriate and unnecessary.

The use of neuroleptic drugs is of special concern. Such drugs are meant for the deeply psychotic—for the treatment of senility, mania and dementia. The two main drugs are Melleril and Largactil; those drugs and several others reproduce, as a side-effect, the symptoms of dementia. It is often impossible to tell whether the dementia is from natural causes or from the drugs. Another survey found that although 10 per cent. of nursing home residents suffer from serious psychiatric disorders, 50 per cent. rather than 10 per cent. of them receive those powerful drugs.

I am grateful for help in preparing the Bill from several groups, including Action on Elder Abuse and Age Concern, which have given me some recent examples of what is happening. I was told of one nursing home where all the residents are woken up at

6 am and made to go to bed at 6.30 pm.

Age Concern said:

It has been suggested that the residents are drugged in the evening to go to sleep early, as this would not happen naturally.

Elderly people are put to bed at 6.30 pm; when they wake up they are drugged again and hauled out of bed at 6.30 am because that suits the shifts of the staff.

[Mr. Paul Flynn]

The organisation gave another typical example in which a group of elderly people were being sedated without prescription. Age Concern stated:

> A relative believed the owner was in financial difficulties. Sedated elderly required less attention and less staff. The home went broke. The health of one lady improved when she was removed from the home.

That woman went on to a milder drug, although she is addicted for life to the drug that was illegally prescribed to her in that home. Age Concern noted that a prosecution is possible.

Those are not isolated examples. Every independent investigation of such homes undertaken in the United States and in this country reports gross over-use. The most devastating conclusion of such reports is that when the use of those powerful drugs has been reduced or stopped, there has been little, if any, deterioration in the patient's health. The drugs were being needlessly prescribed.

There are possible remedies. Today, I heard about a trial carried out in the Ceredigion area by a local health group. I cannot give the final conclusions because they have yet to be presented to the National Assembly for Wales, which will report on them. However, the trial was a great success. A pharmacist visited 111 individuals; it was found that 194 of the drugs that had been prescribed were unnecessary for a variety of reasons. Many of them were withdrawn. The report stated that the health of those individuals has been improved, and a saving of £15,000 has been made on the drugs bill. That sum can now be given to the homes so that they might provide real help in the form of extra staff and extra care. It is far better for those in residential care to have a helping hand or an attentive ear rather than to be driven into oblivion by a drug.

Manchester school of old age psychiatry ran similar pilot schemes, sending groups of pharmacists into residential homes. In every instance that resulted in fewer drugs being used.

I hope that the Bill will be incorporated in the Care Standards Bill. I am grateful to a new group named Action on Elder Abuse centre for ageing, the Alzheimer's Disease Society and Age Concern for the help that they have given me in preparing the Bill. Residential homes are a reality of life for an increasing number of elderly people. In too many cases we are failing to provide the safety, comfort and peace of mind that we all hope to enjoy in our final years.

As politicians, we often agonise over problems for which there are no realistic remedies. The Bill will provide a practical, safe and affordable remedy that can rescue tens of thousands of defenceless, frail and elderly people from the lives of misery and confusion that are now being imposed on them by others out of ignorance, neglect or greed.

Question put and agreed to.

Bill ordered to be brought in by Mr. Paul Flynn, Mr. Eddie O'Hara, Mr. Gordon Prentice, Dr. Doug Naysmith, Dr. Brian Iddon, Mr. Paul Burstow, Mr. Mike Hancock, Mr. Andrew George, Dr. Evan Harris and Mr. Dafydd Wigley.

Residential Care Homes and Nursing Homes (Medical Records)

Mr. Paul Flynn accordingly presented a Bill to require persons registered to carry on residential care homes or nursing homes to keep records concerning medicines and their use; to provide for inspection of such records by medical practitioners; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 9 June, and to be printed [Bill 98].

Orders of the Day

WAYS AND MEANS

Order read for resuming adjourned debate on Question [21 March].

AMENDMENT OF THE LAW

Motion made, and Question proposed,

That it is expedient to amend the law with respect to the National Debt and the public revenue and to make further provision in connection with finance; but this Resolution does not extend to the making of any amendment with respect to value added tax so as to provide—

(a) for zero-rating or exempting a supply, acquisition or importation;

(b) for refunding an amount of tax;

(c) for varying any rate at which that tax is at any time chargeable; or

(d) for any relief, other than a relief which—

(i) so far as it is applicable to goods, applies to goods of every description, and

(ii) so far as it is applicable to services, applies to services of every description.—*[Mr. Gordon Brown.]*

Question again proposed.

Budget Resolutions and Economic Situation

Mr. Deputy Speaker (Mr. Michael Lord): Before I call the Minister, I remind the House that Madam Speaker has put a limit of 10 minutes on all Back-Bench Members' speeches during the debate.

4.33 pm

The Secretary of State for Social Security (Mr. Alistair Darling): This is the last day of this year's Budget debate. The debate has shown the clear dividing lines between the Government and the Opposition. We are building a strong economy that allows us to build strong public service, whereas Conservative policies would return us to the boom-and-bust economy of the past. If we want to know what the Opposition think about public services, we have only to look at their plans to dismantle the national health service.

We have strong public finances because we took tough decisions during the first two years of this Parliament. We cut the huge debts that we inherited and we gave the Bank of England independence, something that was opposed by the Conservatives at the time. Our public finances are strong. We are in surplus, not deficit. By getting people back to work and by cutting the costs of social and economic failure, my right hon. Friend the Chancellor of the Exchequer found that he had about £3 billion more available to spend than he would have done but for the change of Government.

For the first time in a generation, social security spending is under control. The rate of growth in this Parliament is less than half the rate under the Conservative Government. Spending will remain under control provided that we continue to reform the welfare state and get more people into work, tighten the gateways to benefit and take tougher action on fraud. By keeping spending under control we can spend more on our priorities, such as helping families with children and supporting pensioners.

Tightening the gateways is important. Because of the action that we have taken, we are already on course to save £1 billion over this Parliament by cutting down on fraud and error in income support alone. We have also called time on the hidden economy which thrived during the Tory years. I can announce that, from next year, there will be 400 more specialist investigators across government to crack down on fraud. Specialist teams throughout the country will check the identities of people claiming benefits and suspected of making fraudulent claims. Following Lord Grabiner's report, the Government will introduce proposals to deal with persistent offenders who work and claim benefits at the same time. There is no excuse for benefit fraud; we will not tolerate it.

Social security spending almost doubled under the previous Government because of their economic and political failure. They spent more and more while the number of households with no one in work doubled and child poverty trebled. It is a scandal that, at the beginning of the 21st century, it falls to this Government to eradicate child poverty, which grew so much under the Conservative Government. They spent more and more as a result of their failure, and their response was simply to leave things to the market. That remains their response today, whereas our response is fundamental reform, and we are now beginning to see the results of those reforms.

The key to cutting the bills of economic failure is getting people back to work. Work provides opportunity and helps to remove children from poverty; and a lifetime in employment makes for a good pension. That is why this Government are determined to help people find work and to make work pay—helping people to help themselves. There is more help now available, with the working families tax credit, the new deals and the minimum wage. Long-term unemployment has more than halved, youth unemployment is down by 70 per cent. and there are more vacancies in the economy. We believe that welfare reform and getting people into work is the key not just to cutting the bills of economic failure, but to making sure that individuals can prosper and do well.

There are 1 million vacancies in the economy. We therefore believe that a new approach—a new culture—is needed by Government to help people fill those job vacancies. That is why, this month, we announced a new agency for work, bringing together the Benefits Agency and the Employment Service. From next year, there will be a single gateway for everyone of working age. We are ending a system that is designed simply to hand out benefits. Instead, we are designing one that is geared to getting people into work and helping them to become independent.

We have active help backed by measures to help work pay, such as the working families tax credit. Some 1.4 million families are gaining about £24 a week, and all of that would be put at risk were there ever to be the return of a Tory Government.

Mr. Chris Pond (Gravesham): Will my right hon. Friend seek an intervention from Conservative Members? The Conservative party has performed one or two U-turns

[Mr. Chris Pond]

on these issues, but will he seek a categoric statement as to whether it would retain or scrap the working families tax credit?

Mr. Darling: One only has to read what Conservatives have said about the working families tax credit to see their hostility towards it. I know that they have performed one or two U-turns, such as that on the minimum wage. However, it is hard to believe a party that was so vehemently against the minimum wage, when it now tells us that it is in favour of it. Who knows? The Tories will be calling for an increase in it next.

The Conservative party is still against the new deal, but I suspect that it is quiet now because of its embarrassment. After nearly 20 years in government, and despite all the rhetoric and all the promises to cut social security spending, it managed to double the amount of social security spending. That was not because people were better off as a result of more generous benefits or anything like that: it was simply that the Conservative Government needed to spend more and more because of mass unemployment. What was worse, it presided over a situation in which one generation of the unemployed led to a second generation of people who were unemployed.

Mr. John Bercow (Buckingham): Will the right hon. Gentleman give way?

Mr. Darling: I shall certainly give way; it did not take long to provoke at least one Conservative Member. The hon. Gentleman must be deeply embarrassed by the fact that, whatever else the Conservatives did in the past 20 years, they manifestly failed to control social security spending. We have done that, and we shall continue to do so.

Mr. Bercow: That was a very long-winded apologia. Is the Secretary of State aware that, on the Government's own statistics for the new deal for lone parents, only 4.5 per cent. of lone parents who were sent invitation letters have secured employment as a result? More than 434,000 have failed to do so. Does the right hon. Gentleman not recognise that, if the new deal for lone parents were a school, it would have been closed by the Secretary of State for Education and Employment?

Mr. Darling: I shall come on to lone parents shortly, but I can tell the hon. Gentleman that nearly 90 per cent. of lone parents who come in for interview under the new deal join the scheme, and a growing number go on to work. A recent report showed that once lone parents are in work, they are more likely than other people to stay in work, and the survey found that nearly half of those who went into work were still in work five years later. Lone parents have a motivation that people without children do not have—the motivation to look after their children. The new deal for lone parents has been a success, and as I shall tell the House shortly, we intend to build on that.

I was saying that not only will we help people into work through the new agency, which will make sure that everyone of working age comes through that single gateway, but we are easing the transition to work. The Budget introduces a new simple job grant, with a benefit run-on for housing costs, which makes it easier for people receiving mortgage support to try out a job: if the job does not work out, they will not lose that benefit.

We are helping people to get work, and 260,000 people have found a job while on a new deal programme. Yet it is worth noting that the Tories were against every aspect of the new deal. We are extending and improving those programmes because so many people have found work. We are reducing unemployment, but there are many people who are not in work who could work and want to work. That is why we introduced the new deals for disabled people and for lone parents.

As I said, 90 per cent. of lone parents who come in for interview join the new deal, and one in three of those go on to find work. Starting this October, and going nationwide from April next year, we intend to roll out national work-focused interviews for lone parents on income support with children of school age. People have a right to expect support, but in turn they have a responsibility to find out what help is available. By 2004, every lone parent whose youngest child is over five will have to come in for an interview as a condition of receiving benefit. We shall begin to implement that next year. We are providing the help and advice that people need, but they should be made aware of what help is available to get them into work.

The Tory alternative, which is simply to cut off all income support the minute the youngest child reaches 11, as well as to remove all help and advice and scrap the new deal and the working families tax credit, will not help; it will only increase poverty. Helping lone parents and, importantly, their 1.7 million children, is an essential part of our drive to eradicate child poverty. We are the first Government ever to commit themselves to halving child poverty within 10 years and eradicating it in a generation. After all their U-turns and policy changes, it will be interesting to find out whether the Tories are prepared to support us in that commitment. No decent society and modern economy such as ours should tolerate so many children living in poverty.

We are determined to tackle poverty and its causes, including the poverty of opportunity and expectation that has blighted the lives of too many children. In this Parliament alone, as a result of all the measures that have been announced in the Budgets since we took office, more than 1 million children will be taken out of poverty. By any reckoning, that achievement should make people proud of what this Government have done.

We are tackling the causes of poverty, not only through education and housing policies, but through extra help such as the sure start maternity grant for mothers with new babies, which rises to £300 from October. We are also helping those children whose parents cannot work with an increase of £4.35 for children under 16 in families who are receiving income support and the working families tax credit.

Mr. John Townend (East Yorkshire): Is not one of the greatest causes of the increase in child poverty the breakdown of the institution of marriage? What have the Government done in the Budget to encourage marriage?

Mr. Darling: In fact, the biggest single cause of child poverty is parents not being in work for long periods. I would take the hon. Gentleman's remarks more

seriously if he had ever paid any attention to, or expressed any concern about, the mass unemployment over which the Conservative Government presided during the 1980s and early 1990s. If he wants to see the problems of poverty at their most acute, he should visit those areas where employment was decimated in the early 1980s, and where parents were given no help to get back into work.

Mr. Darling: The hon. Gentleman can shake his head if he likes. In my 13 years as a Member of Parliament, I have never heard him express an interest in poverty, but if he is now taking such an interest, he should look at what is being done to help children who live in poverty. I commend the report that the Government produced last year, and which we will produce every year; it will enable people to judge our performance on eradicating child poverty within a generation. We are determined to ensure that every child in this country has the best possible start in life.

Mr. David Davis (Haltemprice and Howden): The Secretary of State picks his statistics carefully. According to his definition, the highest cause of child poverty is families without a working parent, but the second highest is single-parent families. Therefore, will the right hon. Gentleman answer the question asked by my hon. Friend the Member for East Yorkshire (Mr. Townend): does the right hon. Gentleman think that encouraging marriage is an appropriate objective for Government policy?

Mr. Darling: The right hon. Gentleman has inadvertently made my case: for most families, lack of work is the problem. He mentions lone parents, and too many children living in poverty are the children of lone parents who are not in work. About 800,000 lone parents are not in work, and we want to ensure that those who can work do so.

Mr. Townend: What children need is fathers.

Mr. Darling: The hon. Gentleman is quite right to emphasise the role of fathers. The Tories set up a system that collapsed under its own weight, so we are reforming the Child Support Agency—in fact, the Bill to achieve that reform returns to the House of Commons later this week. The result of our reforms will be that nearly 1 million children will get more money than they do at present; in some cases, they will get money for the first time.

We are tackling child poverty on several fronts, including ensuring that absent parents—usually fathers—pay what is due and making it easier for them to do so. We are also helping lone parents into work—giving them help that was never available in the past. Essential to eradicating child poverty is running a stable economy—something that eluded the Conservatives for almost 20 years—creating an environment in which work can flourish, and establishing conditions in which there are more jobs in the economy than ever before. The parents of some children cannot work, so we are helping them, as well as providing an extra £26 a week for children who are severely disabled in early life.

All that help was never available in the past, and most of the measures introducing it were opposed by the Tories. Many of the measures are still opposed by them and would be threatened by the return of a Conservative Government.

Mr. Malcolm Bruce (Gordon): Will the Secretary of State give way?

Mr. Darling: We have not heard from the Liberal Democrats yet, and since there is only one here—[HON. MEMBERS: "Three."]—I shall give way.

Mr. Bruce: Will the Secretary of State consider the irritation caused to disabled people by the fact that they have to demonstrate how disabled they are and how much their disability costs them in order to claim disability living allowance? Many find that both demeaning and difficult. It goes against the grain of encouraging people to be independent to force them to advertise the extent of their dependency to qualify for a benefit that many of them need.

Mr. Darling: The hon. Gentleman will accept that there has to be a test to determine eligibility for DLA, but he should be aware that we are changing the assessment to determine not what people cannot do, but what they can do. The new personal capability assessment will be introduced from next year; it is currently being piloted to ensure that it is effective. We should always ask of anyone of working age what that individual can do, because many people of working age want to and can do something that will enable them to become more independent. In the past, the test has been too negative. We want to change that.

Mr. Dafydd Wigley (Caernarfon): In that spirit, is it the Secretary of State's intention to examine the rules of the independent living fund and the way in which that operates as a disincentive for people to remain in work? Glaring cases have been reported in the press and drawn to the right hon. Gentleman's attention. The matter needs to be looked into.

Mr. Darling: We have increased the disregard in relation to the ILF. We are examining the rules for all such benefits and keeping them under review. Our objective is to make it as easy as possible for people who want to work—even to do a little bit of work—to do so.

With regard to children, one of our reforms will make the system supporting children much more effective than it is at present, with the introduction from 2003 of the integrated child credit, which will draw together all the help that we give for children across the benefits and tax system into a single, simple credit paid to the main carer. There will thus be a single source of income to support the poorest families, which they can take with them as they move into work.

If it is right to tackle child poverty, it must also be right to tackle another Tory legacy—pensioner poverty. Later this week I shall publish figures showing that too many pensioners have lost out in the past. We are making reforms to the pension system for the future so that we avoid the situation that we now face. If it had not been for the changes that we have introduced, almost a third of the working population would be heading towards retirement on income support from day one.

[Mr. Darling]

We are making long-term reforms, increasing access to pensions and reforming the state earnings-related pension so that the state second pension is more effective. However, there are still too many pensioners who are poor now. Pensioner income as a whole has increased faster than average earnings, but the problem is that too many pensioners have lost out. That is why we introduced the minimum income guarantee, which from this April will be worth £78 for a single pensioner.

We want to reward thrift. Time and again in the House, right hon. and hon. Members have asked us to look at the capital limits that determine whether someone is entitled to the minimum income guarantee. Capital limits had not been increased since 1988. Clearly, that situation could not be allowed to continue, so from April next year the lower capital limit on savings for the minimum income guarantee will be doubled from £3,000 to £6,000, and the upper limit will rise to £12,000 before anyone loses entitlement to the minimum income guarantee.

Mr. John Swinney (North Tayside): I am grateful to the Secretary of State. He said that he would announce the figures later this week showing how pensioners have lost out in the past. We will be interested to see those figures. On the assumption that that is because many pensioners are unaware of their entitlements and in some cases are afraid to take up their entitlements, how confident is the right hon. Gentleman that the minimum income guarantee will be accessed by pensioners any more than the previous devices that were put in place to protect pensioners from poverty?

Mr. Darling: The hon. Gentleman may be interested to know that the paper that I intend to publish shows a number of reasons why there are pensioners with less income than they should have. Pensioner incomes have been rising faster on average than earnings because the generation now retiring built up occupational pensions in the 1950s, 1960s, 1970s and so on. Part of the problem is that too many people of working age did not have access to an occupational pension. That is why we are introducing stakeholder pensions, which will benefit about 5 million people.

The second problem facing people now retiring is that because too many people have been on low incomes, or in some cases no incomes at all—people who were carers, people with disabilities, and people with broken work records and so on—SERPS did not help them. They did not earn very much, so they did not get very much. The reforms that we are making to the state second pension, which in some cases will double the amount that the low-paid get, will ensure that more and more people are retiring on a higher pension.

Thirdly, many people who are already retired, and for whom it is therefore too late to save, are losing out.

I return to the point about the minimum income guarantee. When the capital limits applicable to the minimum income guarantee are extended, the support received by a pensioner with savings of £6,000 could rise by £12 a week. Half a million pensioners will gain overall.

We want to make sure that everyone who is entitled to the minimum income guarantee gets it. On Wednesday, I shall launch the biggest campaign of any Government for a take-up of the minimum income guarantee. We are determined to ensure that all pensioners get the money to which they are entitled. They should claim it if they are entitled to it.

Kali Mountford (Colne Valley): I congratulate the Government on making such an effort to ensure that money goes to the poorest pensioners and not necessarily to all pensioners. Is it not the case that the new winter fuel payment, which was not available under any previous Government, helps that group the most, because it is not deducted from the minimum income guarantee?

Mr. Darling: My hon. Friend is right. The winter fuel payment is extremely popular and provided a great deal of help not only to pensioners on low incomes but to all pensioners. It is perhaps a measure of its popularity that when we announced that we would extend it to households with members who were over 60, we received thousands of calls every week asking about it. It is very useful; it comes in a lump sum before Christmas and thus helps pensioners to pay the sometimes substantial bills that they incur at that time of year. The winter fuel payment benefits all pensioners, but perhaps it has greater value for those on low incomes.

Mr. Gordon Prentice (Pendle): Before my right hon. Friend leaves that point—

Mr. Darling: I was not going to leave it; it is such a good point that I might stay with it a little longer. However, I shall give way to my hon. Friend.

Mr. Prentice: It worries me that so many pensioners do not benefit from the minimum income guarantee. It would be a simple matter to include a few pages of large type in the pension book. Every pensioner has a pension book, and including those pages would encourage people to claim what was theirs.

Mr. Darling: My hon. Friend will realise later this week that the Government have made several proposals that draw attention to the minimum income guarantee. I do not share his optimism about everyone reading their pension books from cover to cover, and many pensioners receive payments by other means than an order book. We must ensure that they, too, know about the minimum income guarantee.

The Government are determined to do more to lift many more pensioners out of the low income bracket. That is why I shall launch a consultation document on the way in which we can best develop a new pensioners credit for the next Parliament. It will take account of and help those pensioners who have not only modest savings, but modest occupational pensions.

For the poorest pensioners, the scope of the minimum income guarantee will be extended; the pensioners credit on which we launch a consultation document will show how we are helping pensioners who have modest occupational pensions.

We are helping all pensioner households—some 10 million pensioners—through this year's winter fuel payment increase to £150. We should also remember that we cut VAT on fuel whereas the Tories doubled it. We have reintroduced the free eye tests that the Conservatives

ended when they were in government. From November, free television licences will be available for pensioners who are over 75. That group comprises some of the poorest pensioners.

We are spending an additional £6.5 billion on new help for pensioners during the Parliament.

Mr. David Ruffley (Bury St. Edmunds): Will the right hon. Gentleman confirm that the pensioners credit will not be scored as negative income tax in future Red Books?

Mr. Darling: Why does not the hon. Gentleman wait until he reads the consultation document on the pensioner credit? I would have thought that he would be more interested in its proposals for helping pensioners. Most pensioners will want to know about that. Perhaps the hon. Gentleman's question shows the Conservative party's disregard for the welfare of pensioners in this country.

The Budget drives forward our reforms—

Mr. William Ross (East Londonderry): Will the right hon. Gentleman give way?

Mr. Darling: I am conscious of the 10-minute rule, and that it is not fair to Back Benchers if I speak indefinitely, but I shall give way for the last time.

Mr. Ross: I am curious about the way in which the right hon. Gentleman arrived at the figure of £6,000 savings. Has he simply applied indexation to take account of the inflation rate or earnings since 1988?

Mr. Darling: We simply doubled the figure. Time and again, I have stood at the Dispatch Box and rightly been asked by hon. Members—even Conservative Members, who did nothing about it in their last 12 years of government—to increase capital limits. I wanted to ensure that they were increased significantly. I believed that doubling the figure would make a useful start. The system is relatively easy to understand. The figure starts at £6,000, and goes all the way up to £12,000. I think most pensioners will welcome that, and I am glad to be Secretary of State at the time of its introduction. The pensioners credit will take the policy one step further.

As I was saying, this is a Budget that drives forward our reforms to make the welfare state fit for the 21st century. By controlling expenditure, we are able to do more for the people whom we want to help, including pensioners and families with children. We are helping people into work; we are making work pay; we are eradicating child poverty; we are making pension reforms for the future. We are a reforming Government, and this is a reforming Budget. It is building a strong economy, and we are building strong public services. This is a Budget for all our people.

5 pm

Mr. David Willetts (Havant): Let me deal first with the figures relating to public spending, which must be at the heart of the Budget judgment and the statement that we heard last week. It is also at the heart of new Labour's claims on social security spending. I remind the Secretary of State that in 1996 the Prime Minister, in order to get elected, said:

> Our priorities should be to re-order public spending so that we're spending less on welfare and more on areas like education.

That is the promise that the Government made in order to get elected, but what is the reality?

The reality—if we use the Chancellor's preferred, although admittedly now notorious, method involving cumulative increases from the 1998–99 cash base—is as follows. Social security spending is up by £32.4 billion, way ahead of education spending, which is up by £19.7 billion, and even ahead of health spending, which is up by £26.8 billion. Far from saving money on social security in order to put more into education and health, the Government are putting more into social security than they are putting into either education or health.

Mr. Darling: As the hon. Gentleman wants to make something of this point, may I ask him a question? Does he not accept that most of the increases to which he refers are discretionary—that we are spending more on pensions and on families with children? That is good spending; what we cut was the bad spending on high unemployment and economic waste.

Mr. Willetts: The Secretary of State is quite right. The biggest single item in the Budget measures comprises increases in means-tested benefits—benefits which, according to any normal person's reading of the Prime Minister's reference to welfare, are exactly what he was talking about. One cannot pledge to spend less on welfare and then claim credit for putting more into means-tested benefits.

The Government have no coherent agenda for saving money on social security. To be honest, I do not think that they even have a coherent agenda for spending money on social security. That certainly seems to be the view of two previous Social Security Ministers, both of whom have helpfully contributed their views on the Secretary of State and his strategy only today. In a book published today, the right hon. Member for Birkenhead (Mr. Field) says:

> New Labour came to power committed to transform welfare. That revolutionary intent has fractured.

He also says:

> Welfare changes, masquerading as reform, have undermined the principle of work, mocked the idea of saving, and weighted public policy against people who tell the truth.

That is the judgment of a former Minister responsible for welfare reform on the Secretary of State's strategy, if we can call it that.

Mr. Frank Field (Birkenhead): Does not the weakness of the hon. Gentleman's attack lie in the fact that his Government implemented the very same strategy?

Mr. Willetts: I shall turn shortly to the figures relating to means-tested benefits, which the right hon. Gentleman has a long and distinguished record of criticising.

[Mr. Willetts]

The right hon. Gentleman is well known as a critic of the Government's approach to welfare reform. What is perhaps more striking is what the former Secretary of State, the right hon. Member for Camberwell and Peckham (Ms Harman), said today. She said:

> There are too many departmental fingers in the pie, but no clear lead, no effective co-ordination and culture clashes between different departments. It can't go on like this. Government policy on the family is incoherent and ineffective.

Two previous Ministers who do not agree on much do at least agree on what they think of the present Secretary of State and his approach to social security reform. To have alienated one predecessor may be regarded as a misfortune; to have alienated both of them is distinctly careless.

Let us discuss pensions, to which the Secretary of State referred. The absence of a clear strategy is obvious as soon as we put together the different policy announcements and statements that he has made to the House in the past year. Less than six months ago, his reluctant hon. Friends were whipped through the Lobby to means-test disabled people with modest occupational pensions. How did he justify that policy? He did so on this ground:

> The first thing that our reforms will achieve is to do more for people who need help most.—[*Official Report*, 3 November 1999; Vol. 337, c. 306.]

He argued for more means testing in other words, but up pops the Chancellor and now we have a universal heating addition to help with winter fuel costs, regardless of circumstances, and a universal free television licence for over-75s, regardless of circumstances. One moment the Government pop up to defend means tests when they hit people with modest occupational pensions; the next moment, the same people are suddenly to receive new universal benefits.

Mr. Pond: Does the hon. Gentleman understand that one role of means tests is to pull some of those people out of the wreckage created by the Conservative party in government? Does he not accept that the figure referred to by my right hon. Friend the Secretary of State—we are giving £6.4 billion back to pensioners during this Parliament—represents a good record, given that that sum is two thirds of the amount that his party took from pensioners over 18 years?

Mr. Willetts: I am afraid that that figure is a typical new Labour spin statistic that takes no account of, for example, the attack on occupational pensions represented by the taxation of the dividends that pension funds receive.

I would accept a strategy that was at least consistent. If the Secretary of State regularly told the House that he believed in more means testing, we could understand that, although we might disagree. If he told the House that, above all, we need more universal benefits, we could understand that. However, we and pensioners up and down the country cannot understand how one week they all have to be means-tested and targeted, but the next they are to receive new universal benefits. Those are the same people. One moment they are being deprived of the dividend credit, which pensioners with modest savings below the full value of the personal tax allowance used to receive, but the next he pops up and proudly announces that he is introducing a pensioners credit. To do what? To help pensioners with modest savings, he says. No wonder this country's pensioners are totally confused by the Government's approach to social security. The previous Secretary of State and the previous Minister of State are right to say that there is no coherent and consistent strategy.

Mr. Jim Cunningham (Coventry, South): The hon. Gentleman accuses my right hon. Friend the Secretary of State of confusing people on pensions, but would he like to tell us his policy?

Mr. Willetts: What we have said is perfectly clear: we support the increase in the capital limits for pensions, although I have to say that this is the first time that there has ever been a special capital limit for pensioners that does not apply to other income support recipients. We believe that pensioners should become more affluent as a result of a combination of personal and occupational savings, as well as the receipt of state benefits. We criticise the Secretary of State above all because, through his changes in the tax treatment of pensions, he has attacked future pensions and the value of the savings provision of people in funded pensions.

Mr. David Watts (St. Helens, North): Can we clarify the position? Is the hon. Gentleman saying that he would like the pensions budget to be cut? If so, will he be specific about which parts would be cut?

Mr. Willetts: I shall not go through individual items of the Budget. Before the next general election, we shall set out a Conservative policy for pensions that will ensure that people enjoy rising living standards because of a combination of occupational pensions and savings, which the Government are attacking, and social security benefits.

Mr. Darling: I want to question the hon. Gentleman on one point, as he has made so much of it. Can I take it from his remarks that the Conservatives would get rid of the winter fuel payment?

Mr. Willetts: Before the next election, we shall announce the Conservative approach to pensions, which will ensure that pensioners enjoy rising living standards through a combination of funded savings and assistance from benefits.

I shall now deal with welfare to work and the new deal for lone parents. We want families as well as pensioners to be better off. We particularly appreciate the importance of ensuring that families are better off in work than out of work. That is why the late Lord Joseph introduced family income supplement almost 30 years ago. Baroness Thatcher and my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) introduced family credit 15 years ago to boost the incomes of low-income working families, but that is written out of the history books of new Labour.

We believe in ensuring that people are better off in work than out of work. I therefore welcome the important, if unglamorous, measures in the Budget that the Secretary of State has introduced to improve the run-ons for housing benefit and for people on income support, especially those

with mortgages. We accept those practical measures to ensure that people move from unemployment into work and are not caught out by administrative hoops and hurdles. In fact, those proposals may be the Secretary of State's last sensible decision before he relinquishes that area of policy entirely to another Minister. We recognise that those measures make sense.

However, our doubts about the effectiveness of the new deal are confirmed by figures in the Treasury's own document, which was published only last month. Chart 3 in that document is revealing, because it shows long-term youth unemployment falling steadily from 1994. I challenge the Secretary of State to get out a magnifying glass and identify any change in the downward trend of youth unemployment since the introduction of the new deal. Anyone surveying that chart would not be able to identify the point at which the new deal for young people came in. The fact is that the downward trend in youth unemployment was established long before the new deal was introduced, and it has continued at the same rate. The new deal has had no effect whatever.

The Secretary of State referred to the new deal for lone parents, for which he is directly responsible. The Government are supposed to believe in evidence-based policy, but their presentation of the statistics on the new deal for lone parents is nothing short of a disgrace. The findings from their evaluation of the new deal are presented in a deeply misleading way.

Let me take the Secretary of State through some of the tricks that he plays, and which I am afraid he played again today. It is extremely difficult to extract information from the Government. We know from parliamentary answers that of the 450,000 single parents sent invitation letters under the new deal for lone parents, only 4.5 per cent.— 20,000—have gone into employment.

However, the Secretary of State and his Ministers quote much larger figures. The Under-Secretary of State for Social Security, the hon. Member for Wallasey (Angela Eagle), gave a figure of more than 28,000, and the Minister in the other place quoted almost 41,000. How do they reach those larger figures? Single parents who apply to join the gateway and come knocking on the door of the jobcentre because they are so keen to get into work are not part of the new deal and do not receive an invitation letter. But those lone parents who turn up at a jobcentre are counted as a success for the new deal, even though they are not part of the target group for the new deal and have never received an invitation letter. They have nothing to do with the invitation letters that the Secretary of State sends out. To start with a figure of 450,000 letters and then say that 40,000 lone parents have got work as a result of the new deal is to present the statistics in a misleading way.

That is not the end of the fiddle. Only the other day, in his press release about the evaluation of the new deal for lone parents, the Secretary of State said:

> the number of lone parents on income support was 3.3 per cent. lower than it would have been without NDLP—

the new deal for lone parents. One might feel that it is a rather modest figure, but at least it is a step in the right direction. The evaluation compares the new deal for lone parent pilot areas with areas where there was no new deal for lone parents. When we studied the evaluation, we found that 17 per cent. of lone parents in the new deal pilot areas had moved into work, but that, in the comparison areas, where there was no new deal, 18 per cent. had done so. In other words, more moved into work in areas where there was no new deal, so what it actually did was zero.

The Secretary of State was strictly correct when he said that 3 per cent. fewer lone parents were on income support. Why? In areas with the new deal for lone parents, more lone parents repartnered, to use the language of his evaluation report. More ended up married or cohabiting. He may claim credit for quite a lot of things, but he cannot claim credit for ensuring that lone parents get married as a result of the new deal.

Mr. Pond *rose—*

Mr. Willetts: I hope that the hon. Gentleman will explain and justify the misleading presentation of the statistics for which the Secretary of State is responsible.

Mr. Pond: The hon. Gentleman is sharing his confusion over the matter with the rest of the House, but perhaps the Secretary of State will explain the matter to him later.

Once the lone parents in my constituency have waded through the statistics that the hon. Gentleman has thrown them, they will know one thing: presumably, the Conservative party would scrap the help and advice that they get through the new deal for lone parents. They will also be anxious—I am sorry to return to the matter, but I have not had an answer—about whether it would scrap the working families tax credit, too. Please can they have an answer to that?

Mr. Willetts: We believe in helping people into work. At the next election, we will have policies that are a jolly sight more effective at doing that than the new deal for lone parents and some of the other measures that the Secretary of State has introduced. I will now turn to the working families tax credit because it is an important part of the Government's claimed agenda on welfare reform.

The Chancellor says that this is a Budget for hard-working families. Let us look at how it affects such families. What about the 100,000 hard-working families who are brought into higher rate tax as a result of the abolition of the married couples allowance? What about the millions of families who are losing that allowance, with compensation from the children's tax credit coming in a year later? What about the 300,000 hard-working families who will find that they have been brought into a marginal tax rate of 47 per cent. as the children's tax credit is withdrawn? Those families are not rich. They will be earning perhaps £30,000. They would not regard themselves as massively rich. There are 300,000 of them. They face a 47 per cent. marginal rate as the children's tax credit is withdrawn.

What about the 950,000 families—a figure in the Red Book; again, strangely, the Secretary of State did not refer to it—who we know from page 79 of the Red Book will face marginal deduction rates of 60 per cent. or more as a result of Budget 2000? The figure is up by 200,000 from that before the Budget of 1998. What about the 800,000

[Mr. Willetts]

families who will lose the married couples allowance and do not receive any compensation whatever for that? What are the Government doing to help them?

Kali Mountford *rose—*

Mr. Willetts: Perhaps the hon. Lady will enlighten us.

Kali Mountford: Perhaps the hon. Gentleman will tell the House whether it is true that family credit reached only half as many people as the working families tax credit and child credit. While he is on about the married couples allowance, is it not true that the child care tax credit is worth more than that allowance ever was?

Mr. Willetts: To be honest—again, we had to extract the information through parliamentary answers—the answer is that the working families tax credit gets to nothing like twice the number of recipients of family credit. Ministers hope that it will, but it has not reached anything like double the number of recipients of that credit yet.

What about a matter to which the Secretary of State did not refer at all in his Budget speech? In fact, I am not aware that he has ever referred to it in any speech on social security or welfare reform—namely, the tax credit-child credit agenda that the Chancellor launched in his November 1999 pre-Budget statement and that was further carried forward in the Budget statement last week. We have child benefit, working families tax credit, child care credit, children's tax credit, the integrated child credit and the employment tax credit, a set of measures, allowances, credits and tax credits through which, across the country, our constituents will have to wade simply to make any sense of the tax and benefit regime facing them. I do not think that 20 people in the United Kingdom will understand the tax credit regime that the Government are creating. Decent working people—whom we all want to be better off in work than out of work—will not be assisted by that set of measures, but will be totally perplexed and confused by them.

The Chancellor is so restless. Although the working families tax credit has not yet been delivered in the pay packet—that will happen in April 2000—we have already had the reform after the reform after the change that has not yet happened. An integrated child credit will be introduced, in 2003, to replace a children's tax credit that has not yet been implemented—it will be implemented in 2001—which, in turn, reverses payment of the working families tax credit in the pay packet, which has not yet happened but happens next month. Talk about a Government jumping over themselves in their eagerness to reform the tax and benefit system!

I remind Ministers of what they have said about the issue. In a written answer, the Paymaster General said:

> Payment of WFTC through the pay packet is central to demonstrating the rewards of work and making work pay for families on low incomes.—[*Official Report*, 15 March 2000; Vol. 346, c. 183W.]

If it is so essential, why are Ministers taking all the child support elements in the working families tax credit and reverting to paying them as a benefit to the carer in 2003? If it was so essential when the Paymaster General delivered that parliamentary answer, on 15 March 2000, why is she now taking half of the working families credit tax credit and—lo and behold—delivering it once more as a benefit to the carer?

I think that there is a reason for the sheer perplexity and confusion of the Chancellor's policy: to disguise a humiliating U-turn. Having whipped his troops through the House on the argument that it is essential that those benefits are delivered through the pay packet, he is doing a rapid volte-face, after suddenly discovering that a significant proportion of those benefits should be paid instead as benefits to the carer.

The *Financial Times* reported the Chancellor's launch of the working families tax credit as follows:

> The chancellor, who was joined at the launch by Dennis the Menace, Postman Pat and a Womble, said that linking payment to work through the pay packet meant there is "enormous scope to increase take-up".

What the report does not say is that the Chancellor invited them back to the Treasury to write his policies, which is what they have done.

The Chancellor will go into the next general election with a pledge to take £50 a week out of the pay packet of people on working families tax credit and pay it instead as a benefit. It is not my job to tell the Secretary of State for Social Security about the Labour party's history, but I should tell him that many people in his party may have longer memories than he has and may remember the reasons why Labour believes it lost in 1970 and 1979. One of the reasons—the right hon. Member for Birkenhead will remember this—was messing around with wallet and purse, getting into the minefield of which allowances people should receive through the pay packet and which benefits should be paid instead to the mother.

The Chancellor, with almost cavalier disregard for either logic or the history of his own party, is entering that minefield again, and he will come to regret it. The fact is that there is no clear strategy. It may be wrong to say that there is no clear strategy, because there is one strategy.

Dr. Stephen Ladyman (South Thanet): My constituents may well be as confused as the hon. Gentleman suggests about the credit system that the Government have introduced. However, the message that I am receiving is that they are consoling themselves rather well by counting their money and spending it on their children.

Mr. Willetts: The hon. Gentleman can take the view, if he likes, that it does not matter how we help families, provided that overall family income is higher. That would be a consistent point of view. However, in that case, the argument for taking some of the money out of the working families tax credit and paying it instead as an integrated child credit completely falls. Conversely, he could take the view that it does matter whether the money is paid to the husband or the wife. If he takes the view that it matters, he cannot go into the Lobby in favour of the working families tax credit, as it will be next month, and then go through the Lobby—as he will have to—to justify a completely different system. I leave it to him to choose which position he adopts.

Mr. Jim Cunningham: The House would have more respect for the hon. Gentleman if he explained the confusion that his Government created with the 22 tax increases.

Mr. Willetts: On any measure of tax increases, this Government's record is outrageous.

I should give the Government credit—if I may use that word in this context—for perhaps having a strategy. If there is an underlying strategy, it is one of means testing. They criticised the situation that they inherited, in which approximately one quarter—6.5 million—of Britain's 27 million families were on one or more means-tested benefits. They said that that figure was too high. Let us look at what the Government are doing about that.

The working families tax credit adds another 500,000 to the total number of people receiving means-tested benefits. An estimate from the House of Commons Library says that the integrated child credit will add another 3.5 million. The Treasury suggests that the employment tax credit could reach another 300,000 to 400,000 households. We do not yet know how many people will be covered by the pensioner credit, but it extends means testing to the income range in which many pensioners are concentrated. There could well be at least another 2 million pensioners on means-tested benefits.

Taken together, those measures will bring at least 6.5 million more families into means testing, thus doubling the amount of means testing in the system. Not a quarter but a half of all families will be means-tested by the time the Government have finished their business, yet the Chancellor told a Labour party conference:

> I want the next Labour Government to achieve what in 50 years of the welfare state has never been achieved—the end of the means test for our elderly people.

He is not ending the means test—he is doubling it. The Government should be ashamed of what they are doing in the Budget.

Mr. Darling: Can I take it from what the hon. Gentleman is saying that a future Conservative Government would remove all those benefits that have been extended during this Parliament?

Mr. Willetts: In this debate, we are dissecting the Chancellor's Budget judgment. It is clear that the Government have no coherent strategy for welfare reform.

5.27 pm

Mr. Tom Pendry (Stalybridge and Hyde): I intend to be brief. I join others who have congratulated my right hon. Friend the Chancellor on the presentation of the Budget and on its content. It was a generous and imaginative Budget that struck a chord with the majority of people in this country. It commands support from the Institute of Directors, the Trades Union Congress, the British Medical Association and many others across the political divide. That must be good news for my right hon. Friend.

I particularly commend the resources going to the national health service, which have been widely welcomed by hon. Members on both sides and by people throughout the national health service. Before entering the House, I had the privilege of being a trade union official in the national health service, dealing with the wages and conditions of NHS workers. I know how low their morale has been over the years. I believe that it will be much higher as a result of the Budget, because of the expectation that the Government will carry out their promises, as I am sure that they will.

The education service in my deprived constituency is also looking forward to the extra resources. My right hon. Friend the Chancellor has committed £4.5 billion extra for education in the coming year alone—an 8.5 per cent. real-terms increase in England. I know that that will be welcomed throughout the teaching profession and by parents across the country.

The education service in my constituency will be anxious to acquire a good deal of the new money that is available because of the state of our schools, which have been crumbling over the years as a result of the actions of previous Conservative Governments.

There is inevitably an "however" in any Budget, and I come to my "however". As good as the Budget is, there are one or two areas of concern, and I appeal to my right hon. Friend the Chief Secretary to the Treasury not to close the door on what I am about to say concerning what I believe to be an injustice to my local authority in Tameside, and perhaps one or two other councils, when set against a good and positive move for many other local authorities. I refer to the effect caused by the Royal Assent to the Finance Bill in terms of stamp duty reliefs. Stamp duty reliefs are being introduced for transfers and leases of land and buildings to registered social landlords.

My local authority, believing in Government policy, set about transferring its housing stock. The transfer to a new chartered housing trust is scheduled to take place today. Royal Assent, of course, is not expected until July. Tameside council is likely to lose out on the exemption, as the proposals stand. The decision to delay stamp duty relief until Royal Assent of the Bill was made, I understand, by the Treasury alone, and the Department of the Environment, Transport and the Regions was not consulted. DETR officials may be in the process of trying to obtain an understanding from the Treasury as to why the decision was taken without consultation.

Whether or not DETR officials are taking this matter up with the Treasury, I would like my right hon. Friend not to close his mind to my plea on behalf of my council, and to state that the Government are prepared to receive representations from me and my parliamentary colleagues from the area in order that some assistance can be given to the council.

This is not a question of sour grapes by the council. I am pleased that my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon) is in his place, and I am sure that he would agree with me. The council is pleased that the Government have accepted the argument that stamp duty should no longer be applied to transfers of housing stock to registered social landlords. However, the way in which it has been applied does not meet Tameside's position, as it was in the vanguard of all large councils in pursuing this option. Indeed, it was the first metropolitan district council to do so.

The council's transfer brings in from the private sector some £230 million of investment to deal with much-needed repair to houses in my constituency and those of my colleagues. I request that the Minister take this matter on board and give me and my colleagues from Tameside the opportunity to present the case to him for backdating this change which arises out of the Budget.

[Mr. Tom Pendry]

It would be grossly unfair if the council—which was so brave and robust in its approach to the Government's initiative—did not benefit from the changes. I recognise that such a change may well be difficult, but certainly it is technically possible. I am sure that the Minister would not wish my council to be treated unjustly. I am sure that, if possible, he would seek ways of getting around this problem.

I conclude as I began by saying that this is a good Budget, one which will command the support of the vast majority of people in this country. Those of my constituents to whom I have spoken since the Budget consider it to be a far-sighted Budget, and the Chancellor should be congratulated on his achievement.

5.34 pm

Mr. Steve Webb (Northavon): It is disappointing to see the Secretary of State leaving, as my party has some policies on social security from which he might like to learn.

I want to make a brief contribution on what the Budget does for pensioners: it has to be brief, because there was so little for them. Among the measures for pensioners with savings and small occupational pensions, there was a lift in the capital limits. We pressed for that, and the Government have given a little ground. Six weeks ago, we had a debate on the uprating order for capital limits for this April. We said that £3,000 was too low, but the Government forced their troops to vote for that limit. A few weeks later, they changed their mind.

Pensioners will have to wait not until this April, but until April 2001 for the capital limits to be raised. Assuming that we get the predicted May 2001 election, the capital limit will have stayed at £3,000 for the entire Parliament. How dare the Secretary of State criticise the Conservatives for freezing a limit that he, too, has frozen for an entire Parliament? Even with the changes, from £6,000 onwards pensioners will still be assumed to get 20 per cent. interest on their savings: £1 per week per £250 of capital. How can the Government continue to assume that crazy rate?

It gets worse. There were supposed to be measures for pensioners with small occupational pensions. When will we get action on that? Who knows? We are to have a review, with action in the next Parliament, so an elderly pensioner who voted for Labour in 1997 may get action in 2003 or 2004. Why are Britain's pensioners having to wait so long? The Department of Social Security is once again a Department of dither and delay.

The problem is not only with savings. Last April, we were promised a take-up campaign for the minimum income guarantee—the Government's flagship policy. The Minister of State, Department of Social Security, said:

> we will certainly make the announcement before the end of this month.—[*Official Report*, 7 February 2000; Vol. 344, c. 77.]

He gave himself three weeks. The Secretary of State has just promised an announcement some time this week. How does the Department manage to lose three weeks in three weeks? How can it not tell what it will do a few weeks hence? What goes on in the Department when promises are made only to be followed by dither and delay? What do people do there all day?

There is a fundamental point about the winter fuel money. Yes, there is to be an extra £50 per household, but that is less than £1 a week, shared between a couple. The men aged from 60 to 64, who were brought in by court cases, were first told that there would be an announcement soon, and now Baroness Hollis tells them that they will not have the money soon: it will not even be a summer fuel payment, and they will have to wait for Christmas. They were entitled to it three years ago, but the Government messed up, and they may finally get their backdated payments next Christmas. Why cannot the Government get things sorted out?

The fundamental point is that there was extra money for pensioners in the Budget, and it went on winter fuel payments: it did not go on the basic state pension. In a few weeks' time, pensioners will again get 75p. If a Government with hundreds of millions of pounds for pensioners cannot spend it on the basic state pension this year, will they ever do so?

The Chancellor, incredibly, was reduced to announcing what he guessed next year's retail prices index-linked rise for pensions was likely to be. He knew that this year's rise was so embarrassing that he did not want to mention it, so he said that he thought there would be a rise of £2 or so next April. The best that he could promise pensioners was that, if they were lucky, they would get an inflation-based rise next April. That proves that there is no future under this Government for the basic state pension. When there is money for pensioners, it does not go on the pension. What is wrong with the basic state pension?

5.38 pm

Mr. Peter Kilfoyle (Liverpool, Walton): I congratulate the Chancellor on a well-presented Budget. There is little doubt that it has been received well by commentators, the public and, not least, the Opposition. It sets out a clear emphasis on the renewal of public services and will be welcomed by those who are heavily reliant on those services. The extra resources for the national health service, in particular, will be welcomed by ordinary people throughout the country, although in my region, the north-west, we will look carefully at how the resources are allocated, given the poverty in the service in the region relative to the south-east of England—at least, in many specialties.

The Chancellor will recognise that, within regions, social class remains a key determinant of good health. He will recall the comments of Lord Patel, who said:

> Infant mortality rate for social class V births was 70 per cent higher than social class I births.

Lord Patel also read part of the report of a recent inquiry. He said:

> the research interviewers encountered examples of poverty and deprivation of a degree which they could hardly believe was possible in late 20th-century Britain.—[*Official Report, House of Lords*, 16 February 2000; Vol. 609, c. 1282-3.]

The distortions of class appear in health provision as much as in the wider economy, and influence access to many services. Thus, the infusion of resources into the NHS, together with the Government's pledge to eradicate child poverty and their commitment to education, has the potential to transform the lives of a whole new generation. That must be applauded.

However, what of an existing generation, many of whose votes elected the Attlee Government, and whose work and taxes were the key to the founding and financing

of the welfare state? Many pensioners hold the view that the failure to link average earnings and pensions has cost them dearly. More importantly, they believe that winter fuel payments and concessionary television licences are a diversion, welcome though they are. What pensioners want is an increase, week on week, in the basic pension.

That is not just a matter of economics: it is a question too of pensioners' dignity. After all, a lifetime of paying tax and national insurance contributions was their part of a bargain with the state to maintain the welfare state. They believe that it is hardly their fault if the state is having difficulty meeting its side of the bargain. They look to a Labour Government to right that wrong, with specific commitments on the basic pension, rather than consultations and aspirations.

I hope that this does not sound churlish, as I believe that I am merely reflecting the views of the pensioners who speak and write to me. I know that the Government have done many good things, for which they seem, at times, to get little credit. The Government have said that they will not pass by on the other side of the road and, generally, they do not. However, I do not recall that the good samaritan extended his hand to the man who fell among thieves only to remonstrate with him that he was the author of his own demise.

I can reel off the official statistics relating to my constituency that show how many more people are in some sort of work or another, the level of investment in schools, and many other things. However, my constituents often feel that they are being chastised for being unemployed. The reality for many of them—we must look at the matter from their perspective—is that the training on offer is often for non-existent jobs.

That should be of no surprise, given the generational, long-term unemployment that exists in many parts of the country, but a claimant count rather than an International Labour Organisation figure does not make the gap between reality and wishful thinking magically disappear. Perhaps if the Government felt able to be less stridently moralising towards so many of our fellow citizens, they would be surprised at the immense good will felt in the country towards their positive policies.

For example, my right hon. Friend the Chancellor promised to crack down on fraud. Virtually everyone agrees that it is right to do so, but many fear that there is a Calvinist mindset in Government that associates poverty and deprivation with blaming the victim. We know that areas with no jobs exist, that many people are genuinely disabled, and that some people are too ill to work. To know the truth, all that we need to do is listen.

The sense of injustice might be minimised if we could be harsher with those at the other end of the socio-economic scale who defraud the country and who use lawyers and accountants to cover their tracks. A few determined prosecutions with deterrent sentences for such people might lessen the cynicism felt by easier targets, who increasingly believe that no one speaks for them.

When I resigned as a Minister, I did so because I believed that what are known as heartland issues would gain increased salience, as would matters relating to the regions of England. In many people's eyes, those matters are interchangeable, but I have never claimed that. There is merit in the Prime Minister's argument that there are wide economic disparities. From a political perspective, there are heartlands everywhere.

The present Government have taken a radical view of their role, and they rightly pride themselves on the devolution of powers to Scotland, Wales and—next—to London. The rest of us ponder on what that means for England outside the metropolis. We wonder when we will be afforded the flexibility that a degree of regional autonomy would bring. That would require a change in the colonial Raj mentality epitomised by the Government offices implementing decisions in the regions. It will certainly require a new financial settlement with the English regions.

The current view from the provinces is that key decisions are taken by a very small number of people sitting in Whitehall at the apex of a highly centralised Government. They operate through a civil service machine that mirrors that rigid hierarchy, which stamps its will on the regions, and whose practice is based on what many believe are highly discriminatory financial arrangements.

Why, I am asked, should Scotland and Wales be advantaged by the Barnett formula? Why does the area cost adjustment favour south-east England? How do the changes in derelict land grants and Housing Corporation allocations, taking money to the over-developed south-east, help to alleviate the problems of the north? I cannot answer such questions. That is why I looked to the Budget for some hope of economic relief for English regions that are sometimes hard-pressed, especially in their manufacturing base.

I was disappointed. The Chancellor's reference to regional policy was remarkably brief. Given the agenda he outlined in the Budget, I was surprised that there was no sign of a new deal for the regions of England. Historically, such regions have driven the national economy, but, over the past 20 years, far too many of them have suffered from downsizing or relocation. They still have an economic life, but it is subject to the vagaries and prejudices of decisions taken in London.

Is not it time that we looked again at the different economies of the United Kingdom? After all, wage and house price inflation are more symptomatic of conditions in the south-east than elsewhere. The costs are borne elsewhere in the country through the loss of jobs—"A price worth paying", as the seemingly unaccountable Governor of the Bank of England once said.

Instead of a recognisable economic policy in the regions, we have venture capital, with a target of £120 million for a venture capital fund for the north-west. Having announced that modest target, the Chancellor referred to a regional fund for

> the formation of local clusters in high-tech industries.—[*Official Report*, 21 March 2000; Vol. 346, c. 863.]

Within an hour of his speech, MPs representing north-west constituencies were told that the Government would not yield on the transfer of the Diamond project—a high-tech synchrotron investment of £500 million—to Oxford. If ever there was a mixed message to a region, the north-west received one on Budget day.

Furthermore, an increasing number of regions are looking to European structural funds to create investment opportunities. Such funding depends on a three-way partnership between national Government, the European Union and the private sector. It is designed to focus studied intervention on the poorest parts of Europe. However, ultimately, it depends on the British

[Mr. Peter Kilfoyle]

Government making a commitment on match funding to draw down money from the private sector and from Europe. I waited in vain for some reference in the Budget to that vital element of regional regeneration—it did not come.

Perhaps there will be announcements before, and at the next stage of, the comprehensive spending review. I certainly hope so. The Prime Minister referred to the differences between north and south, and to the differences within those regions. He should have looked at the work of Anne Power, the deputy director of the Centre for Analysis of Social Exclusion. She found that there is a poverty cluster of 40,000 in Tower Hamlets; in Hackney, the figure is 25,000. Those figures are terrible and they need to be addressed. However, in north Liverpool, the number is no fewer than 250,000; in Manchester, there are 170,000 souls in the poverty cluster. The sheer scale of the problem in regions such as mine gives urgency to the case. The problems cannot and will not be sorted out from Whitehall alone.

That is why I ask the Chancellor—monarch of all he surveys after his Budget—urgently to reconsider regional economic policy and European structural funds. I remind him that political praise is extremely ephemeral—sic transit gloria mundi. I know that these are difficult matters for him to cope with; they will take up much time and effort. However, he has the wherewithal to deal with them. The rewards for success will be great—politically and economically. Failure cannot be contemplated.

5.48 pm

Sir Peter Tapsell (Louth and Horncastle): I am sure that the hon. Member for Liverpool, Walton (Mr. Kilfoyle) will understand that, because of the 10-minute limit on Back-Bench speeches, I cannot debate with him the many interesting points that he made. However, I agree with much of what he said. The points that he made on regional matters are true and valid. There are geographical difficulties of course. Middle England is found only in the south-east, but the core vote—if by that is meant the people who are suffering—can be found in large numbers in my constituency of farmers in north-east Lincolnshire.

The hon. Gentleman ended his speech with a famous Latin quotation. As the Chancellor drives along in his Treasury chariot, behind him should be the little dwarf who used to say to triumphalists, "remember that you are mortal."

I hope that the House will forgive me if I try to talk about the Budget as a whole—obviously it is impossible to do so adequately in the few minutes available for my speech. The Government managers do their best to dumb down the Budget debate by having the Prime Minister make a great statement on health on the first day of the debates, and then sending him back to make another not-so-great statement about his visit to Lisbon on the day when we wind up the debates.

I have discussed the Budget with a few friends who I have known over many years and who have taken an interest in financial and accountancy matters. They tell me that in recent years they find Budgets more and more difficult to understand. It is only when they hear them discussed on television after the Budget speech that they can begin to make head or tail of them. I have managed to scrape a living in the City for 40 years, paying 83 per cent. in tax on my meagre earnings under a Labour Government, but I share my friends' problem.

I have heard rumours that the Chancellor has got rid of the portrait in his room of Mr. Gladstone and has replaced it with a drawing of Little Jack Horner. I can well understand why he has done that. The right hon. Gentleman is not interested in making money fructify in the pockets of the people. He likes to sit in the corner and pull out occasional plums from what will prove to be an enormous Finance Bill.

It is difficult even for the so-called experts to understand the present Chancellor's Budgets because he has withdrawn many of the old familiar guidelines and building blocks of the past. He no longer includes key elements of information. However, distant and always golden horizons are confidently scanned.

For instance, what is the Chancellor's overall Budget judgment? That used to be the central point of Budgets. Previous Chancellors talked about "a touch on the tiller", "Steady as you go" and "too much port and overripe pheasant", for example. We do not have an overall Budget judgment from the Chancellor. He has not told us whether this is an expansionary, a neutral or a restraining Budget. Is it a redistributive Budget? If so, from whom to whom?

The Chancellor concentrates almost entirely on indirect taxation, which is generally regarded as being regressive. That is to say, it hurts the poor. In relying on indirect taxation, he heaps as much of it as he can on business. That is a perfectly respectable socialist thing to do. Sir Stafford Cripps, when he did the same sort of thing, was honest about it. If the Chancellor is to put big new taxes on business—the most dramatic and the most often mentioned was the £5 billion raid on pension funds, which has caused many of my constituents to complain to me that they will have either lower pensions or will have to pay higher premiums than they previously thought—at least he should explain that it is happening, and why. It may be economically justifiable, but it should be explained.

I was a stern critic of the excessive monetarism, as I saw it, of Margaret Thatcher from 1979 to 1981. I even called for the Conservative Chancellor's resignation on the day of the 1981 Budget. But at least I have always recognised, as a Keynesian, that the money supply is an important component of economic policy. As far as I know—I have not re-read the Chancellor's speech because it was bad enough having to listen to it in the first place—the right hon. Gentleman never mentioned money supply or the trend of it. That is another key factor that we have not heard about.

The state of the reserves was not mentioned. There are many who think that with our enormous trading pattern our present reserves are inadequate and should be built up. Selling gold and using 40 per cent. of the proceeds to buy euros, which have fallen against the value of gold by 18 per cent. since the sale started, does not seem to be a very good way of building up reserves.

Savings used to be a very important part of Budget speeches. There was always a special section in previous Budgets in which great tributes were paid to Lord Mackintosh and the savings movement and in which reference was made to the enormous importance of

personal savings. There was no reference to savings in the Budget speech. In fact, savings are falling catastrophically.

There was no mention of the balance of trade. Who would have guessed that in the latest quarter the trade deficit was the worst for 25 years? It is extraordinary that the Chancellor thinks that he can hurry through a Budget speech while omitting fundamentals. The right hon. Gentleman is fond of saying that we will get away from boom and bust, but the truth is that we are in the middle of a boom and that if we are not careful we shall go into another bust situation.

At the moment, when fiscal tightening is required, the Chancellor has loosened the reins. The Budget, as the chief economist of Saloman's has said, will increase public expenditure by 5 per cent., which will be the biggest stimulus for many years. What will the effect of that be on interest rates and on the strength of sterling, which is extremely relevant to what the hon. Member for Walton was saying? Farmers in my constituency, people in the north-west and exporters generally are suffering because of the high level of sterling. It is amazing that the Budget does not address the central threat to the Government's entire economic and European strategy, which is the over-priced pound.

To boast about national health service expenditure three years ahead is complete pie in the sky. I invite all right hon. and hon. Members to re-read Churchill's Budget speech of 1929, and then read Philip Snowden's Budget speech of 1932. That was a three-year gap. The country was at the peak of a boom in 1929, and only three years later there was the most extreme depression, when pensions had to be cut. The Royal Navy even mutinied because of cuts in pay. That is what can happen in three years. I am not saying that it will happen again, but any Chancellor who confidently says that he will have huge sums to spend three years ahead is talking nonsense.

Finally, I direct my remarks to my right hon. Friend the Member for Kensington and Chelsea (Mr. Portillo), the shadow Chancellor, who with his first-class honours degree in modern history, albeit from Cambridge, will understand them. Apropos the volte face on our attitude to an independent central bank and the Monetary Policy Committee, I do not have time to develop my theme as I would like. However, I remind my right hon. Friend that when Pope Pius IX, having lost his temporal constituency, hit back by announcing the dogma of papal infallibility in 1870, the great Roman Catholic historian, Lord Acton, said:

> I have no intention of changing my religion because the Pope has changed his.

That is exactly my attitude on an independent central bank.

5.58 pm

Mr. Robert Sheldon (Ashton-under-Lyne): First, I join my hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry) in hoping that sympathetic consideration will be given to the transfer of housing stock in Tameside.

We see in the Budget a large and unanticipated increase in revenue. For the year 2000-01, the surplus on the current budget was estimated at £4 billion at the time of the previous Budget. It is now estimated at £14 billion. It is likely that there is still more to come because omitted from the Red Book is the result of the auctioning of telephone licences, which will add £7 billion to £10 billion to the revenue. If my right hon. Friend the Chancellor had accepted that much of that money could be spent, he could have increased spending even more in his prudent and cautious proposals.

My right hon. Friend wants to see not only the spending of money but the effect that it will have on actual outcomes. One of the consequences of that is performance measures. That is something to which we must have regard in the national health service, which will take so much of the extra spending. The unusual feature of the Budget is that levels of tax and tax changes are not the only important announcements. The centrepiece was the large additional sums that will be going into the NHS.

The question that we have to ask ourselves was why that and other expenditure measures did not wait for the spending review due to take place this summer. That announcement, and my right hon. Friend the Prime Minister's unprecedented statement the following day, made the impact that was clearly intended. Due to my right hon. Friend the Chancellor's management of the economy, Budget priorities have been changed to allow for essential expenditure, particularly in the national health service.

The reason for that spending announcement was that, at the heart of this operation of the new financing of the NHS, is the need to ensure that money is spent properly. Secretary of State after Secretary of State has tried to get decisions implemented. There are two extreme scenarios—we could leave it to the health authorities and use cajolery, or we could try get some form of direct control. Given the size and complexity of the NHS, direct control is not possible. Another possibility is a form of halfway house, which in the past has never been properly effective. My right hon. Friend the Prime Minister is now throwing his authority behind the Department of Health, and I believe that that is worth doing.

The Public Accounts Committee has made regular criticisms, and chief executive after chief executive has appeared before us. Only a few years ago, the chief executive of the NHS sent a question to the 191 health authorities, and, after six months, only 133 replied. Almost 60 did not even bother to reply to the chief executive. What sort of NHS is that?

Clearly, the knowledge that the full power of the state is to be put behind the way in which the large increases in expenditure are spent must have some effect. It will not be easy. How that will work out in practice is yet to be determined, but I am sure that, if the money had just been forthcoming without the change in the administration of it, we would have seen, as we have so often seen, it disappearing into expenditures that were only distantly related to the ends that the Government quite rightly seek.

In the debate last Wednesday, the right hon. and learned Member for Rushcliffe (Mr. Clarke) said:

> I think that our monetary authorities are too hawkish. We need a better and a more genuinely independent Monetary Policy Committee, with a membership drawn from a wider range of people.—[*Official Report*, 22 March 2000; Vol. 346, c. 1023.]

The right hon. Gentleman has got something; the MPC needs someone from outside. It does not just fix the interest rates, it determines the parameters of the Chancellor of the Exchequer's room for manoeuvre. All his decisions on fixing tax rates, coming to his Budget

[Mr. Robert Sheldon]

judgment and deciding expenditures are constricted by his anticipation of the consequent actions of the MPC and they way that they will impinge on his decisions. The Chancellor of the Exchequer has a joint decision on the economy and the financing of our country with, in important particulars, the MPC having the last word.

Interest rates are influenced particularly by inflation—especially in house prices—in the south and not by industry in the north. Membership of the MPC needs to be more open and its arguments must be more publicly accountable. Who puts the case for manufacturing industry is another question that we must consider.

I also agree with my right hon. Friend the Member for North Durham (Mr. Radice). The rate of exchange with the euro—not that with the dollar, because it has not changed much—is the key. I hope that the euro rises, and I had dearly hoped that one of the early actions after the general election in 1997 would have been to decide to enter the euro at the same date as other member countries. When that did not happen, I urged that we should announce our definite intention to join even though, for economic reasons, the date for that might not be given. That could have affected the euro-pound exchange rate.

We seem not to have taken fully into account the fact that, over the past three years, the pound has risen from 2.50 to 3.15 against the deutschmark—an increase of 26 per cent. One cannot run many businesses with such a relationship, and the increase has taken place over a relatively short time. Few manufacturers are able to overcome such a hurdle—whether in maintaining their exports or in competing with imports. We often forget that manufacturers have the double problem of exporting and competing with much cheaper imports. That is why I consider that the MPC, with its powerful effect on the entire UK economy, needs members with a wider understanding than it has at present. I argue that for reasons of economic judgment and on the much lower level that the ability to justify decisions depends on a much wider outlook.

The expectation in the November pre-Budget report was that the balance of payments deficit in 2000 would be £10.25 million. Only a few months later, that figure is now £20.5 billion. Why has the balance of payments deteriorated so rapidly? We need answers on that. Manufacturing industry is not the size that it was, but it is still important.

My right hon. Friend the Chancellor has quite rightly referred to prudence with a purpose. I agree with him wholeheartedly on that, because 1997 represented the best possibility for the Labour party to show itself as the party of responsibility. Next year, money GDP will be more than £1 trillion. If there were any uncertainty about the firm control of the economy, the trillion-pound economy could have been represented as an inflationary surge. It has been the character of my right hon. Friend to stand ready to refute such an interpretation.

However, 1997 was the first time ever that the incoming Labour Government had a working majority and the absence of an economic crisis. That meant two things. First, we did not have to take desperate measures to deal with a crisis, and secondly, we could take the long view because of our parliamentary majority. That, indeed, was the basis of prudence, but, as my right hon. Friend reminds us, prudence must have a purpose. Caution is sensible only if it leads to using the fruits of that caution in due course.

In due course, that caution has yielded us low inflation, lower unemployment and a stable-growth economy. That is a great achievement. If we had had a lower pound, the management of the economy would have represented the greatest economic success this century. We have to hope that such a level of success awaits us yet.

In the Budget, my right hon. Friend has made use of his new-found freedom of action. He has had the space to defer the fruits of a Labour Government until they have been earned. He has done what all past Labour Chancellors have wished to do. In that, he has helped to bring about a reconciliation between traditional Labour and new Labour. To his many achievements, this valuable one must be added.

6.7 pm

Mr. John Townend (East Yorkshire): As could be expected from this Chancellor, we have had a Budget with a high degree of spin. He naturally claimed how well the economy was doing and, on that, he has been supported by the right hon. Member for Ashton-under-Lyne (Mr. Sheldon). However, as my hon. Friend the Member for Havant (Mr. Willetts) pointed out, the Chancellor did not highlight the balance of payments deficit, which is forecast to rise to no less than £28.25 billion, that growth in business investment is set to fall from 7.75 to 2.5 per cent., that growth in productivity is slowing, that manufacturing industry is struggling because of high interest rates and the high pound, that savings are falling and that the tax burden is rising.

The Prime Minister and the Chancellor have told us on numerous occasions that this is a pro-business Government. In the short time that I have available, I want to deal with that myth and to identify the areas in the Budget that are bad for business. The benefits for business, once one calculates what they are worth, do not add up to a row of beans.

First, I wish to refer to the increased tax on DERV. Despite this country having the highest taxes on DERV in the European Union and pump prices being forced up by rising oil prices, the Chancellor has increased the tax by an extra 1.89p per litre. Therefore, the differential between what French hauliers pay in Calais and British hauliers pay here has become even greater. The burden of transport costs hits all industries, but it particularly hits struggling manufacturers and it forces up costs. The small reduction in vehicle excise duty still leaves a massive gap between British and French rates—Britain's rates are no fewer than eight times greater than those in France. Is it any wonder that the British haulage industry is in the doldrums?

Despite the fact that, before the Budget, petrol tax was the highest in Europe, the Government have increased the duty, which will affect all businesses, large and small. It will particularly affect workers who live in country areas such as my constituency of East Yorkshire and who have no alternative but to use a car to get to work and to take their children to school. Is it not incredible that 80 per cent. of every pound that one pays the garage owner goes to the Government?

The increase in taxation on company cars is also bad for business, and will hit representatives who do a high mileage. I find it incredible that the people who will

benefit from these changes are those who do a low mileage and who have a company car as a perk. If the Government think that representatives can do an efficient job using public transport, that confirms how ignorant are the vast majority of Labour Members about running a business.

The Budget considerably increased the burden of taxation on business, and mainly did so stealthily. The climate change levy is in a mess, and it would not have been necessary to impose any burden on business at all if the Government had not prevented the building of new gas-fired power stations, which would have enabled us easily to meet the worldwide regulations on emissions.

New tax rules will cost multinational companies billions of pounds and could well drive some company head offices overseas. The Government do not seem to know how much that will cost industry. Their estimate and that of PricewaterhouseCoopers are very different. We learn that insurance companies will have to pay billions more in tax due to changing rules for that industry. That follows the Revenue losing a case before the tax commissioners. That fact has had to be dug out of the papers; it was not mentioned in the House.

The oil industry is annoyed that it will have to pay an extra penny a litre in tax because last year's tax was based not on inflation but on estimated inflation. The change in stamp duty will probably affect businesses more than it will affect householders because most commercial and industrial property sales are for properties costing over £500,000 and will now incur 4 per cent. tax. A small point, but one that demonstrates the Government's attitude to business, is that they have increased airport tax for business travellers, specifically to hit business men.

The Government have talked a lot about the additional tax allowance to help the computer industry, but that is more than offset by the stealth tax of IR35, which is already causing a brain drain and will undermine the e-commerce enterprise culture.

One would have thought that, with the decline in manufacturing industry and the rise in income from service industries, the Government would do everything possible to keep the City competitive. Yet stamp duty on share transfers is higher here than in many of our competitor countries. I know that many people were hoping for a reduction, but they did not get one.

I have been in the brewing industry all my life, and I have declared that interest. Despite the enormous amount of smuggling, instead of beginning to reduce the differential between duty rates in the UK and France, the Government have increased beer duty again by a penny a pint. That will only make smuggling more profitable.

The Chancellor did not put up the duties on spirits, but he did not reduce the differential. He said in his Budget speech that duty on wine will rise only by inflation—by 4p a bottle. I checked at the beginning of his speech, and he said that

> inflation is 2.2 per cent.—[*Official Report*, 21 March 2000; Vol. 346, c. 858.]

I must assume that he is not very good at mathematics or that he is telling porkies because a rise of 4p a bottle is an increase of 3.4 per cent., which is 50 per cent. more than inflation. However, it gets worse because when one studies the figures one realises that the increase per bottle is not 4p but 4.4p.

The Chancellor has done nothing to reduce the differential between wine and sparkling wine, and there is absolutely no justification for that differential. Sparkling wine is smuggled more than ordinary wine. He will never deal with smuggling unless he reduces the duty differential by about 50 per cent., as Denmark had to do.

A 25p increase in the price of cigarettes will also be a tremendous boost to the profits of smugglers, who now make more money from smuggling tobacco than from smuggling drugs, and will encourage under-age smoking. I find that policy incredible because it hits poor people, who spend more on cigarettes and who cannot go over to the continent in a large car every three or four months and fill up with supplies of cigarettes at a knockdown price.

Agriculture is on its knees, and the Government have done nothing for the industry in the Budget. They have only imposed more burdens in the form of fuel duties, the climate change levy and stamp duty on the sale of farms. What help does the Budget give to the fishing industry? None at all. What help is there for small businesses? Very little. What progress has been made in reducing the burden of regulations? Virtually none.

Every month, more and more regulations are imposed on small businesses by the EU and the Government. They include the working time directive, packaging waste regulations, the social chapter, trade union rights, maternity rights and paternity rights, all of which are causing chaos for small businesses. Now we hear that the Government are considering allowing people who have had a baby to tell their employer that they will return not to their full-time job but to a part-time job. How will a small firm with one accountant get two people to do one job? That is a nonsense, as is paternity pay. If the Government introduce paternity pay, how can a small business let one of its key people go for 13 weeks? That is ridiculous.

One other aspect of the Budget that I find reprehensible is that it confirms that the Government do not believe in supporting the institution of marriage. They are more concerned with the rights of unmarried mothers and homosexuals. That is confirmed by the abolition of the married person's tax allowance and the Government's intention to repeal section 28 of the Local Government Act 1988. Other attacks on the taxpayer which particularly affect the family are the repeal of mortgage tax relief and the increase in stamp duty.

6.18 pm

Mr. Tom Clarke (Coatbridge and Chryston): In my constituency, as in most, jobs are of the utmost importance. In the short time available, I shall concentrate on the Budget's impact on the objective of full employment, the need for effective training and the importance of small businesses.

I was delighted to hear the Chancellor use the term "full employment", which was endorsed again by the Prime Minister today. Full employment, designed as opportunity for all, is an objective that I very much welcome. I want to look at what has been happening to my constituency since the new Government were elected. The picture is impressive, although I do not urge complacency; my constituents would not allow me to do so, and they would be right.

Since the election, unemployment in Coatbridge and Chryston has fallen by 21 per cent. to 6.1 per cent., which is the lowest level that anybody of my generation can

[Mr. Tom Clarke]

remember. That is still too high, and I continue to make the plea for a reduction. Long-term unemployment has fallen by 59 per cent. Youth unemployment, which I thought so important that I made it the main subject of my maiden speech in 1982, is down by 65 per cent.

As I listen to criticisms of the Government, I am reminded of the fall of the Callaghan Government, when, throughout the country, there were huge posters saying "Labour isn't working". I do not blame the shadow Chancellor for that influential poster, because he was probably advertising Ribena at the time, but we are entitled to compare today's figures for my constituency with the figures that the Government inherited. Under the Conservatives, our oil revenues were squandered on propping up 3 million unemployed people. The huge dissatisfaction that accompanied such levels of unemployment tore our society apart. I am glad that we are improving our employment figures. Judging by the comments of my right hon. Friend the Prime Minister today, we are inspiring other European countries to do the same.

Training is of vital importance. I accept that the definition of a job has changed. Some people argue that the excellent figures we are now seeing hide certain facts, and I concede that not everyone who leaves the dole queue goes into work. However, that argument misses the point. Many people have entered training and education schemes, but such training is essential in the globalised society in which Great Britain is attempting to function. Foreign investors tell us repeatedly that our skills base is utterly inadequate. The most recent "Regional Trends" survey tells us about our skills stocks, and two statistics stand out: only 13 per cent. of the population in any given region of the UK have a university degree, and 18 per cent. have no formal qualifications whatever. Many firms do not take training seriously enough. I cannot believe that people in constituencies such as mine, which once boasted huge skills in engineering, shipbuilding and metallurgy, are incapable of responding to the challenge of training. We must recognise that the lack of commitment displayed by some employers—not all—represents the tightest possible bottleneck around employment growth in Britain.

Opposition Members have spoken of the crucial importance of small businesses and the vital role that they play in job creation. As my right hon. Friend the Chancellor rightly pointed out, the burden of future job creation will fall on small businesses, which now account for nearly 40 per cent. of national turnover, compared with less than 20 per cent. less than a generation ago. That does not sound like complacency. In the past two years, a further 100,000 small businesses have registered in the United Kingdom, which is a tribute both to the general culture of entrepreneurship fostered by the Government and to the Microsoft revolution, which has given companies the capability easily to use modern software to enter markets at minimal cost. The boost given to internet firms by my right hon. Friend, whom history will probably acknowledge as the first e-Chancellor, is extremely welcome in a modern, competitive society.

However, we cannot be complacent. Although we are increasing the number of technology-based dot.com companies, we still have too many "Dot Cotton" companies: well-meaning old things that are poorly equipped to adjust to the challenges of cyberspace and globalisation. Sometimes, I think that too many people who run businesses think that Intel Pentium is a Romanian footballer. We have to change that. It is vital to future employment that we do not shirk the challenges of globalisation, but that we shape and mould the future for the benefit of all of our people.

My great concern, which is reflected in the main thrust of the Budget, is that an economy in which a significant proportion of the population is unable to fulfil its potential is far poorer and far less productive than others. Real hope lies in providing real opportunities through training schemes such as the new deal to all who want—indeed, need—to work. In that spirit, I believe that the Budget truly helps those who have been left out of too many Budgets for far too long, especially families who seek, but who have been unable to find, work and the children of the poorest families—not least in my constituency—who represent the future. I have examined the Budget and I welcome this comprehensive debate. One day, the Opposition might apologise for that long-gone poster, because, after a little less than three years in government, the evidence suggests that Labour is working.

6.27 pm

Mr. David Davis (Haltemprice and Howden): I would normally have spent a little time dealing with the welcome parts of the Budget, such as the Cruickshank bank reforms; however, given the time constraints, I shall have to focus on the rest of it instead.

I hope to refer to several of the comments raised by the right hon. Member for Coatbridge and Chryston (Mr. Clarke), especially his interesting points about small businesses. I welcome back the right hon. Member for Ashton-under-Lyne (Mr. Sheldon). I believe that this is his first outing since he has been away, and it is good to see him back on form, punching as hard as ever. He will forgive me if I turn his illustration of a glass half full into one of a glass half empty.

The Budget is dominated by short-termism and flawed foundations. The Chancellor likes to charge business with being short-termist, yet he, too, is guilty of that charge. It is difficult to think how else to describe a Budget which, on the basis of rosy economic forecasts, projects a £25 billion adverse change in the fiscal balance on the presumption that the business cycle will not really bite. If it does bite, that will add about £50 billion to that adverse figure. That adds up to a burden with which the country cannot cope, and that will lead to cuts such as those that we have seen under previous Labour Governments.

Laying aside the aggregate fiscal position—because others have already spoken about it—I turn to the overall strategy set out in this and the last three Labour Budgets. Between 1945 and 1979, the Budgets of both Labour and Conservative Governments were highly interventionist. They piled on to the British economy large quantities of regulations, great complexity, and a very high tax burden. The initial effect of that meddling was relatively benign—it took time to bite; but the process continued through the 1940s, 1950s and 1960s and its effects grew until, in the 1970s, it became apparent that they were disastrous. Politicians do such things because the early effects of regulation and of tax and spend are apparently positive. They have explicit benefits, for which politicians get the credit. The simple fact is, however, that the significant

harm that is done by over-regulation and over-taxation is both diffuse and delayed. That is what led to the slow-motion crippling of the British economy through the pre-Thatcher years.

I am afraid that this Budget and its two predecessors fall into a similar trap. The Budget contains a wide range of over-burdensome, over-meddlesome and wholly ineffective measures, as several hon. Members have mentioned.

The right hon. Member for Coatbridge and Chryston spoke about the growth in e-commerce and in small businesses. The measures on e-commerce in the Budget are irrelevant to most e-commerce entrepreneurs. The idea that the dot.com companies will somehow change their tactics because of the minor and rather complex proposals in the Budget is laughable.

Furthermore, those measures will do nothing to reverse the effect of the disastrous IR35 measures that are already in place. They will merely add to the complexity of the system and add to the £10 billion of extra regulation that has been piled on British business in the past few years.

The problem of complexity—often to no end—is the real harm of the stealth tax tactic, in which it is used as a way to conceal taxes from the public. Such complexity is harmful in itself. It creates jobs for tax accountants, but destroys jobs for everyone else.

The commitment to high regulation, high complexity and high spend and tax may create short-term political advantage—no doubt that is the intent of the Budget—but it does long-term economic harm. It is exacerbated by other regulations from Europe—perhaps not as many as some of my hon. Friends may assert, but certainly plenty.

Listening to the Prime Minister's comments on the Lisbon summit today, one had to conclude—particularly given what is happening in France, where the French Prime Minister is signing up to the documents about which we heard today—that if the Government believed what they were told there, they do not understand how free enterprise works,

A more accurate view of the regulatory burden from Europe would perhaps be achieved if hon. Members read the comments and the article by Otmar Issing, the German nominee on the board of the European central bank, who stated in the German papers this week that the entire anti-regulation strategy of the European Union was flawed and would fail. It would serve to increase regulation, rather than reducing it.

As well as the risks of short-termism, the Budget contains other fundamental flaws in its underpinning assumptions. The Chancellor advertised the Budget in advance as a crackdown on the black economy. A survey last week showed that only about one in 10 people believed that it would work, and they are probably right.

So far, all the initiatives, of which there have been many, and all the announcements, of which there have been even more, have led to no real change. Fraud levels have not gone down by a penny. The Government are not alone in that, but if they put the crackdown on the black economy at the centre of the Budget strategy, one would hope for better than that.

The introduction of the working families tax credit is likely to make matters worse, because its complexity will make fraud easier. Its predecessor in the United States, the EITB—the earned income tax benefit—is renowned for being subject to both fraud and administrative failure.

Many of us on both sides of the House want poverty reduced, but the Government have chosen a complex and probably ineffective way of doing that. Moreover, when the Department of Social Security was doing the preliminary work on the working families tax credit, it cancelled a programme that would have allowed that benefit to be better designed to avoid fraud. We all support the aim, but the mechanism will prove to be flawed.

There are similar weaknesses in other mechanisms. The strategic defence review and the funding in the Budget for the Ministry of Defence is dependent on the so-called smart procurement process. Having observed smart procurement, I have not yet seen an improvement in purchase price or purchase quality achieved by the Ministry of Defence. This weekend's papers mentioned selling off Aldershot to fund the SDR—an extraordinary proposal demonstrating the failure of another underpinning assumption in the Budget.

That brings me briefly to the most high-profile aspect of the Budget—the spending proposals for the national health service. The increases there are made necessary by the failure of the Government to meet their own promises—a failure arising from weaknesses of policy, organisation and management, as well as funding, but exacerbated by the cash starvation over the past two years.

The Prime Minister recognised last week that the NHS could not use the extra £2 billion without sharp changes in its effectiveness. We all agree with that. Let us look at the size of the problem. Suppose that the £2 billion was divided among three possible uses. First, there are those areas that simply need extra money and can be dealt with quickly. The most obvious is the marginal cost of matters such as drugs. We could dramatically improve the drugs policy to make drugs to treat cancer, multiple sclerosis and other conditions available to all patients throughout Britain, so that we could have a truly national health service, rather than the fractured one described by the right hon. Member for Ashton-under-Lyne. It would cost hundreds of millions to put that right, not billions.

Secondly, the money could be used to increase the utilisation of existing capacity. Again, that would cost hundreds of millions of pounds, not billions. That would leave significantly more than £1 billion to spend, with only one possible aim: to increase the capacity of the health service. As the Minister said, we cannot do that through the Government's mechanisms.

When the extra money is spent, it will be interesting to see whether the Government use their new private finance initiative mechanism to bring much more private sector skill and entrepreneurialism into the health service to provide new hospitals and new capacity, and to make their promises on funding amount to something.

All these undertakings and others guarantee an increase in the public service inflation rate. That is one of the effects of increasing expenditure. For a Chancellor who is wedded to the concept of prudence, the Budget is incredibly fragile. Aggregate expenditure—

Mr. Deputy Speaker: Order. The right hon. Gentleman's time is up.

6.37 pm

Miss Geraldine Smith (Morecambe and Lunesdale): The priorities of my right hon. Friend the Chancellor's Budget are also the priorities of the people of Morecambe

[Miss Geraldine Smith]

and Lunesdale. I warmly welcome the extra money for the national health service and schools, and the additional help for families and pensioners.

The Chancellor has delivered a massive boost for the NHS. The immediate cash injection of £2 billion is part of the largest ever package of spending on our health service. Over the next four years, spending on the NHS in real terms, over and above inflation, will increase by 6 per cent.—double the average of 2.9 per cent. achieved by the Tories.

Whereas last year we spent just over £1,850 per household on the NHS, by 2004 that will have increased to £2,800 per household—a cash injection of 50 per cent. That should be compared with the shabby Tory policy on health, which would provide a two-tier health service in which ability to pay would determine the quality of treatment and care received.

I welcome the additional income for schools in my constituency. The extra £1 billion announced in the Budget will help schools to recruit more teachers and purchase more books and equipment. The money will go directly to head teachers and help them to improve standards in our schools. I know that they have been asking for that for some time.

I am pleased to see measures in the Budget to help pensioners. The further increase in the winter fuel payment from £100 to £150 to be paid to all households where someone is over 60 is most welcome. That will benefit almost 21,000 pensioners in Morecambe and Lunesdale. From 1 November, pensioners over 75 will benefit from free television licences, which will help 8,000 pensioners in my constituency, who will save £104 a year on the licence fee.

I am delighted that the Chancellor is to increase the capital limits on the minimum income guarantee. Everyone will welcome the Government's commitment to developing the minimum income guarantee for pensioners who have made some provision for their retirement. After a lifetime of work, those pensioners' financial position has been steadily eroded. That is unjust and unacceptable. I therefore look forward to the proposals of my right hon. Friend the Secretary of State for Social Security to assist those pensioners who have small second pensions and whose income is just above the minimum income guarantee.

I represent a seaside resort and I am pleased about the decision to remove the annual licence charge of £645 on small amusement-with-prizes machines which cost 10p or less to play. The British Amusement Catering Trades Association, along with the seaside group of Labour Members, has campaigned hard on that. I should like in particular to thank a local BACTA representative in Morecambe, Mrs. Norah Slater. Norah and I spent a sunny afternoon in Morecambe visiting all the amusement arcades on the promenade. It made me realise what a wonderful job I had. I could spend my time mixing with holidaymakers and playing in amusement arcades. It was time well spent because I, like many other Labour Members, made representations to Treasury Ministers. I am glad that the Government listened. Their policy will mean that amusement arcades can expand; it will help seaside resorts and give operators a huge boost. It is further proof of the Government's commitment to seaside resorts.

Many seaside towns have been given assisted area status. Morecambe has been successful in gaining that. That will give an impetus to our resorts, which were so badly let down by the previous Administration.

The increases in the working families tax credit and in child benefit are good news. The 1p cut in the basic rate of income tax next month means that next year, the tax burden on working families in my constituency will be the lowest since 1972.

The Tories bang on about tax having risen as a proportion of gross domestic product in the past two years. Although that is true, they neglect to say that that is largely due to the billions of pounds that the previous Tory Government borrowed. The Government are steadily repaying that. The overall tax position has now stabilised and figures are set to fall. My right hon. Friend the Chancellor was able to announce more for our public services, our pensioners and families because we have strengthened the economy.

Today in my constituency we have stability and low inflation. Thanks to the new deal, youth unemployment has decreased by 77 per cent. and long-term unemployment is down by 58 per cent. since the last election. I believe that the Budget will help to provide security and opportunity for all. It is a Budget for the hard-working people of Morecambe and Lunesdale and I commend it to the House.

6.43 pm

Mr. Dafydd Wigley (Caernarfon): I shall not follow the hon. Member for Morecambe and Lunesdale (Miss Smith) into the intricacies of the one-armed-bandit Budget that she described. I am conscious that this may be the last time I address the House during a Budget debate, because I am standing down at the next election. The 10-minute contribution that I shall make contrasts with the speech that a predecessor of mine in Caernarfon made in 1909: Lloyd George spoke for four and a half hours, which would constitute the whole of our debate.

Mr. David Davis: Go on, beat it!

Mr. Wigley: No, I shall resist the temptation.

We are considering what appears to be an election Budget. We must welcome aspects of it—for example, its recognition of the need to help children in the poorest families, as well as the much-needed increased spending on health and education.

Mr. John Hayes (South Holland and The Deepings): Will the right hon. Gentleman give way?

Mr. Wigley: I am sorry, but it is difficult to give way under the circumstances.

I should have liked the Budget to include more spending on specific social programmes, especially housing. In my constituency—and I suspect in many others—there is a massive backlog in house renovation. People have to wait years for work to be done. That backlog is at the heart of many difficult social problems. For that reason, it would have been better if the income tax rate had not dropped from 23p to 22p in the pound, and for the £2,000 million to be available for spending on housing programmes and perhaps for doing a little more for state pensioners. If resources are to be used to reduce

the effect of income tax, I should prefer them to take those on the lowest incomes out of the taxation system altogether.

The 9p per gallon increase in the price of petrol will devastate rural areas at an immensely difficult time. People in rural Wales pay the highest cost for petrol anywhere in the world, at a time when our economy is suffering great difficulties. That should be considered.

I want to refer in greater detail to increases in resources for the health service. The Secretary of State for Wales estimates that it will mean an increase of £99 million for health in Wales in 2000-01, and £153 million in the following year. However, that will depend on the way in which the National Assembly for Wales decides to share out the block money that is passed to it. A problem arises with that. I want to consider the way in which the Barnett formula interacts with the Chancellor's intentions in the Budget.

The Barnett formula dictates that the money that goes to Wales and Scotland depends on the size of the population. Expenditure on health in Wales is 9 per cent. higher than in the United Kingdom in general. That is because we have an older population. Many people retire to Wales. That is understandable; it is a lovely place. However, a large proportion of health costs are incurred in the last six months of a person's life. There is therefore a greater demand for health expenditure in Wales. If the increase through the Barnett block is based on population, that means that there is relative convergence and less money to fulfil the needs of the population. The simplistic approach of such a per capita share-out causes difficulties.

Over the next three years, there will be a drop in the proportion of expenditure on health in Wales as compared with the rest of the United Kingdom—from 5.5 per cent. this year, to 5.2 per cent. next year, to 5.1 per cent. in the subsequent year. The Government's correct and laudable Budget objectives of trying to ensure that more money goes to the sharp end of health care will thus not be achieved in Wales because of the workings of the Barnett formula. I hope that we can move towards a more sophisticated approach to the distribution of money by developing need indicators so that resources can be distributed in a way that corresponds to need.

Mr. Hayes: Will the right hon. Gentleman give way?

Mr. Wigley: I am sorry, but I cannot give way because of the 10-minute rule. I am trying to squeeze in what I have to say.

Mr. Hayes: On a point of order, Mr. Deputy Speaker. For the benefit of all hon. Members, could you confirm my belief that Madam Speaker has ruled that interventions add to an hon. Member's time and do not subtract from it?

Mr. Deputy Speaker: The general principle is that the clock stops for an initial intervention and restarts when the hon. Member who is addressing the House responds.

Mr. Wigley: I hope that points of order come into the same category.

Mr. Hayes: The right hon. Gentleman is renowned for his generosity and courtesy. He will be glad to know that I wanted to support him by saying that his points apply not only to health but to education. It is all very well saying that extra money is to be given, but funding should be granted according to need. The Budget announcements did not make allowance for that. The smallest, least fashionable schools in rural Wales and in rural Lincolnshire will benefit least from the extra money, while the big, popular schools will benefit most. The right hon. Gentleman's points on health apply to education.

Mr. Wigley: Restart the clock, Mr. Deputy Speaker! I rapidly move on from that valid point to the effects of the Barnett formula and the way in which it interplays with European objective 1 money for Wales. We looked for that in the Budget, but it was not forthcoming.

Two years ago, before Wales got objective 1 status from the European Union—I congratulate the Government on achieving that—we had a total control budget for the Welsh block of £7,908 million. The basic budget for the National Assembly for Wales remains at that level this year. The original budget that was published in November was £7,909 million. The figures are almost identical. No additional money was available to enable us to provide match funding, or even public expenditure survey cover for the European element.

Wales is supposed to receive £360 million a year from objective 1 spending in areas of acute poverty in the coming financial year, but owing to the operation of the Barnett rules we shall not receive an extra brass farthing. For every £10 million paid by Europe to meet Wales's needs, the Treasury will knock £10 million from the Barnett block. We are no better off than we would have been if we had not been given objective 1 status. I can identify with what was said by the hon. Member for Liverpool, Walton (Mr. Kilfoyle), and the same applies to South Yorkshire and Cornwall.

The Budget has done nothing to deal with that central dilemma. If we are to find match funding and PES cover from within the Welsh block, we shall have to do it at the expense of health and education—the very priorities that the Chancellor tried to promote in the Budget.

That brings me to the central weakness of the Budget. I refer to the problem caused to the economy of Wales and, indeed, other parts of the United Kingdom by the overvalued pound, to which others have referred. It undermines manufacturing industry. We have seen what it is doing to Rover now, and there will be knock-on effects in Wales. We have also seen what it is doing to the steel industry. I do not accept the Government's line that the steel crisis is being whipped up by the media; I know of companies in my constituency whose margins are being hit by up to 30 per cent. because of the level of the pound. They are finding it difficult to compete in export markets, and are being undermined at home by the sucking in of imports. The same applies to farming and tourism. The three bases of the Welsh economy—manufacturing, farming and tourism—are all being hit.

The right hon. Member for Haltemprice and Howden (Mr. Davis) spoke of the danger of inflation. Any inflationary pressure will tempt the Bank of England to raise interest rates again. That will put the pound up again, which will undermine manufacturing, farming and tourism. All the gains that we hope to secure from the strategy of the Budget will then be undermined, and we will be back where we started.

6.52 pm

Mr. John Grogan (Selby): The right hon. Member for Haltemprice and Howden (Mr. Davis) was right to try to characterise the three Budgets presented by the current Chancellor. Although I disagree with the right hon. Gentleman's conclusions, I think that the Budgets have a common theme. Rather than re-establishing the principle of meddling, they have re-established the principles of European democratic socialism and made them popular for a new generation in Britain.

It is not meddling to provide decently funded public services of a certain quality. It is not meddling to re-establish, once and for all, the goal of full employment as a central element of our policies. Nor do I consider it meddling to make the alleviation of poverty another such goal. One of the things that make me proudest of the Budget is the conclusion by the Institute for Fiscal Studies that those who have benefited most from the three Labour Budgets, taken together, are the poorest 10 per cent.

I want to explore the impact of the Budget on three traditional industries. I shall conclude with references to coal mining and agriculture, but I shall concentrate on a traditional British industry, albeit one that occupies only a small part of the Budget. I refer to betting and bookmaking. Buried in the Budget papers, and given even less publicity initially than the welcome reduction in VAT on women's sanitary products, was a press release headed "Reform of Betting Duty". That was a very definite title: it referred not to a review of betting duty, but to a clear commitment by the Government to reform it according to a tight timetable. Customs and Excise must present its proposals to the Chancellor by July, and he has promised to make his own definite proposals in the pre-Budget statement in November.

Why does the betting industry matter? It is a traditional industry and a traditional British success story, but like many other such industries it is having to adapt to a new age of increased international competition and to the challenges of e-commerce. In the press release to which I referred, the Chancellor has set out his objectives, which are

> a fair basis for UK bookmakers to compete internationally; a fair opportunity for horse racing to secure financial support; and a fair contribution from the industry towards general tax revenues.

I would have added a fourth criterion: a fair deal for the British punter.

I have a bit of an interest in this. One of the first things that I did after being elected was collect my winnings from William Hill in Selby. In an entirely legal form of insider trading, I had obtained odds of 3:1 against myself. Nine per cent. of my bet went to a levy; 6.75 per cent. of that went towards general betting duty. In the case of a bet on horse racing, the extra money goes to the horse racing industry, but in the case of a general bet such as the one I made, it goes to the bookmakers.

There are tremendous opportunities for the British betting industry to expand in the coming years. We lead the world in that respect. Ladbrokes is the biggest bookmaker in the world, and gambling is cross-cultural—that is one of its attractions. An American writer, Heywood Hale Brown, commented:

> The urge to gamble is so universal and its practice so pleasurable that I assume it must be evil.

I would not go as far as that, but gambling must be well regulated, it must be honest, it must protect minors and it must be innovative—and that characterises much of the British betting industry.

Many hon. Members may not be particularly interested in sports betting, but I draw their attention to a column in the *New Statesman* by Charlie Whelan, who has had comments to make about previous Budgets. Each week, he highlights particularly interesting bets that people can make on politics and other issues. A few weeks ago, he asked which national newspaper Piers Morgan would be editing on 1 October 2000, offering odds of 6:4 on *The Mirror*, 7:4 on *The Express* and 50:1 on *The Sun*. In February, following the resignation of my hon. Friend the Member for Liverpool, Walton (Mr. Kilfoyle), he asked which Labour Minister would be the next to resign. I shall leave hon. Members to look at the odds, given such an unlikely event.

In another column, Charlie Whelan asked whether the Leader of the Opposition was likely to become a father in the millennium year. He offered 6:4 against that, 6:4 against the Chancellor's marrying, and 8:1 against a certain baby's being called Tony.

Many innovative bets are available, but they face two challenges. One is international competition. Not too long ago, in May 1991, Victor Chandler International set up business in Gibraltar offering telephone bets to the British public, with a levy of not 9 per cent.—which I had to pay on my bet in Selby—but 3 per cent. That posed a big challenge to the British betting industry, to which all three major bookmakers have responded by setting up their own offshore operations. The Irish Government have responded by cutting betting duty from 10 to 5 per cent. Perhaps not unconnected with that is the fact that the Irish Prime Minister, Finance Minister and Agriculture Minister are often to be seen at the Curragh and at Cheltenham—they clearly have a particular interest in the industry. However, the lower levy in Gibraltar is plainly having an impact on the competitiveness of British bookmaking.

On the other hand, there is expansion in e-betting—betting on the internet. At present the figures are quite small, but MMD, a London research agency, predicts that by the end of next year internet betting—on sports alone—could account for £9 billion. Britain has a competitive advantage in sports betting. In America, it is all but outlawed. A Bill presented by Senator Jon Kyl of Arizona, who wants to kill off e-betting, is currently going through Congress.

British bookmakers have a tremendous opportunity to gain that competitive advantage. What should we do? I think the Chancellor was right not to reduce betting duty in the Budget. At present the revenues are holding up—£490 million will be raised in betting duty this year, as opposed to £480 million last year. Nevertheless, I think that he should do what the press release promises he will do, and consider radical solutions such as abolishing betting duty altogether and replacing it with a tax on the profits of the bookmakers. That might be a very effective way of maintaining the revenue, while allowing the industry to compete. At a stroke, it would also abolish any form of illegal gambling, as there would no longer be any incentive to engage in it, and the anomaly in the levy, which means that some of the 9 per cent. levy on non-horse racing bets goes direct to the bookmakers, as with my bet in Selby. I would welcome that small but important measure.

I want to use my final couple of minutes to refer to agriculture and coal mining in Selby. Both those traditional industries are exchange rate sensitive, both are

going through difficult times and both are looking for a restatement of that other traditional principle of European social democracy: that we are not afraid, when necessary, to intervene in the market—not to prop up failing industries but to aid transition from one phase to another.

This is an extremely important week for the coal mining industry. My right hon. Friends in the Cabinet have before them a paper that talks of modest state aid—perhaps £60 million to £70 million—compared with the £3 billion of state aid that subsidised the French, Spanish and Italian coal industries last year. That money would allow the most efficient deep-mined coal industry in Europe to bridge the gap between the price that it can offer and the price of internationally traded coal, which is on the increase. The subsidy would last for only two years, until the relevant European treaty runs out in 2003. Although pits will close under Labour and industries will contract, I urge the Government to come to a quick decision on the coal subsidy and to reaffirm the principle that, unlike the Conservatives, we will not allow industries to contract overnight in the completely uncivilised and uncaring manner that characterised the 1980s and 1990s.

7.2 pm

Mr. John Swinney (North Tayside): The right hon. Member for Coatbridge and Chryston (Mr. Clarke) called the Chancellor the first e-Chancellor. I wondered whether that was a casual remark that reflected the internal politics of the Labour party. Perhaps it was a suggestion that he might be a virtual Chancellor or virtually a Chancellor, but it was certainly an interesting assessment of what the Budget has produced.

My first reaction to the Budget was that never has a Chancellor had so much and given away so little. As the days have passed, my view has not changed. The Budget represents a missed opportunity, and that will become more apparent to members of the public as the issues are debated. If I judge the public mood in Scotland just now, voters want substantial investment in key policy areas—health, education and poverty—and they have made it clear that they want substantial new resources to be invested to counter 20 years of under-investment.

I do not judge the public mood to be enthusiasm for income tax cuts at the expense of valuable investment in our public services, and I want briefly to consider the tax structure. The Government are stretching and moving the balance of taxation so that it is much more in favour of indirect taxation. The Institute for Fiscal Studies says that the Chancellor has made about 40 per cent. of the changes to indirect taxation, which is regressive as it hits those on lower incomes disproportionately harder. What he gives with one hand, such as child benefit increases, he takes away with the other in indirect taxation.

I ask the Chancellor to consider reversing that trend in future Budgets and to make the structure of taxation fairer and more transparent. The grudging way in which the Government have at last confirmed that the tax burden has increased—they were forced to do so—makes a compelling case for greater transparency in the system. With a £60 billion war chest at his disposal over the next five years, he could have achieved so much more investment in our public infrastructure, but has failed to do so.

Aspects of the Budget are to be welcomed, particularly any measures to improve the living standards of those on lower incomes who have children. Measures that make people better off in work rather than on benefits are to be encouraged. We recognise that encouraging work is one the best routes out of poverty and have argued that case, but unemployment is still a major factor. It increased in Scotland in the last quarter, and rates of more than 10 per cent. are common in several Scottish constituencies. The Government's economic strategy must address the issue of getting people into work before they can take advantage of initiatives such as the working families tax credit.

The fact that the Chancellor has left the Scottish economy in a sterling straitjacket is one reason for those pockets of higher unemployment in Scotland. Since the Government came to power, 22,000 manufacturing jobs have been lost in Scotland and a further 600 losses were announced only last Thursday. The pound has appreciated against the euro by a massive 35 per cent. since 1996, crippling manufacturing industry and exporters in Scotland. I was struck by the powerful speech of the right hon. Member for Ashton-under-Lyne (Mr. Sheldon), who argued for Monetary Policy Committee decisions to take much greater account of the economic conditions in areas of the United Kingdom outwith the south-east of England. They are increasingly putting home-grown businesses in Scotland at a competitive disadvantage in relation to a number of our European competitors.

The Chancellor has to be asked, what was in the Budget for jobs in Scotland and for high-quality, sustainable employment? We need investment. Where were the initiatives to encourage growth in manufacturing? Where was the encouragement for research and development in our traditional industries? Although we appreciate and support interest in encouraging e-commerce, a sea change in telecoms pricing, regulation and infrastructure—much more than the package of measures announced in the Budget—is needed to make that possible.

I have commented on low-income families and the measures taken to support people in those circumstances, but we must also address the challenges facing pensioners, who are among the poorest in our society. Measures to reduce fuel poverty through the winter allowance are welcome, but other measures such as the minimum income guarantee for pensioners are unproven in respect of securing the type of income that pensioners truly require. The hon. Member for Northavon (Mr. Webb) amply showed why the Government have failed to get across the importance of the minimum income guarantee and what it does to compensate pensioners, who have been given a wholly unsatisfactory 73p increase in their pension.

I want to comment on the public spending commitments announced in the Budget. The Chancellor is good at using headline-grabbing numbers in his Budget statements, but I want to examine some of the detail of the figures, beginning with health spending. All hon. Members will welcome any increase in investment in the national health service, which is required after 20 years of neglect, but the increase will not deliver health spending on a par with the European average, as the Prime Minister promised on 16 January. The Institute for Fiscal Studies has calculated that UK health spending must increase by 8.5 per cent. to reach the European average in five years. There is still some way to go.

I want to consider the additional £2 billion available next year and how that will translate into health spending in Scotland. According to a statement from the Secretary

[Mr. John Swinney]

of State for Scotland, the Scottish public will benefit to the tune of £173.3 million. That should be considered against the reality that Scottish hospitals are expected to be £50 million in deficit by the end of this financial year and all trusts are expected to miss their waiting list targets for next year. Furthermore, above inflation and well-deserved pay increases are already stretching NHS budgets. That suggests that the additional resources provided by the Chancellor could allow the health service in Scotland to stand still rather than take any stride forward.

The 6.1 per cent. increase in health expenditure in the United Kingdom as a whole will not translate into a 6.1 per cent. increase in Scotland because of the Barnett squeeze. Scotland will have slower growth in health expenditure than the rest of the United Kingdom. However, the health of the Scottish public is not improving at a faster rate than that of people in the rest of the United Kingdom. Recent research by the university of Bristol shows the incidence of cancer among men in Scotland to be higher than among men in England. It is also higher among women in Scotland. The Barnett mechanism represents a loss of hundreds of millions of pounds to the NHS in Scotland over the coming five years.

On education spending, Scotland will receive £86.6 million from the additional £1 billion announced by the Chancellor, according to the Secretary of State. Putting that into the context of the cuts made at local authority level by the Labour party shows the damage that has been done to our core educational services. Next year, local authority education funding will be £540 million lower in real terms than it was in the last year of the Conservative Government, when none of us believed that we could go any closer to the bottom. The Chancellor did not mention the long-term position of education funding beyond this financial year.

A number of hon. Members across the political spectrum referred to petrol prices. I have had to make this point in every Budget debate since I was elected to the House to represent a large rural constituency in Scotland. The price of petrol has risen by 25 per cent. since the Labour party came to office in 1997. In our rural communities, car transport is the fundamental brick on which every aspect of activity is built, so is it any wonder that people are feeling the strain of the punitive taxation being applied to the economy of rural areas? That is made even more surreal and nonsensical by the fact that Scotland is the largest oil-producing country in Europe.

The Chancellor will argue that any larger increases in spending would not be in line with fiscal and monetary policy, and would put pressure on the Bank of England to raise interest rates further. That is yet another example of economic policy being led by the overheating of the economy in the south of England and the issues connected with house price inflation. For too long, the Treasury orthodoxy has been high interest rates and a high pound due to overheating in the south of England. The price for that is being paid in the economy of Scotland, where enormous damage has been done to the competitiveness of our key industries—our exporters, who trade on our behalf. Unless we have economic conditions that are in tune and in line with the circumstances that are required in Scotland, and not those that pervade in the south of England, continued damage will be done to the economy of the people of Scotland.

7.12 pm

Mr. Colin Burgon (Elmet): Over the past few days, hon. Members will have listened to their constituents' views on the Budget. It is good that those views are reflected in the Chamber. The first subject that I should like to cover has probably not had much of a mention in the Budget debate so far. It is the Government's decision to introduce an aggregates levy of £1.60 per tonne, which will come into effect in April 2002—not soon enough for many of us.

The Government have made it clear that the extraction and transportation of aggregates impose real costs on local communities, in the form of noise and vibration, dust, loss of biodiversity and amenity and visual intrusion. My constituency boundary is made up of the river Wharfe to the north and the river Aire to the south. Both rivers have extensive mineral workings in the proximity. The Aire valley in particular has suffered from decades of mineral extraction, and many local people in such places as Methley and Allerton Bywater now want environmental regeneration of the area.

I sincerely hope that the new levy will help in that process. By ensuring that the environmental impact of sand and gravel extraction is more fully reflected in prices, I hope that we will encourage a shift in demand away from virgin aggregates towards alternative materials, such as recycled aggregate.

I am delighted to praise Leeds city council on the recent demolition of its civic hall annexe, which was a vivid illustration of how building materials can be recycled and our environment protected. In my inquiries about the work done by the council, I was told:

> If normal demolition practices were followed the site would have needed a substantial amount of fill material to raise the ground levels to make the site safe.
>
> The hard materials would have been removed to a land fill site for disposal, both of which have a considerable cost implication—

and I would add an environmental implication:

> The process of crushing the hard material on site and using it as fill material to raise the levels, saved on the purchase of fill materials and the costs of tipping . . .
>
> The project started by hand stripping and salvaging as much materials as possible, this included all timber, the roof covering, glazing and non structural metal work. The structural metal frames were then removed for recycling and the remaining concrete structure crushed to be used as fill materials over the site.

The Government's stance in the Budget will encourage such an enterprising approach. I hope that where Leeds leads, others will follow.

The second item I want to address is education. In discussions that I had with head teachers in my constituency last week, the Chancellor's policy of extra payments of between £3,000 and £9,000 for primary schools and between £30,000 and £50,000 for secondary schools met with universal support. The heads were doubly delighted that the money will go straight to them. Projects that they were looking to fund from this additional money included general refurbishment work in the schools, expansion of information and communication technology, extra help for special needs children, extra

help to develop reading skills, and staff training and development, which is vital given all the changes taking place in education.

Head teachers also told me that they hoped that they would be allowed a fair degree of discretion on spending this extra money. As I cannot envisage many of them either buying a new car or going on an exotic holiday with this money, I hope that we can allow these hard-working professionals to spend that money wisely and effectively. There was also a plaintiff plea that this money should be paid every year. I promised to pass that request on to the Chancellor.

In Wetherby over the weekend I met people involved in Church Action for Poverty. They gave a general welcome to the Budget, but cautioned me that much more remains to be done to achieve the Government's goal of eradicating child poverty within 20 years. They welcomed the fact that the Budget will lift 1.2 million children out of poverty by the end of 2001, but more than 2.5 million children remain trapped in poverty. That is a sobering thought, and shows what a huge task the Government have set themselves.

Those people also welcomed further measures to tackle fuel poverty among the elderly, with the boost in the winter fuel allowance to £150 a year. The minimum income guarantee was also welcomed. I share the general concern that, as last year, almost 1 million pensioners are not claiming their entitlement. I was hoping that the Government would soon launch an effective, high-profile benefits take-up campaign targeted at that group. Hon. Members can imagine my delight when I heard the Secretary of State say that that would start this Wednesday, and I look forward to that.

I am aware that the Government are spending an additional £6.5 billion on our pensioners over the lifetime of this Parliament. However, many of us believe that we still have some distance to travel to address all the concerns of our pensioners, who never lose an opportunity to let us know their thoughts on this subject, and long many they continue to do so.

I was pleased to hear from pensioners and others that there has been widespread welcome for the extra £2 billion for the NHS. It is clear that that step, combined with organisational reform of the health service, commands tremendous support among the electorate.

There is also a recognition that the Labour Government are delivering a platform of stability and steady growth, with low inflation and sound public finances. Their aim of delivering security and opportunity for all commands the support that will enable the Chancellor to continue as the great helmsman of the economy. I commend the Chancellor and all his excellent work.

7.18 pm

Mr. David Ruffley (Bury St. Edmunds): I detected that the Chancellor's Budget statement last week was received less well outside this place than his previous Budgets. I venture to suggest three main reasons for that.

First, on the macro-economic side, the Chancellor paints a rosy picture in the Red Book, but it contains some flaws. He claims that next year and the year after he is locking in a fiscal tightening. That is not quite what it appears. The Budget contains a 0.6 per cent. of GDP fiscal loosening. If we take the outturn on the fiscal side for the fiscal year we are in, rather than the pre-Budget report numbers and the March 1999 forecast, it shows a 0.6 per cent. fiscal loosening.

Why is that significant and problematical? The answer is that the fiscal boost has meant that GDP numbers will have to be upgraded, and the Monetary Policy Committee will, as a result, have to tighten policy. There has been a significant fiscal stimulus. Total managed expenditure is running at a 5 per cent. real terms increase in the coming year. It is clear that the City is looking at GDP forecast upgrades. As a result of the Budget, there will probably be a 0.25 per cent. increase in base rates.

The second concern on the macro side is that the Chancellor seems to think that he has abolished the business cycle—that he has ended boom and bust for ever. That is his view of the planning horizon in the next Parliament, as stated in the Red Book, but the problem is that he has not abolished the business cycle.

We must remember that, in previous Budget statements, the Chancellor mentioned what was happening in the major economies—Japan and the United States, the two biggest in the world—and what the outlook was. He did not say it in the statement, but, burrowed away on page 25 of the Red Book, he says something revealing: there are downside risks to economic growth, on which the whole Budget is predicated. The Red Book says:

> the risk remains of a sharp slowdown in the US and continued weakness in Japan with adverse effects on UK prospects.

Let us remember that, in the second half of last year, Japan went into recession.

That is important to remember. The Budget should have come with a health warning. Other straws in the wind concern City analysts. House prices went up by 15 per cent. last year. Equity withdrawal is at 3.5 per cent.—not 5 per cent. as in the 1980s, but it is rising. There was a trade deficit of more than 5 per cent. in the last quarter of last year. The Chancellor inherited a 0.5 per cent. of GDP trade deficit at the beginning of 1997. It is now bigger than at any time in the boom in the 1980s. These concerns are not flagged up. If the GDP numbers are not delivered in the next three to five years, all the wonderful suggestions that he puts forward on public spending will not come to pass.

My second reason for being concerned about the Budget, and why there has been a relatively tepid response to it, is that the Chancellor uses the rhetoric of being pro-business and business friendly, but the reality is otherwise. Christopher Humphries, director general of the British Chambers of Commerce, said after the Budget:

> Businesses have learnt not to be fooled by the Chancellor's headline announcements. Brown has not done enough to ease the increasing tax and administrative burden on business.

Of course he has not. He has done nothing to sort out IR35, which is driving entrepreneurs out of this country, or to tackle the national insurance contribution liability on employees who exercise share options in non-IR approved share option schemes. He has done nothing to cut the 3,000 new regulations that have been imposed on business since the 1997 general election—nor the £5 billion a year increase on business that the CBI has described in relation to the Chancellor's three previous Budgets.

What does the Budget amount to? It amounts to much gimmickry, instead of tough action on the things that I have listed. There are gimmicks on research and development. There is R and D for small businesses when

[Mr. David Ruffley]

everyone knows that the lion's share of decent and proper R and D is by bigger players, who are not catered for in the Budget. The R and D fiddly tax credits are ill targeted and add complexity to the system, as the Institute for Fiscal Studies has demonstrated in the past few days. Small businesses that have to administer the working families tax credit are being turned into unpaid tax collectors for the Government. According to the Inland Revenue, one case of working families tax credit will cost a small business £135 in manual administration. What are the Government doing about that? Nothing.

We would have liked to see more emphasis on non-hi-tech small businesses. Constituencies such as mine would have liked simple measures to cut business rates for small businesses: village pubs and small independent retailers in the market towns of East Anglia and rural Britain. It could have been done in a tax-neutral way, increasing the poundage for out-of-town superstores and giving relief at the bottom end for small shops. There is nothing for the small business man in the Budget—the type of business that I represent.

The third reason why it is a problematical Budget is that it contains the same old nonsense and deception on taxation. It is a redistributive Budget. There is nothing wrong with that in and of itself, so why does the Chancellor not tell the people that the benefit is going to unemployed couples with children and to single parents, as the IFS distribution tables clearly demonstrate?

The reason why the Chancellor does not talk about that is because middle Britain has been clobbered to pay for that. It is the 9p up, 1p down Budget. It is true that a typical family is some £600 a year worse off. It is £100 a year worse off because of average council tax increases. It is £200 a year worse off because of the personal pension tax. Cuts in the married couple's allowance and MIRAS increase the cost of living for the typical family. Following the Budget measures on increasing petrol duty, people will pay £175 a year more on average.

I remind hon. Members that the Red Book demonstrates that the tax burden will be higher at the end of the current Parliament than the burden that Labour inherited at the beginning of the Parliament. We know that Alastair Campbell coughed to that truth. It is about time that the Labour party owned up to it in the House in this debate.

We have the problem further down the track of the tax burden in the next Parliament. The Labour party will doubtless observe that it flattens out a bit. Why? Because borrowing will take the strain. In this fiscal year, public sector net borrowing is £11.9 billion in surplus. Fair enough, but what happens in 2004-05? Lo and behold, there is a public sector net borrowing deficit of some £13 billion.

What is going on? Is it true that the Government are letting borrowing take the strain, rather than see the tax burden rise ever higher in the next Parliament? The evidence shows that that is exactly what the Government are up to, so sensitive are they to the charges of increasing taxation under their Administration and on their watch.

The Budget paints a rosy picture on the macro side. It should come with a health warning. It comes with promises about cutting tax. It gives nothing back to middle England. It comes with the news that there is little here for small businesses in rural Britain. It is a sign that it is not a Budget for hard-working people of middle Britain, let alone its rural areas.

7.26 pm

Mr. Jim Cunningham (Coventry, South): I start my Budget speech, perhaps, a little unusually. In the midlands, the Rover situation predominates. I am sure that hon. Members on both sides of the House are concerned about that and would not try to make any political capital out of it.

I want to focus on regional funds. I hope that my right hon. Friend the Chief Secretary will talk about those in his winding-up speech, or talk to his colleagues about it. I understand that about £500 million is available in what is known as the umbrella fund—the national and regional fund. I hope that my right hon. Friend will take that on board and look at it, given the Rover situation. Admittedly, it is too early to say what rescue package can be put together—I recognise that—but we should be a little more vigilant with regard to the fund.

Equally, I should like my right hon. Friend to take on board the surrounding clusters. For the House's information, clusters take on board regional development agencies, which could play a significant part in rejuvenating Longbridge and in what happens after Longbridge. Clusters and RDAs could also encourage the development of business incubators and infrastructure for small business.

All those issues are interrelated and they can be a little complex, but it is useful highlighting some of them—especially given that many hon. Members will have constituents who could be affected by Rover: not only jobs at Rover's distribution centres will be affected, but—one can pluck a figure out of mid air—between 20,000 and 50,000 other jobs could be affected, depending on how the situation develops. It is a serious issue which is well worth raising right at the beginning of a Budget speech. If my right hon. Friend does not want to address the issue now, he could discuss it with his ministerial colleagues when considering possible action.

I welcome the Budget, particularly the extra spending on education. Over the years, certainly under the previous Government, education and health provision suffered. After the previous Government's 18 years in power, we are still trying to pick up the pieces. It is not always possible, in three years, to pick up the pieces and end the predicament in services that have been damaged over 18 years. I also welcome the vital help for small business, which has created 3 million jobs, and possibly 3.5 million jobs. It is not always generally appreciated that, these days, small businesses are the engine of the economy. They are certainly the engine of the west midlands economy.

I welcome the fact that more money is being provided to fight crime. We often debate crime in the House, and we all have our own views on how it should be fought, but it is vital that the public, police and drug traffickers see that we are prepared to provide more money to tackle crime. I am sure that the parts of Coventry that I represent will welcome any additional expenditure on fighting crime.

The Opposition have made great play today about the Government omitting something from the Budget or trying to hide something in it. However, when they talk

to us about new taxes or tax increases, it is well worth reminding them who introduced 22 new taxes. They also mentioned the abolition of mortgage interest relief at source and the married couple's allowance. However, who but the previous Conservative Government started attacking MIRAS and the married couple's allowance? The Opposition have double standards.

Mr. Webb: Using the same method to calculate that Conservative Members introduced 22 tax increases, how many tax increases have the current Government introduced?

Mr. Cunningham: It is not for me, but my right hon. Friend the Chancellor to answer that. If the hon. Gentleman asks him, I am sure that he will tell him.

It ill-behoves Conservative Members to attack the Government on those issues. Opposition Members suggested that we have hidden the extent of our borrowing—what about the £28 billion that the previous Government borrowed, or the £40 billion that they borrowed just to fund unemployment? How do they answer those questions? Ultimately, the British people have had to pick up the tab for that borrowing. The Labour Government have not only reduced borrowing, but delivered public services—including the new expenditure on the health service and on education that I mentioned.

The Opposition should reflect further on their comments. I noticed that the Opposition spokesmen were very good on the attack, but very poor on policy and suggesting alternatives. One or two of my hon. Friends tried to elicit from Opposition spokesmen what they would do in the same circumstances, but we are still waiting for an answer. They gave us the usual reply, "Wait and see what we put in our general election manifesto." It will be very interesting to see what they include in their manifesto.

Opposition Members also mentioned agriculture and fishing. Need I say more than "BSE"? Who made a mess of that? Who made it very difficult for Britain to export beef? The previous Government were certainly not forthcoming either in reporting on or dealing with that matter. A couple of weeks ago, we had a debate on the fishing industry. As hon. Members pointed out in that debate, who—more than 18 years ago—agreed the quotas that have created problems for our fishermen? Not Labour Members, but Conservative Members agreed those quotas, and they should be reminded of it.

The issue of the state earnings-related pension scheme has crept into the debate. It has been debated in the House on very many occasions. However, who caused the confusion with SERPS? We still do not know what Conservative Members would do to remedy the situation. The Government have cleared up the SERPS issue. Although the SERPS and general pensions mis-selling issues have been around since 1986, I do not hear Conservative Members saying very much about them.

An issue on which we should reflect—it is too late to do it in this Budget, but it should be food for thought for the next Budget—is an increase in the basic state pension. The Chancellor will have to have a look at that. In the next Budget, we must also address the issue of links or produce an alternative to them that will convince the United Kingdom's many pensioners. Although it is not the Chancellor's fault, after 18 years of the previous Government many pensioners feel hard done by. We have to clear up those issues as soon as possible and say what will replace SERPS.

Conservative Members were also complaining about the increase in the social security budget. I do not mind real terms increases in the social security budget if those who need help receive it. Previously, the Tories made cuts in the social security budget—they thought that it was more about cutting public expenditure than about helping the needy.

This Budget is a good and a balanced Budget. Although all Budgets are very difficult, I hope that this one is another step down the road of addressing the grievances that people have felt because of the previous Government's 18 years in office.

7.37 pm

Mr. William Ross (East Londonderry): I listened today to the right hon. Member for Ashton-under-Lyne (Mr. Sheldon), who said that the Government were in a very happy position because they have had a surge in revenue. I think that he was referring, at least partly, to the fact that we are now repaying debt, rather than having to borrow. I remember the roars of joy from Conservative Members—and even from Ulster Unionist Members—when, a good many years ago, we first had a public sector repayment situation. However, that disappeared. It also did not arise for quite the same reasons that the current one has arisen: because of a surge in revenue.

The Chancellor expects that revenue surge to continue. His projections show that, for the next few years, public expenditure as a proportion of gross domestic product will decrease. That makes it clear that he expects revenues to continue to increase. I just hope that his hopes are realised. However, I should not be so confident about it. As has already been said in the debate, even at the best of times we cannot forecast very far ahead.

Mr. Owen Paterson (North Shropshire): I am grateful to the hon. Gentleman for giving away some of his limited time. Has he seen table C4 on page 196, which shows that by 2004-05 borrowing will increase to £13 billion?

Mr. Ross: That is exactly what I mean. I remember that, one year, there was a £50 billion overdraft that no one had really expected. I therefore do not think that any party should crow too much about the level of future danger. Those dangers are real, and it takes only a relatively small percentage change to put a Government into surplus or deficit.

I am looking for a Chancellor and a Government who will establish a programme that will, so far as is humanly possible, lead to a steady reduction in the nation's public debt. If we could get rid of that debt, even if it took 20 or 30 years, what a wonderful benefit it would be to the community and to the country generally.

Mr. Andrew Tyrie (Chichester): Will the hon. Gentleman give way?

Mr. Ross: No. I am sorry, but we each have only 10 minutes to speak. The hon. Gentleman may get a chance to make his own speech.

Hon. Members have referred to the fuel allowance for the over-60s. No doubt the £150 is welcome, as are the concessions on television licences that were announced

[Mr. Ross]

some time ago, but I do not favour that way of supporting pensioners. It would be much better if we lumped together the £150 for the fuel allowance and the £70 or £80 for the television licence and gave pensioners an extra fiver a week throughout the year. It would be much better to allow people to decide how to spend their entire pension income rather than giving them money for a specific purpose. It is not the right way to do it—it smacks of grandmother looking after the children and doling out so much money for sweeties and so on. People should be allowed to make up their own minds. They do not suddenly lose the capacity to manage their affairs when they reach 65.

I welcome the increase in the savings limit from £3,000 to £6,000 before income support is affected. When, earlier, I asked the Secretary of State for Social Security how he had arrived at the figure of £6,000, he told me that he had just doubled the previous figure; he had just plucked a figure out of the air. If I told my bank manager that I needed £20,000 and, when asked why I wanted it, said "I just thought of the figure", I do not think that I would get an overdraft. The House deserves a better explanation than the laughter that I got when I questioned the Secretary of State. I asked whether the figure was indexed, and if so whether it was linked to earnings or inflation. I do not think that he knew.

I went to the Library and picked up one of its excellent booklets, which shows the value of the pound from 1750 to 1998. I noticed that from 1988 to 1998, which is the period that we are interested in, there was a 52 per cent. increase. We can take it that 160 per cent. or 165 per cent. would have been sufficient indexation for that period. On what basis will the Government increase the savings limit before entitlement to income support will be affected next year and the year after? Can we be told? Has anyone thought that far ahead? If not, it is time that someone did, because the answer that I received was not good enough.

The costs of care for the elderly in nursing homes has not been addressed. A Committee of this House produced an excellent report some years ago; action on it is long overdue. When will it happen? When will something be done for British pensioners overseas, some of whom live in penury for many years? It is time that that was addressed if we are really trying to do something for our pensioners.

I am also concerned about road fuel. The right hon. Member for Caernarfon (Mr. Wigley) and the hon. Member for North Tayside (Mr. Swinney) referred to the cost of petrol in Scotland and Wales. Lucky fellows—they do not know how lucky they are. I am sorry that they are not here to hear me say this. They do not have a land frontier. A friend of mine happened to be in Londonderry one day and his medium-sized car was nearly empty of diesel. He drove across the frontier and saved £13 in one fill. The savings on filling up a lorry would run to a lot more. The practical result of that is the destruction of the fuel retailers within 20 miles of the border. They have gone or are existing on a small income from groceries, praying that something will happen to improve their position. The Government have to take action. I heard of one firm that drives its lorries across the border once a week and saves £11,000 a month. That is in addition to the smuggling that helps the terrorist organisations that control the trade. When will the Government do something about that dreadfully serious situation?

The other related issue that concerns me is the 25p increase in tax on a packet of cigarettes. That does no good and we have argued against such increases for years. The cigarettes go out of Gallaghers in Ballymena today and are on the market stalls in two weeks. It is time that this counter-productive tax was stopped and the Government reached a common-sense arrangement.

I am also concerned about the reduction in air passenger duty for economy flights in Europe. That is all well and good, but those of us in Northern Ireland who want to get to Great Britain in a day have to fly. I cannot get from my constituency to Westminster by ferry and car in a single day, yet we are not given the concession that the Government have found for the highlands and islands. The Chancellor's excuse for that concession was that it would reflect the importance of air transport to the daily life of that remote region. Twenty miles of water makes Northern Ireland a remote region. It is time that the Government recognised that we have a problem that cannot be resolved except by a reduction in that tax. It is a nasty discrimination against the people of Northern Ireland.

I welcome the money that is being made available for schools and roads, but I should like to know what sums are involved. I should also like to know whether the funding is a one-off or will be repeated. We need to be told. I want to know how much money is available for roads. Are we still expecting to sell Belfast city harbour? It is time that we were given that information.

No mention has so far been made of the fact that landfill tax is going up by 10 per cent.—far more than the level of inflation—from £10 to £11 a tonne. That is another of those little figures plucked out of thin air with no explanation. We all know the problems that the landfill tax has caused in some rural areas, with illegal dumping right, left and centre. I am not sure that it is the best way to raise revenue.

7.47 pm

Dr. Stephen Ladyman (South Thanet): As I have only 10 minutes, I shall not deal in detail with the speech of the hon. Member for East Londonderry (Mr. Ross). However, he made a plea for the winter fuel allowance and the free television licence for the over-75s to be scrapped and the money added to the basic weekly state retirement pension. If we did that, poorer pensioners would lose the benefit of that money from their income support. We would have to change the rules for income support as well. In the mean time, at least the Government's proposals are a convenient and simple way of channelling resources to poorer pensioners and giving a boost to other pensioners.

We have heard a variety of pleas from the Conservatives. I have heard a plea to spend money on gold rather than schools. I have heard a plea to support oil companies rather than the British coal industry. I have heard a plea that we should give favourable treatment to the tobacco industry almost in preference to the health service. However, I have not heard a justification for the tax guarantee.

One or two Conservatives have touched on one of the major flaws in that policy by talking about the economic cycle. The Conservatives appear to have forgotten—or not

to have worked out yet—that for every 1 per cent. below trend growth in the economy, £10 billion will be wiped out from receipts, which means that £10 billion of savings must be found. If the Conservatives believe that we have not got rid of boom and bust and that one day the economy will slow, they must also accept that they are going to go into an election promising that, even in those years, they will cut further the money available for public spending. A 1 per cent. cut in the tax burden means a further £10 billion of cuts.

Mr. William Ross *rose—*

Mr. Hayes *rose—*

Dr. Ladyman: I shall give way later. I should like to make some progress first. It would take £10 billion of cuts to make 1 per cent. of savings, and £10 billion to deal with the fact that the economy was growing at a 1 per cent. slower rate than expected. Suddenly, they would have to find £20 billion of cuts.

We have heard this week that the Conservatives now think that our spending on the health service is a good thing, and Conservative spokesmen outside this House have, I believe, said that they believe that our spending on education is a good thing. Their savings must therefore come from the social services budget, as it is the only significant pot of money left for public spending.

When the Secretary of State was speaking, Conservatives laughed at his comment that there was good spending in the social services budget and bad spending. Bad spending, he said, was money spent on keeping people out of work. Good spending was the money that we were spending to encourage people back into work and making work pay.

Mr. Paterson: Will the hon. Gentleman give way?

Dr. Ladyman: Later.

Mr. Paterson: Will he give way on that point?

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The hon. Gentleman is not giving way.

Dr. Ladyman: Bad spending is something over which the Government have no control. It is money that must go to those people who are out of work. At a time when the economy is slowing down, unemployment will either be steady or will rise, so that the spending of bad money will be increasing. Therefore, the savings that the Conservatives would have to find to honour their tax guarantee would be from the good spending in the social services budget, such as the working families tax credit and the child care benefit.

Mr. Paterson: The hon. Gentleman talks about good and bad spending. The Red Book shows that spending on social security benefits is increasing from £93.3 billion to £104.5 billion in 2001-02. Is that good or bad spending, according to his definition?

Dr. Ladyman: The position was set out clearly by the Secretary of State, who defined the measures that the Government have taken to make work pay as good spending. I believe that to be good spending. The Tories' tax guarantee would force them to cut that money at a time when the economy was slowing down—when that money could do the most good.

Mr. Nick St. Aubyn (Guildford): Will the hon. Gentleman give way?

Dr. Ladyman: No, not with the 10-minutes rule.

Mr. St. Aubyn: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I hope that this will not be a point of order about interventions.

Mr. St. Aubyn: It is a serious point of order. The hon. Member for South Thanet (Dr. Ladyman) said that his time was limited. Would you confirm that time spent on interventions—

Mr. Deputy Speaker: Order. The hon. Gentleman knows the rules as well as I do. I am not here to run O-level classes in interventions.

Dr. Ladyman: I am grateful, Mr. Deputy Speaker. The time limit would allow the hon. Member for North Shropshire (Mr. Paterson) to intervene, but I would then have to answer him, and lose more time.

Another criticism of the Budget has concerned exchange rates. One of the easiest ways of dealing with the problem would be to join the euro—something that the Conservatives have made clear they do not want. I share their view that the time is not right to join the euro.

Those hon. Members who have made a plea to join the euro should answer this point. They come from regions of this country where manufacturing is being hardest hit. To convince me that the time is right to join the euro, they must show that they have a robust way of sharing out the public spending that must be provided within euroland in such a way that we in this country would not have to cut our public spending to control the inflation caused by increased public spending in some of the less-developed regions of Europe. Until they can answer that question, they cannot offer a convincing argument to their own constituents as to why joining the euro would benefit their regions.

I wish to refer to the effect of this and previous Budgets since we came to power. By April 2001, the average household will be £460 better off; on average, families with children will be £850 better off; a single-earner family with two children on £25,000 a year will see a 10 per cent. rise in living standards; a single-earner family with two children on £12,500 a year will see their real living standards increased by around 20 per cent; the poorest two-child families on income support will be £1,500 better off; 1.2 million children are to be lifted out of poverty; a 75-year-old on the minimum pensioner income guarantee will have an annual income that is £950 a year higher.

These are the achievements of this Budget, taken in the round with previous Budgets. Conservative Members can scoff as much as they like, but these are the facts. They can try to confuse the issue as much as they like,

[Dr. Ladyman]

but my constituents are counting the extra money in their pockets, and they will take that into account at the next election.

I do not often use the words of Baroness Thatcher to support my case, but she once said that the Good Samaritan was able to help only because he had the money to do so. One thing that has annoyed me about the response to the Budget has been people saying that it is a redistributive Budget for the Labour heartlands. They forget that the previous two Budgets from the Government prepared the way for this Budget. In effect, they were equally redistributive, because they allowed us to earn the money that we are using in this Budget to make this a fairer and more prosperous country.

I congratulate the Chancellor on the cut in amusement machine licence duty. My hon. Friend the Member for Morecambe and Lunesdale (Miss Smith) referred to that earlier, and said that it would boost the seaside arcades in her constituency. It will be a boost to arcades in my constituency also, but, more importantly, the world's two leading companies manufacturing these machines are in my constituency. I can tell the House that there are several hundred workers in my constituency breathing a huge sigh of relief that, thanks to the Budget, they know that their jobs are safe.

I thank the Chancellor for the extra resources that he is giving to combating smuggling. We have a real problem in east Kent as a result of the build-up of smuggling and the fact that organised crime is becoming involved. I am delighted to see that the Government have started to address that.

This is a Budget for fairness and to increase prosperity. It is a Budget for the health service and for schools. It is a redistributive Budget that I am proud to support.

7.57 pm

Mr. Andrew Tyrie (Chichester): I would like to say a few words about the Red Book, which very few people seem to talk about. That is not surprising, since it is virtually impossible to understand. I am not sure that anybody knows the relationship between all the numbers in the Red Book. Maybe some of my right hon. and hon. Friends will help me out. I wish to say a few words about the affordability of public spending in general, and health spending in particular.

Everybody welcomes increases in public spending, but they are only worth having provided that they are affordable over the cycle and that the higher spending in the long run does not end up lowering the long-run growth rate. That can happen either because of the disincentive effect of the taxation that has to be brought in to pay for the spending, or because that taxation is distortive, which itself will reduce the growth rate.

I see virtually no understanding of the possible relationship between higher spending and poorer long-run economic performance in the Red Book, and we heard virtually nothing from the Chancellor about that. It is back to the old days of taking growth for granted, and that is a dangerous road to go down. Control of public spending is very difficult to manage and easy to lose. It takes only a small flicker over the business cycle—a downturn in overall economic performance—and public spending becomes extremely difficult to control.

The problem is that Labour is in a state of complete denial about the existence of cycles. The Government say that they have put an end to boom and bust and that somehow they are not in a business cycle. The Red Book says that everything will return to trend; that could be above trend for a period and then suddenly get straight back to trend.

Hidden in the Red Book are some interesting spending figures. Over the next couple of years, spending will increase from 38 per cent. to 40 per cent. of gross domestic product, although the outer years are not given and there is no explanation of how that will be paid for, except perhaps if one looks closely at the borrowing line. There is a table showing an increase in borrowing in the outer years to £13 billion.

What will the Bank of England say when it has had a good go at trying to understand the Red Book? It will not just sit there and watch spending, taxation and borrowing rise. It will take these facts into account in taking its decisions. Overall, it is likely to conclude that the Budget will require interest rates to be raised, perhaps not immediately, but soon. That will mean a higher exchange rate, which will bring more problems for manufacturers.

Part of the price of higher spending—including health spending—will be an exacerbation of some of the problems that have already been caused by the strong pound. That will not be the only factor that the Monetary Policy Committee takes into account. It will ask why we should have above-trend growth for a while and never need to go below trend, and why the Government believe that they have abolished a swing around the average, when all other Governments and economies worldwide have always been vulnerable to it. That will make it cautious in its judgment on the Budget.

The MPC will also consider several of the accounting fiddles in the Red Book, the biggest of which is how the private finance initiative is treated. If PFI did not exist, each year's capital spending implied by it would be added back in the first year to the budget lines of the individual spending Departments, and spending would look several billion pounds higher for each year in the Red Book. The MPC will do its internal accounting on that basis, not on the basis of PFI pushing liabilities back to future years.

Will we get anything for the extra spending? My hon. Friend the Member for Havant (Mr. Willetts) gave an excellent explanation of why it is unlikely that we will get much in social security. We will have a lot of extra spending without any clarity on how better to allocate it.

The massive announcement of 6 per cent. per annum growth in health spending for the next four years has been accompanied by the biggest load of waffle that I have ever heard from a Prime Minister to explain the reforms that are supposed to make effective use of the money. There is a great danger that a high proportion of it will be swallowed up in higher pay. I do not necessarily begrudge health workers higher pay, but there is no point in raising public spending if that is where it all ends up. I am very concerned that the increase in health spending may in any case prove undeliverable if there is a downturn in the cycle. We should have had greater clarity on what the spending was designed to achieve.

It has often been said over the past few days that the increase in health spending is unprecedented, which is true over the four years, but the Conservative Government increased health spending by 6 per cent. for a run of two

years, between 1991 and 1993, and that increase was a spectacular success because it was accompanied by the introduction of the internal market, which generated a huge increase in productivity.

Generally agreed tables have been published for productivity in the health service, derived from Department of Health statistics, and they show that increase very clearly. The figures have been published since about 1985. I predict that, when the figures are published for the outturn from the latest increases, we will find that productivity has fallen dramatically. I would not mind betting that productivity could be negative for a time.

Mr. St. Aubyn: I know from my constituents, as I am sure that my hon. Friend knows from his, that fundholding general practitioners are horrified at how money that they used to spend wisely and effectively in delivering good health care is being wasted in the system. I even know of patients who have had their lives put at risk—in one case, a life was lost—because the treatment that they would have had under the fundholding system was denied them under the more bureaucratic system that the Government introduced.

Mr. Tyrie: The evidence is overwhelming that primary care groups are less efficient in delivering health care than GP fundholding. I believe that evidence from King's Fund research shows fairly conclusively that the introduction of GP fundholding increased productivity and reduced waiting times. Indeed, one of the reasons for the increase in waiting times has been the Government's ideological decision to get rid of GP fundholding, which was a profound mistake.

The Government should have delayed the announcement of all their spending increases until they had worked out a package of reforms to accompany them. They should have awaited the July spending review, but they did not, because pressure from No. 10 Downing street to spend the money became overwhelming. We have heard that the Prime Minister was receiving an almost daily note on how big the fiscal adjustment would be, so that he could make up his mind how much of it to spend.

The plain fact—although these things are covered up—is that the Prime Minister won the battle with the Chancellor on making a huge political gesture. Partly as a result, we now have a Chancellor who has taken some risks with the public finances and is spending money without knowing exactly what he can buy with it. He is not being prudent and he does not have a clear purpose: exactly the opposite of "Prudent for a Purpose", as it says on the cover of the Red Book.

Why has the Chancellor done this? It is because of the coming general election. It is obvious to the public that that is what is going on. They will know that there will be a price to be paid, no matter who wins the election, in higher taxes or worse.

8.7 pm

Mr. Nigel Beard (Bexleyheath and Crayford): If the new Labour Government had started spending in 1997 to remedy the state of decline and neglect of our public services, they would have compounded the huge deficit in public finances that they inherited. Today, the Government would not have been discussing the future of the International Monetary Fund: the IMF would have been discussing the future of the Government.

When the first Labour Government for 18 years took office, they faced a world of globalised financial markets that could pass judgment on them instantaneously at the flick of a switch. A financiers' veto would have been far from democratic, but it could, nevertheless, have negated the Government's authority for the rest of the Parliament. There would have been no glad, confident progress on education and health and all the other public services, and the air would have been filled with denunciation, recrimination and righteous anger. None of that would have done Britain any good at all.

The decisive way in which control of monetary policy was passed to the Bank of England signalled to the financial community that the Government would not play political games with economic policy. By creating confidence, the new Labour Government sustained the authority and opportunity that they had gained at the polls to deal with deep-seated and long-neglected problems of our society and our economy.

First and predominant among the problems was that of the economy itself, with poor productivity derived from a lack of investment and innovation. The previous Government thought that Britain should find its way in the world as a low-cost economy, not using the inherent skills of an ingenious people but vying with the cheap labour economies of Asia and becoming the below-stairs society of western Europe. Their conduct of economic policy amplified the trade cycle to create two of the most severe recessions of the century. A cocktail of divisive ideology and incompetence has for ever characterised the Conservative party as the party of boom and bust.

That strategic weakness of economic policy has been the origin of many of the difficulties facing businesses in Britain: they could not be sure of market demand even three or four years ahead, so they were reluctant to invest either in expansion or in new technology. The long-term pay-off of research and development was considered too risky, so our innovation record and international competitiveness weakened.

The first and greatest economic achievement of this Government, which is in danger of being taken for granted, has been to create a climate of economic stability and an expectation of that continuing. With that foundation much else becomes possible, for both businesses and Government.

Having achieved that foundation, the Government have made another profound break with the past. They have not said that economic strength must dominate and overshadow every other aspect of life, but neither have they said that social policy should predominate, whatever the state of the economy. The Government have recognised that economic strength depends on social justice and a fair society, and that those factors in turn depend on the creation of wealth. That is why the minimum wage, the working families tax credit and fairness at work, to name but a few policies, have had a high priority, alongside reducing corporation tax, encouraging investment, encouraging research and development, and helping small businesses.

Another break with the past is pursued further in this Budget. It is the knowledge-based economy—the determination to build this country's economic strength by

[Mr. Nigel Beard]

cultivating and applying the talents and skills of our people. It is an economic policy that works with the grain of individual fulfilment and ambition. Gone is the hopelessness of the low-wage economy, with competitiveness based on low cost and minimal safeguards at work.

The Government's vision is of a British economy based on people as its most precious asset. That is the meaning of the new deal, now expanded to all the long-term unemployed, which trains them for work and brings them in from the wilderness of poverty and rejection. That is the meaning of the emphasis on education, from infant schools to universities, and the meaning of lifelong learning. It puts an end to the doors of educational opportunity being slammed shut too early in people's lives.

The economic power to which our policies have given rise must clearly be directed at one of the top priorities recognised by people of all incomes and all backgrounds—the national health service. It has been clear for at least 20 years that the health service has been underfunded. For many years we told ourselves that although many countries, such as America, spent more on health, their services were not as good. Our NHS was better value for money, we told ourselves. Up to a point that was true, but it lulled us into a complacency that lingered long after the alarm bells should have been ringing.

The Tory Government's response to gathering problems was to move as near to privatisation as they thought that they could get away with. Far from being regenerated, the national health service declined. The principles on which it was founded were eroded, and despite the dedicated selflessness of its staff, improvisation to maintain the service predominated over modernisation. In that barren period, the NHS put out few new growth shoots, despite immense advances in medical thinking and techniques.

Mr. Hayes: Will the hon. Gentleman give way?

Mr. Beard: No, as I have only a short time in which to speak.

The Government's strategy, in which increased resources are considered to be the key to modernising a public service, is the right one, and the vast majority of Britain knows that. That is why the Opposition, after denouncing previous plans for increased spending as reckless, have now endorsed plans for spending even more. It is a death-bed repentance, but they should remember that death-bed repentances never avoid death. The British public know that to trust the Tory party with the national health service would be like Red Riding Hood trusting the wolf.

This Budget's strength lies in it completing the foundations of a stable and expanding economy, and providing the resources and priorities for reform and modernisation of our public services. It has rightly been widely acclaimed, but there is a ghost at the feast—European economic and monetary union, and Britain's relationship with it.

The present strength of the pound against the euro is damaging the prospects for manufacturing industry and is indirectly opening up a gap between the economic prospects of south-east England and those of other regions.

Mr. Hayes: Will the hon. Gentleman give way?

Mr. Beard: No, I will not.

The pound's strength does not reflect the relative strength of the British and continental economies, even allowing for their being at different points in the trade cycle. There could, therefore, be a sudden fall in the value of the pound which, though desirable for several reasons, would have a shock inflationary effect that would need to be counteracted.

The value of the pound is therefore a rogue element in the Budget calculations. Short of the Government losing the confidence of the financial markets—which is not likely, given their splendid record of economic management—there is little that they can do to influence the rate of exchange. The only means of remedying that impotence is membership of EMU.

Whatever else may be said, if the United Kingdom had joined in the beginning, the pound would not have surged to its present height; manufacturing would have been protected; and interest rates would be half their current level. The arguments against our reaping those benefits by joining EMU, when the convergence criteria are met, have to be much stronger than a denunciation of Johnny Foreigner and his devious ways.

There is a danger in viewing the Budget piecemeal.

Mr. Paterson: Will the hon. Gentleman give way?

Mr. Beard: No.

If we consider the Budget on a piecemeal basis, there is a danger that we will miss the wood and only see the trees. Taken as a whole, this Budget gives concrete expression to Labour's vision of a modernised Britain of the 21st century. It moves the process of modernisation into a higher gear. Its appeal goes beyond the self-interested analysis of gainers and losers from individual tax changes. In giving practical force to a vision of Britain in the 21st century, its appeal is to the latent idealism of Britain today.

Mr. Deputy Speaker: Order. Time is up. I call Mr. Nigel Waterson.

8.18 pm

Mr. Nigel Waterson (Eastbourne): I am very pleased indeed to have the opportunity to contribute to this Budget debate, even though time is limited.

A couple of days before the Budget, I was reading the obituary of Bombardier Ferrebee. Who was he, and why did he rate an obituary in *The Times*? He was, of course, the bomb aimer who dropped the bomb on Hiroshima.

As I sat listening to the Budget, the thought came into my head that it reminded me of that famous radio broadcast that Emperor Hirohito made after the bombs were dropped. That was the first time that the Japanese public had heard the voice of their emperor. The broadcast

contained the immortal piece of understatement, "There has been a development in the war that is not necessarily to Japan's advantage."

I thought of that phrase when I listened to the Chancellor's speech. The spirit of that long-dead Japanese speech writer seems to live on in the modern Treasury. Whoever wrote the Chancellor's speech was a master of the same sort of understatement—the best recent example of which was the Chancellor's comment in his 1997 Budget speech. In effect, he was staging a raid worth £5 billion on pension funds, but he said he was making other tax changes to "encourage" companies to invest profits in the future—an example of the Hirohito school of speech writing, if ever I saw one.

As time is limited, I shall touch briefly on some of the ways in which my constituents are disadvantaged by the Budget; in particular, I shall show how the Budget speech differs from reality. The best example is the national health service. Naturally, the Opposition welcome the new money for investment in the NHS, but we are concerned whether it will be put to the best use.

It is clear that the Government have panicked. A winter of pressures—problems with waiting lists and so on—has caused them to throw money at the problem rather than to think rationally about it. However, as we approach the winding up of the Budget debate, it has emerged—only a few days after the Budget speech—that the boast of 10,000 new nurses was really a repackaging of a previous announcement. That figure had been included previously. Furthermore, the boast about the percentage of gross domestic product to be devoted to health included the figure spent on private health care. That is complete hypocrisy—not only are the Government against private health care on principle, but one of their first acts was to abolish tax relief for private medical insurance for people over retirement age.

Mr. Hayes: As my hon. Friend has thoroughly studied the Red Book, he will be aware that even that inflated figure does not take the proportion spent on health to the amount that would be necessary to bring it in line with European averages. At one time, the Prime Minister said that was a pledge; then he said it was an aspiration. The Budget total is about 6.1 per cent. of GDP; but we need to spend 7.5 per cent. of GDP in order to reach that aspiration.

Mr. Waterson: My hon. Friend makes an excellent point.

In my local hospital, Eastbourne district general, there have been many problems during recent months. We have seen the resignation of the chairman and the chief executive, and there is still a shortage of nurses. Recently, the new chief executive told me that it was not really a matter of money, but of finding nurses to recruit. About 15 Filipino nurses were due to arrive last week to try to help plug the gap.

When I visited the hospital recently, I saw the dedication and hard work of everyone there, but I also noticed that almost none of the wards had an unoccupied bed. That was after the flu epidemic that caused so many problems. I also understand that we are now about 1,000 behind the waiting list target for operations. Politicians should not make silly, simplistic election promises about waiting lists—those who do so should go down with the ship.

Another important matter is the effect on transport. We have standstill Britain; a pitiful amount of new money is to be spent on transport. In my area, there is the shambles of the Polegate bypass. That scheme was all set to go ahead when we left office in 1997; it was postponed, although it is likely to start later this year. In the meantime, the Government have paid £5 million on account to the contractors not to build the road that they were supposed to build.

Another road, the new A22, is known as the road to nowhere; although it is almost finished, it cannot be joined up because of the bypass problem. The sum of £100,000 is being spent simply to guard it from vandals and others. If that is how that relatively small amount of extra money is to be spent, we cannot expect any great changes in standstill Britain.

The Budget will have an effect on older people—especially pensioners—in my constituency and elsewhere. Of course, we welcome the increase in the savings and earnings limits and in the higher winter fuel allowance. However, why is there only to be consultation over the new credit for pensioners? Surely the Government realise that there is a growing feeling of unfairness among pensioners—those who have made the effort to provide for their retirement are seen as second-class citizens under the Government's policies. As co-chairman of the all-party group on older people, I am constantly made aware of that sense of unfairness on the part of many of our pensioners.

Pensioners have already seen the abolition of the married couples allowance, of the widows allowance, of tax relief on private health care insurance and of tax credits on dividends. They have experienced the £5 billion raid on pension funds. On top of all that, they have seen a plethora of stealth taxes, for example on petrol. Council tax is going up by 8 per cent. in my constituency—nobody's pension is increasing by 8 per cent. How are pensioners to pay that increased tax?

Furthermore, pensioners in my constituency are receiving less in services, largely because of a Liberal Democrat-controlled borough council and a Lib-Lab pact at county level. They will pay an 8 per cent. increase when inflation is about 2 per cent. That is a stealth tax. Some older people in my constituency and elsewhere may have to dip into their winter fuel allowance simply to be able to pay the extra council tax.

Some of the Budget's small print was about basic banking services; the Chancellor mentioned that about 1.5 million people do not have bank accounts. However, in my constituency, we have the absurd situation that the Meads branch of Barclays bank is to close on 7 April—with no consultation with local residents or customers—merely because of a contraction in the banking network. Our Order Papers are awash with early-day motions about similar closures; Barclays alone is closing about 170 branches throughout the country.

The Meads branch is used by older people ; they will not be able easily to go to the town centre to the remaining Barclays branch. If elderly people do not have bank accounts, they are dependent on their local post office. At the same time as bank branches are closing, the Government are introducing policies that will close many local post office throughout the country.

In conclusion, this Budget—like all the Chancellor's previous Budgets—exists on two levels. On the surface, it is all spin and good news, but when we consider the

[Mr. Waterson]

detail—even only 24 hours after the speech—we see that it is full of hidden traps; there are stealth taxes and disadvantages for people in my constituency and elsewhere. I have described how it will affect the health service, transport and older people—especially pensioners—in my constituency and in other parts of the country. Those are the realities, which will become increasingly apparent as the months roll on, of yet another Budget from a Chancellor who taxes more but delivers less.

8.28 pm

Mr. John Home Robertson (East Lothian): There is something wonderfully implausible about listening to Tory Members, such as the hon. Member for Eastbourne (Mr. Waterson), calling for more public expenditure after all their years of talking a completely different language. It is even more implausible when the hon. Gentleman does so during the Budget debate after my right hon. Friend the Chancellor's announcement of massive increases in public expenditure—on the national health service and on education, to name but two.

This year was the first time for many years that I was unable to be in the Chamber to hear the Budget speech. When my right hon. Friend made his statement last week, I was in Stornoway in connection with my new duties as a junior Minister in the Scottish Parliament. However, my right hon. Friend might be interested to know that people in Stornoway were happy to hear reports of the cut in air passenger tax for people living in the Scottish islands. That was well received.

I welcome this opportunity to commend the Chancellor's skilful management of the economy, and to assure the House that the overwhelming majority of Scots do not subscribe to the peculiar brand of Scottish nationalist economics that we heard again from the hon. Member for North Tayside (Mr. Swinney). He called for more public expenditure and less taxation. That defies logic and invites ridicule. I hope he is aware that we are keeping a careful tally of nationalist spending commitments as they add up over the years. The Scottish school of economics is rather more realistic and rather less reckless. Indeed, we have had the best of Scottish economics from a Scottish Chancellor. I can say with absolute confidence that the Budget will command great respect in Scotland, not least because it provides for such substantial investment in the national health service and in education.

Unemployment in my constituency is lower than it has ever been in my 22 years as a Member of this place. Living standards are improving as both public and private investment grows. My right hon. Friend's stewardship of the economy is succeeding spectacularly to the benefit of all our constituents. However, as a Back-Bench Member here, if not in the other Parliament north of the border, I hope that my right hon. and hon. Friends on the Government Front Bench will not mind if I express a couple of mild anxieties. After all, that is our job.

First, important primary and manufacturing industries are suffering to a degree from the weakness of other currencies in relation to sterling. Obviously, that is the consequence of the Government's good management of the economy. However, there is legitimate anxiety about advantages enjoyed by importers and the disadvantages endured by exporters from the United Kingdom.

Mr. Hayes: Will the hon. Gentleman give way?

Mr. Home Robertson: No. I hope that the hon. Gentleman will forgive me, but I do not have much time.

The present situation tends to confirm my strong personal belief that it will be in the best interests of the United Kingdom to join the single European currency as soon as circumstances permit. Clearly they do not permit at present, for the reasons that I have illustrated. It will be to the benefit of our exporters especially and our economy in general, especially the manufacturing economy and our primary industries, if we are linked with the European single currency. I hope that it will be possible to make rapid progress in that direction.

My second concern is about the rights—I think that we should talk about the rights as much as the needs—of pensioners and older people generally. We owe a great deal to those who endured the second world war and the hardships of the post-war years. The extra £50 winter payment in addition to the £200 that my right hon. Friend the Chancellor has already made to those people, together with other measures, is a huge help and an appropriate acknowledgement of our debt of gratitude to them. Unfortunately, the baseline increase of 73p appears inadequate when it is considered in isolation.

I know that my right hon. Friend the Member for Coatbridge and Chryston (Mr. Clarke) will understand my point, especially in relation to former miners who are suffering from respiratory diseases. I welcome the fact that the Government have been able to provide funds to compensate these people. I wish only that we could move rather more quickly to pay out the money that has been made available for that purpose.

Thirdly, I hope that the Under-Secretary of State for Social Security, my hon. Friend the Member for Wallasey (Angela Eagle), will forgive the Scottish Minister with responsibility for fisheries for taking the liberty as a Back-Bench Member in this place of saying something about the peculiar predicament of share fishermen that has arisen recently. Share fishermen have always been able to claim benefit when their boats have not been able to put to sea for a period of days. That can happen as a result of bad weather, mechanical breakdown, the skipper having a hangover or for a multitude of other reasons. It is not the fault of the crew if their boat cannot go to sea. Hitherto it has been possible for people to claim benefit in those circumstances. It is vital that they should be able to do so at such times to support their families

It appears that there has been a recent change in the paying of benefit to share fishermen in the form of the jobseeker's allowance. A number of my constituents have drawn this matter to my attention. The system has changed and it has become a great deal more difficult for such claims to be dealt with. I have written to my hon. Friend the Under-Secretary of State for Social Security and I am grateful to her for her reply, but I reiterate that share fishermen have paid a high rate of national insurance contributions over the years and that they have a unique form of employment. They are not jobseekers in the strict interpretation of the term. From time to time they are prevented, by a range of circumstances beyond

their control, from going to work. Their families should have the benefit of the support that they have paid for through their contributions. I hope that we shall be able to overcome this local or national difficulty, which has recently come to light in my constituency.

I am delighted to congratulate my right hon. Friend the Chancellor on a characteristic display of prudence combined with generosity, those two best Scottish qualities. He has made massive investments in the NHS and in education. It is essential that these investments should be translated into real improvement in those services. That is the task facing Ministers, NHS trusts and local authorities. I am sure that it will be picked up with great enthusiasm south of the border, as it will by my ministerial colleagues, Susan Deacon and my hon. Friend the Member for Strathkelvin and Bearsden (Mr. Galbraith), north of the border. The Budget presents great opportunities for investment and for improving services in our country. It is exactly what the people voted for in 1997.

8.38 pm

Mrs. Eleanor Laing (Epping Forest): It is truly a pleasure to be able to take up the remarks of the hon. Member for East Lothian (Mr. Home Robertson). I mean that, because it is good to see him in this place. It is encouraging to know that he, unlike many of his colleagues, still considers it worth attending the Chamber, despite his membership of the other place north of the border.

Having paid the hon. Gentleman a compliment which he probably does not welcome, I must immediately criticise one of the first things he mentioned, namely, his theory that the Chancellor is the best Scottish economist. I must disagree with him. The best Scottish economist by a long way was, and always will be, Adam Smith, whose belief was that the country would prosper by having peace and low taxes. How right he was, and how right he still is.

It is a great pity that the Chancellor of the Exchequer does not appreciate the value of low taxation. By his actions, and from examination of the detail of the Budget, it is obvious that he wants the British people to believe that he believes in low taxation when what he delivers to them is far from that.

It had not been my intention to speak in the debate. However, because I spent the weekend in my constituency listening to what people were saying about the Budget, I feel an obligation to express their annoyance and anger about how the Budget will affect them. I shall mention two particular matters. The first is the dishonesty of the Chancellor's stealth taxes, and the second is the Government's obvious and complete lack of understanding of small businesses and how they work.

The stealth tax on which I shall concentrate is stamp duty. Many Labour Members may honestly believe that it affects only a small proportion of the population. In my constituency, that is not the case. The Chancellor has introduced an enormous increase in stamp duty for properties worth more than £250,000. In my constituency—this may genuinely surprise some Labour Members—£250,000 buys a modest, three-bedroomed family house. It is easy to understand who is being victimised by the Chancellor and about whom he simply does not care. The first problem that my constituents have with the Budget, and especially with stamp duty as a stealth tax, is that it is vindictive towards ordinary families.

The second problem is that the increase in stamp duty will obviously fuel an increase in house prices in the south-east. Of course it will; that is so obvious it is hardly worth mentioning. However, it seems that the Government have not noticed that fact—or perhaps they do not care.

Like all taxes, stamp duty—which does so in such a sneaky way—takes spending power away from the individual and gives it to the Government. They have estimated that the increase in stamp duty will produce £365 million for the Exchequer by 2003. That is £365 million that people throughout the country will not be able to spend in the way that they would have wished.

I come now to the affect that stamp duty will have on small businesses. They need flexibility and confidence, not more red tape and extra burdens. However, they constantly receive the latter from this Government and this Chancellor. Stamp duty affects not only domestic but commercial properties. If a small business's ability to invest and expand is burdened by extra stamp duty, it is obvious that the business itself is also burdened.

Stamp duty has another effect on small businesses. People who buy houses would, in normal circumstances, employ people to work on those houses. However, those people will now be less able to employ others—they will have less money to spend because they will give so much to the Chancellor in stamp duty. That leads to one obvious conclusion: the Government simply do not understand and do not try to understand small businesses.

I appreciate that the Chancellor pays lip service to small business. However, neither he, nor members of his Treasury team, nor most Labour Members have ever worked as small business people. [HON. MEMBERS: "Not so."] If Labour Members have done so, I am willing to take interventions from them. Can they tell me that they know from personal experience what it is like not to know how much money one will earn by the end of the month, whether one can attract sufficient orders and how the business will go over the next few months? Do they know about the stress involved? Have they faced the risk of the family home being mortgaged to raise money to expand the business and to employ people?

In this debate, Labour Members have said that small businesses fuel the economy. That is true. The hon. Member for Coventry, South (Mr. Cunningham) said that. His words were correct, but the arguments that he used to back his case were wrong. The Government clearly do not understand small business. If they did, they would surely not, for example, have increased stamp duty or be pursuing IR35, which entirely undermines small entrepreneurs who are doing their very best to work for themselves and their families and to use the skilis that the education system has given them for the good of their communities, their businesses and the country as a whole. The Government pay lip service to those entrepreneurs—but they say one thing and do another.

Another aspect of the Budget and the Prime Minister's statement the following day angered the constituents to whom I spoke over the weekend. They listened to the Chancellor and read Wednesday's newspaper reports of what he said, but they know that they did not discover what he will do and what the Budget's real effect will be on them. Several of them told me, "Listening to the Budget statement might be entertaining, but it is what the Chancellor does not say that counts." Conservatives

[Mrs. Eleanor Laing]

Members know that it is only a week or 10 days after the Budget that the people of Britain begin to understand what it will mean for them. They understand not because of what Treasury Ministers say, but because of the analysis carried out by Conservative Members.

What annoyed my constituents most of all was that the Prime Minister gave the wrong figures on how much the Government intend to spend on the health service in the coming years. The Prime Minister stood at the Dispatch Box and gave the wrong figures, and nobody on the Benches behind him helped or corrected him.

I would never suggest that the Prime Minister would deliberately mislead the House, but I suggest that it is even more worrying that he did not realise that he was misleading the House. He cannot have it both ways. I cannot suggest that he knowingly misled the House, so it is obvious that he unknowingly did so. That has considerably worried my constituents because although the vast majority of them disagree with the Chancellor and the Prime Minister, they should at least be confident that when the Prime Minister gives a figure, it is the truth. How sad that that is not the case.

8.46 pm

Mr. Tony Colman (Putney): After the rather mealy-mouthed comments of the hon. Member for Epping Forest (Mrs. Laing), may I say that on the streets of Putney and Roehampton there was a great welcome for the Budget, particularly for the new money for education and the health service, and we are seen to be delivering on our election promises.

My constituents want us to be elected for a second term, and they want to ensure that, unlike the Tories, who appear to be committed to reducing spending on the NHS with their so-called guarantee of tax cuts, we are committed to increasing health service spending. Indeed, we are the only party with that commitment. Money for the health service is particularly important to my constituents, who want to ensure that the new community hospital at Queen Mary's university hospital in Roehampton is completed. That will happen only if there is a Labour Government.

I want to draw to the attention of the House the Budget's strengths in wealth creation. I support the measures that will encourage enterprise in the British economy; this is very much a Budget for enterprise. I state an interest in that I am chair of the Share Issues Group—I hasten to add that the position is unpaid—which has met the Financial Secretary to the Treasury several times to discuss issues concerning share options. I am particularly drawn to those matters because in my time as a managing director I took great advantage of the available share options schemes. It is important to reward people at all levels within a business, and the initiatives in the Budget are excellent ways to ensure that we will do so.

Mr. Hayes: Will the hon. Gentleman give way?

Mr. Colman: No, I am afraid that I do not have time.

I draw the attention of the House to the new enterprise management incentives scheme, and the increase from 10 to 15 in the number of employees in small companies who are eligible to join the scheme. That will help in the recruitment and retention of key employees by small higher risk companies.

Mr. Hayes *rose—*

Mr. Colman: I shall not take interventions because we are very short of time.

The access to tax advantage share options of up to £100,000 is obviously important to ensure that those who take the risk of getting involved in start-ups are able to benefit.

Warming to my theme, I am particularly concerned about the all-employee share plan schemes, which the Budget has made attractive to companies of all sizes and much easier to operate. I was particularly pleased that the save-as-you-earn share save scheme remains in the armoury of available options. That has been the bedrock of saving by employees because it ensures that they are all able to save in a building society on a failsafe basis and purchase shares at a pre-agreed price. More than 1,200 companies currently have an SAYE share save scheme and 1.75 million employees are in those schemes. A second scheme that will continue under the Budget is the company share option scheme. Currently, 3,570 companies are part of the scheme, covering 450,000 employees.

Most important is the confirmation provided in the Budget that we are going ahead with the new all employee share plan, the details of which are set out in Inland Revenue REV3. I shall outline the advantages of the new scheme. Employers can give employees shares worth up to £3,000 each year, free of tax and national insurance. Out of their pre-tax salary, employees can buy partnership shares up to a maximum value of £1,500 a year, again free of tax and national insurance. Employers can match those partnership shares by giving employees up to two free shares for each partnership share that they buy. That is an extremely important means of encouraging share ownership.

Initial indications are that 350 employers in the United Kingdom are expected to set up such a scheme in the coming months, as it comes into operation. The result will be that an additional 500,000 employees in the UK will, for the first time, own shares in the company for which they work. That number is expected to grow to about 2.5 million over the next three years. I hope that hon. Members on both sides of the House applaud such an increase in employee share ownership—in fact, I see the Opposition spokesman, the hon. Member for Arundel and South Downs (Mr. Flight), nod in agreement. It is nice to see Opposition support for the Budget.

A cause of concern that has been the subject of a meeting I had with Treasury representatives is national insurance charges and unapproved share option gains. It should cause the whole House concern, as it does the Government. I remind the House that the concern centres on dot.com companies, which often encourage employees who have scarce skills to join them, not by paying high wages, which they cannot afford, but by offering large unapproved share option gains. I applaud such a means of tackling the scarcity of skilled individuals, for if we do not solve that problem, such companies will move abroad, especially to the United States.

The Government have proposed a consultation on three options to resolve the problems. The proposals would allow

a voluntary agreement between employer and employee that:

All the employer's NICs liability on unapproved share option gains will be met by the employee, or

Part of the employer's liability on these gains, or the excess above a predetermined amount, will be met by the employee, or

The employer's NICs liability is to be met by the employee but, by mutual agreement, the employer could take on the statutory liability at the time it is incurred.

It is extremely important that we resolve that issue. My hon. Friend the Financial Secretary to the Treasury tells me that the timetable for the consultation is extremely limited and that he looks forward to introducing measures—perhaps in the other place—to deal with the problem.

Labour Members might be surprised by my paean of praise for share options, but it is important to realise that share options can spread wealth to everyone who works in industry and commerce. In California, even those who have played only a modest role in a dot.com start-up—perhaps as a cleaner or a secretary—can become dollar millionaires through the success of the company in which they have invested their time and effort. It is not enough to own shares in a pension fund, at arm's length; we need the hands-on experience of share ownership in the company for which we work, so that we get behind it.

One of the great problems of capitalism is that there are not enough capitalists. I was in Atlanta recently and picked up a book by one Jeff Gates, called "The Ownership Solution—Towards a Shared Capitalism for the Twenty-First Century". I recommend it to the House. The author argues that we need to ensure that there is more share ownership across the entire community.

James Wolfensohn, the president of the World bank, has said:

"Ownership is the sine qua non of sustainable development.

Bob Swann, who is president of the Schumacher Society, has stated:

"The community we all long for can't be realised with only 6 per cent. of the population owning shares. This has to change.

The Budget is a first move to ensure that we are re-engineering capitalism for inclusion. I recommend it to the House.

8.55 pm

Mr. Tim Collins (Westmorland and Lonsdale): The hon. Member for Putney (Mr. Colman) will forgive me if I do not follow his interesting remarks on share ownership, given the lack of time available. I entirely agree with him as to objective, although there will inevitably be some differences between us about the method of achieving that objective.

I shall make some general observations about the Budget, before turning to specific constituency points. The hon. Member for Bexleyheath and Crayford (Mr. Beard) said earlier that he would speak about a ghost at the feast. There seem to me to be three or four ghosts at this feast, of which the first and perhaps most worrying is the collapse in the savings ratio.

The Chancellor and the Prime Minister are fond of speaking about the fact that the Budget and their economic management have laid the ground for strength and economic stability in the future, but nothing could more clearly indicate the way in which they are storing up trouble for the future than the fact that the savings ration has halved since 1997.

That was in direct response to the outright declaration of war against the pension funds, which the Government launched in their first Budget, with the £5 billion a year raid on pension funds; the abolition of PEPs and TESSAs—working systems—and their replacement with what can generously be described as an imperfect and untried ISA system, which is much less generous in its tax treatment; and a reform of the social security system, if it can be graced with that noun, which has resulted in a situation in which, I am told, unless one can be sure to retire with a pension fund worth £100,000, it is not worth saving at all through one's working life. That is the situation that the Government have produced.

The second ghost at the feast is the issue of economic growth. Why is it that as far ahead as the Red Book can project, economic growth under the Blair-Brown economic miracle is not expected to return to the level at which it was in the last year of the previous Conservative Government? Not for as far ahead as the Government can foresee do they foresee economic growth getting up to the level at which it was when there was a Conservative Administration in charge.

The third ghost at the feast is the Government's projection of a doubling of the balance of payments deficit—hardly an indication of a strong economy, soundly based for the future. In that context, I refer to the remarks that a Downing street spokesman—no doubt Mr. Alastair Campbell—is supposed to have made today about Sellafield in Cumbria. Whatever one's views about nuclear processing, that happens to be the single greatest generator of foreign exchange, bar none, in this country.

The spokesman said that it was now up to Sellafield to make its own case. That was an abdication of responsibility, an insult to more than 10,000 extremely skilled workers in Cumbria and an indication of a somewhat flippant attitude towards a very important generator of foreign exchange.

A filling station owner in my constituency told me recently that he takes in £1.8 million a year at his filling station, of which £1.7 million a year goes straight off to the tax man. He says that he might as well take down the BP sign and put up a sign reading "HM Inland Revenue".

The Budget contained yet another increase in petrol prices. We see an urban-based Government who have no recognition of the impact on my constituents and those of some of my hon. Friends, for whom the car is not a luxury or an option, but a necessity. In my constituency, some of the poorest people are two-car families. Both cars may be ramshackle, but that is the only way in which those families can access even the modicum of public services available in rural areas. In that respect, the Budget was extremely disappointing for people in south Cumbria.

Before I deal with other constituency points, I shall take up the charge that has been made by several Labour Members, that Conservatives can never advocate greater spending in their own constituencies because there is no such thing as waste under the Government. It is impossible to reallocate priorities and inconceivable that one could identify savings. Perhaps I can give the odd example of possibly being able to find a penny or two to spend more wisely elsewhere.

[Mr. Tim Collins]

Let us consider the £1 billion a year extra that is being spent simply on administering government. The Chief Secretary, who is present, is the guardian of the public purse. Why not establish a rule that if three Cabinet Ministers travel from this country to the same meeting, they must travel on the same aeroplane rather than having one aeroplane each? That might save some money for more worthy causes.

What about the hundreds of millions of pounds that are wasted through the Government's mismanagement of asylum seekers? Huge amounts of public money are spent unnecessarily because the Home Secretary has lost his grip on his Department.

Police officers in my constituency, to whom I spoke on Friday, are greatly worried about the reports that the cost of the inquiry into the events on Bloody Sunday 28 years ago could escalate to £100 million. For 2 per cent. of that sum, Cumbria constabulary could be removed from its current predicament of having to sack police officers, shut police stations and withdraw services from people across that rural county. I do not believe that a historical inquiry needs to spend 50 times more than the amount of money that would relieve the policing problems of my constituents and the county of Cumbria.

It is a question of priorities. My hon. Friend the Member for Eastbourne (Mr. Waterson) referred to the saga of a bypass in his constituency. It was postponed by the Government, although it was ready to roll when they came to office. He said that £5 million had been paid to a contractor so that he would not build the bypass. The bypass will fortunately be built.

However, in my constituency, we still await the completion of the A590 High Newton and Low Newton bypass. Sadly, that bypass, which is the Barrow-in-Furness industrial area's only link to the rest of the country and passes through two stone farm buildings, despite being a dual carriageway for the remainder of its length, is needed to avoid a death trap. Only 10 days ago, someone was again killed on that stretch of road because the Government postponed the construction of a bypass that is desperately needed. Yet again, the Government make false economies, and believe that they save money while they rack up costs in lives and public expenditure by not spending wisely.

Let us consider the national health service. The tentacles of the Inland Revenue reach Cumbria, and plenty of money is siphoned out of south Cumbria. Sadly, less of it is recycled. The *Westmorland Gazette* has run an excellent campaign called Heart Line, which draws attention to the fact that the number of people who wait for more than a year for heart bypass operations has more than doubled in south Cumbria since the Government were elected. One gentleman, Mr. Gordon Graham, who fortunately had his operation last week, had to wait almost 18 months for a life-saving operation, yet the Government boast about the billions of pounds that they announced last week for the NHS.

Six months ago, £50 million was announced for heart care, but none has yet been allocated to the north-west, even though the region has the worst heart problems in the country. We do not want announcements; we want to know that the money will be transferred from the sticky fingers of the Whitehall bureaucrats to the people who need to spend it.

I want to quote from a copy of a constituent's letter to the Prime Minister. The Chancellor is present, and he ought to hear it. My constituent lives in Grange over Sands. Her letter to me states:

> Find enclosed photocopies of my tax forms and pay slips. The most recent tax forms show that I will be thousands of pounds down in the taxable allowances I would normally get, starting in the tax year April 2000.
>
> This is . . . a result of decisions made by your government.

She explains that she is a teacher at a comprehensive school, where she works five days a week. She is a care worker on Friday evenings, Saturdays and Sundays. How on earth, she asks, can she be expected to manage on a cut of £70 a month?

The Chancellor should note these words:

> I voted for a Labour Government for all the years the Conservatives were in power and so far I have never been poorer . . . I will never vote Labour again. You are simply a bunch of liars.

Millions of others will never vote Labour again.

9.5 pm

Mr. Ivan Henderson (Harwich): I can tell Ministers that the head teacher of Clacton County high school, whom I met today, was very pleased with the £50,000 that the Budget has given his school.

My constituency contains a mixture of leisure industries, small businesses, large businesses and resorts. It also contains all the problems that resorts bring with them—for instance, areas of severe deprivation. The fact that the Government are working with a task force to examine some of the problems of seaside resorts has been welcomed by those living in what could be described as pockets of deprivation.

The Chief Secretary to the Treasury, my right hon. Friend the Member for Oxford, East (Mr. Smith), will know of the problems in my area. We launched the new deal there because unemployment was so high—owing, I might add, to the shipping policy of the Conservative party. It decimated the British shipping industry. The Government have introduced a tonnage tax in an attempt to repair the damage.

Let me return to the subject of education, and point out that the £50,000 provided for the head teacher in Clacton was in addition to the provision of an education action zone covering 23 schools in my area, £3 million for the next three years and the promise of a language status college for the Harwich school. Pupils there are looking forward to working with those in other countries, learning Dutch, Chinese languages and Spanish.

Mr. Hayes: Will the hon. Gentleman give way?

Mr. Henderson: No, because I do not have much time.

Seaside resorts contain many retired people. More than 30,000 pensioners in my constituency welcome the minimum income guarantee, and 12,300 welcome the Government's introduction of free television licences. Those pensioners also welcome the winter payment of not £20, not £50, not £100 but £150 that they will receive. The other day, a pensioner in my constituency reminded me that pensioners had to wait for seven days and freeze before they got £10 out of the last Government. Now they have £150 automatically, irrespective of weather conditions.

Pensioners in my constituency also welcome the additional funds for rural transport. The links between Harwich and Clacton were withdrawn under the Conservative Government because of their deregulation of bus services. Now pensioners can benefit from bus services in seven villages, following their previous isolation; moreover, from next April they can benefit from bus services with no charge for bus passes and half-price bus fares. More than 30,000 pensioners will benefit.

Mr. Russell Brown (Dumfries): Free bus passes for pensioners are a godsend. Does this not open up avenues to which pensioners have never had access before? Pensioners who have felt trapped in the past will now be able to travel thousands of miles.

Mr. Henderson: My hon. Friend is dead right. Pensioners in my constituency lost that choice under the last Government. Indeed, pensioners in the constituency of the hon. Member for North Essex (Mr. Jenkin) have gained from the establishment of transport links in several villages, from Manningtree to Clacton. They have written to me to congratulate the Government on restoring those rural transport links.

My pensioners know that the previous Government, not this Government, withdrew the wages link with pensions. My pensioners know who abolished free eye tests—not this Government, who restored them. My pensioners know which party put value added tax on fuel—not the Labour Government, who made it as low as they possibly could. The Conservative party deregulated bus services and left my pensioners without services, but this Government have put more money into rural transport to make it much easier for them to get to towns around my constituency.

9.11 pm

Mr. Matthew Taylor (Truro and St. Austell): Over four days of debate the parties have set out their election platforms, and none more clearly than the Conservatives, who have responded to the Budget and will seek to fight the election with claims of a tax-cutting agenda. However, those claims have been revealed to be entirely incredible on four grounds. First, when presented with health and education increases, for which they did not ask, they merely rolled over and accepted. There is no argument that health and education need that money, but equally no Conservative Members argued for those increases before the Budget—they argued for tax cuts. There is no credibility there. Their credibility falls further away if we read their policy documents, which argue for extra money for roads, police, prisons and the Army. The list goes on.

The Conservatives also have no credibility because we are about to hear from a shadow Chancellor who argues against the very tax increases that he started to implement when he was a Treasury Minister—cutting mortgage interest relief at source and the married couples allowance and introducing the fuel tax escalator. There is no credibility there.

The fourth reason why the Conservatives have no credibility is also the very reason why the British public have remained mystified for three years about why they have not seen the improvements in public sector services such as health and education that they might have expected. In fact, the Government have got rid of the Tory deficit—£28 billion in one year—which they inherited. It was a record deficit when the shadow Chancellor was at the Treasury.

The tax increases which have been imposed—the Government made a nonsense of themselves by pretending they had not happened—have closed the deficit gap—as, indeed, the Conservative Government planned to close it through tax rises as well. It has been closed, but as a result the extra money has not gone into public services in substantial amounts. The tax increases have paid for the deferred taxation to which the previous Conservative Chancellor frequently refers, the deficit run up by the shadow Chancellor and his hon. Friends.

Only now, with the deficit closed, are the Government starting to put serious money into some public services. However, the problem is that they have deceived the public by claiming increased funding that did not really take place. That is Labour's credibility problem. If there is any startling element in the Budget, it must be the fact that Ministers keep a straight face when they talk about "massive improvements" and increases of £2 billion for health and £1 billion for education, when only a week ago they were telling us that they had put £21 billion into health and £19 billion into education. One or the other is not true, and we all know that those earlier huge increases were not true. They never existed—they were funny money, which is why the public services did not receive them. If they were true, Labour Members could not boast of the £2 billion for health today.

Having said that, at last we are talking real money. Now the health money is real, not funny money. It happens to be the money that we advocated for the Budget—what we proposed, to the penny. We shall not criticise that proposal. During debates in the past few weeks some Labour Members have said that our comments on health were carping, but I do not know what more we can say. We acknowledge that the Government are right, it is the right amount, it is being put in now and it will make a difference. We think that the money should have been provided earlier, but when we argued for that we were told that we were being unrealistic. What was unrealistic one week is prudent this week, but we welcome it none the less.

Labour Members must understand that sticking to Conservative Budget proposals in the early years of this Parliament for longer than was needed, stacking up an election war chest, has resulted in the problems in health of which we are all too well aware. People have not had treatment when they needed it, and some people have lost their lives as a result. It has been bust and boom in the public services, even if the Chancellor can rightly say that he has avoided that in the economy.

We are also starting to see real money for education, but it is not sufficient for the changes that Liberal Democrats would like. It will not guarantee average class sizes of no more than 25 in primary schools. It is certainly not sufficient to abolish tuition fees in England and Wales, as they will be in Scotland thanks to the Liberal Democrat influence in government there. It will not be sufficient to increase higher education funding as a proportion of national wealth, which has been slashed since Labour came to office.

Most significantly, the money will not be sufficient to reach the proportion of our national wealth spent on education under the Tories. That is the extraordinary thing

[Mr. Matthew Taylor]

about the Labour record on education. Labour pledged to raise the proportion of wealth spent on education, but in fact it has been cut.

In the Budget debate last week, the Secretary of State for Education and Employment claimed that next year the proportion of national wealth spent on education would reach 5 per cent. compared with the 4.9 per cent. inherited from the Conservatives. That sounds rather good, but when we look at the figures it turns out not to be true. We asked the House of Commons Library if it could come up with that figure, but the answer was no. We phoned the Department for Education and Employment and asked it how it had come up with that figure, but it did not know. It suggested various possibilities, but when we said that none of them seemed to work, it said that we were right. We asked the Library to ask the Department for Education and Employment, and it could not come up with a figure either. It seems that an apology is due to the House.

The Secretary of State for Education and Employment has given a figure that not one official or the House of Commons Library can substantiate. The Government will not meet the 5 per cent. figure next year. Indeed, they will be at least a couple of points short. Over the Parliament, on average they will be short of what the Conservatives spent. Not one single year so far have the Labour Government given an increase of the size provided each year under the previous Prime Minister.

Education has certainly not been the Government's priority. Why is that, and why have pensioners been short-changed? The Government talk about an increase in pensioners thresholds, but that will not come in for a year. They talk about a review of the amount of savings that pensioners are allowed, but any proposals will not come in for several years. If pensioners are lucky enough they will get 75p on their basic pension, but a woman with a low record of payments will get less than that.

The Chancellor likes to include the £50 extra winter fuel payment, but we should not forget that it is not on the terms suggested in the briefings: it is a household payment, not an individual payment, so it does not add anything like £1 a week on top of the 75p. Why have the Government done that? There are two possible answers. First, they did not mean it when they said in their manifesto that they wanted pensioners to share in the growing wealth of the economy. Even allowing for the heating allowance—the one payment that pensioners will get in the coming year as well as the 75p—pensioners will share in only half the growth in the economy and a third of the growth in average earnings. That is not pensioners sharing in the growing wealth of the economy.

Secondly, the Chancellor has attempted to put money into health at the same time as making a 1p cut in tax. Therefore, he could not give the amount that is actually needed in education and, even more important, had to raid the social security surplus, giving £2 billion to health, which meant that it was not available for pensioners, who lose out. Labour Members know that that is true and how angry pensioners are. I hope that they are making that message clear to the Chancellor. They have time to try to retrieve the situation and to show that the Government believe in the state pension.

A great unspoken element of the Budget is the high pound. There are the problems at Rover. There were 120,000 job losses last year. Exports are down 9 per cent. Imports are up 10 per cent. From November to now, the predicted trade deficit has doubled from £10 billion to £20 billion—a record. The Chancellor had nothing to say about any of that. He is willing to let jobs go in farming and manufacturing. He has forgotten that he has a task beyond tax and spend: to look after those in real jobs in those areas.

9.20 pm

Mr. Michael Portillo (Kensington and Chelsea): I begin by welcoming the right hon. Member for Ashton-under-Lyne (Mr. Sheldon) back to the House.

I congratulate the Chancellor of the Exchequer. There is no denying that he is a clever fellow, but I congratulate him in particular on his luck: he is a lucky Chancellor. He did not invent the British recovery. The economy has been growing since 1992. Unemployment has been falling since 1993. He did not invent either the fantastic performance of the American economy. Nor did he invent the recovery in Europe.

When we listen to the Chancellor deliver any Budget, we see that he is well aware that he is clever, but it is not apparent that he is aware that he is lucky. He repeats the phrase "boom and bust" so often that I am afraid that he believes that he has abolished the economic cycle. Hubris comes before nemesis. Pride comes before a fall. Any Chancellor who thinks that he has abolished economic cycles has lost touch with the real world. That is when Chancellors make mistakes. No Labour Chancellor's career has ended in success. I do not suppose that his will end in success, either. Perhaps the Budget is the beginning of the end for the reasons that my right hon. Friend the Member for Haltemprice and Howden (Mr. Davis) and my hon. Friend the Member for Bury St. Edmunds (Mr. Ruffley) gave.

The Chancellor is never too old to perform new tricks. This year, he raised tax allowances and duties by the rate of inflation. That sounded even-handed, but it turns out that tax allowances that reduce the tax that we pay rose by a measure of inflation that was calculated as 1.1 per cent. The duty on petrol was raised by a different measure of inflation that came out at 3.2 per cent. The difference between the two raised £500 million in extra taxes for the Chancellor. Anyone watching, or any taxpayer who used such a trick when filling out a tax return, would receive a visit from the Inland Revenue before he could say, "Geoffrey Robinson."

When the Chancellor describes the Budget as "Prudent for a Purpose", people will have every right to ask what he means by that: how prudent is it and what is the purpose? This is the Chancellor who has attacked prudence whenever the British people have shown prudence. He attacks people who save. He has scrapped the married couples allowance and so attacked people who marry. Starting next month, couples will lose £200 a year. By scrapping mortgage interest relief, he has attacked those people who wanted to own their own homes and is costing them £225 a year.

Then the Chancellor attacked people who wanted to make provision for themselves in pensions. The average 30-year-old will have to invest £200 extra a year to make up just for the tax that the Chancellor has taken out of people's pension funds.

The Chancellor said that this would be a Budget for hard-working families. However, new figures—independent figures—from the Library released today

show that a typical working family is already paying £670 extra a year under Labour. As the hon. Member for North Tayside (Mr. Swinney) said, that includes the punitive tax on petrol. Yet, Labour Members still have the gall to pretend that working families are paying less tax than at any time since the Government of my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath), who is in the Chamber.

The Chancellor repeated that ludicrous claim on Sunday, on the "Breakfast with Frost" programme. The only family that is like that—the mythical Brown family—is a family that does not smoke, does not drink, is not married, does not drive a car and does not even have a local council. The Chancellor's claim to be cutting tax on families is pathetic. No one believes it, and he should at least come clean and admit that it is absolutely bogus.

If the Chancellor is out of touch with families, he is out of touch with the new economy, too. In the global economy, highly mobile individuals and highly skilled people will seek out the low-tax environment and the low-tax Finance Ministers wherever they can find them on the face of this globe.

Mr. Derek Twigg (Halton): Will the right hon. Gentleman give way?

Mr. Portillo: Not on this point; sit down.

The Chancellor has become wholly insular.

Mr. Twigg: Will the right hon. Gentleman give way?

Mr. Deputy Speaker: Order. The right hon. Gentleman has stated that he is not giving way, and that should be enough.

Mr. Portillo: The Chancellor has become a Canute-type figure, wishing away the tide of global competition and closing his eyes to the threat to the London stock exchange that is posed by the lower rates of stamp duty in other markets. He ignored the threat to gambling revenue from internet gaming. He failed to see that higher tobacco might reduce revenue and boost smuggling, but he has pressed on regardless.

Now we come to the infamous IR35. In this Budget, the Chancellor doubled his estimate of how much that tax would raise—and so we must now double our estimate of how bad will be the brain drain and how bad will be the damage to Britain. IR35 is one of the taxes that this Chancellor of the Exchequer never even announced in the House of Commons. This year, he showed at least some consistency by not announcing another stealth tax that also is aimed at the new economy and that also sounds like a character from "Star Wars". This year's IR35 is called BN2J. BN2J is the Chancellor's stealth tax on British world-beating companies and an attack on double taxation relief.

The world's largest accountancy firm said that BN2J will make the United Kingdom one of the least attractive locations for international companies. *[Interruption.]* All that Labour Members can do is to jeer at the world's largest accountancy firm. They jeer because the Government do not realise that, in the new economy, the choice will not be between lower taxes and better public services. In the long run, taxes must be low enough to attract investment from all around the world, so that we can fund better public services. The Government are taxing more and regulating more, and Britain is headed in the wrong direction.

As for the Budget speech, I say, as my hon. Friend the Member for Louth and Horncastle (Sir P. Tapsell) said: the Chancellor devoted so much work to the things that did not appear in his speech. If he had announced the taxes clearly in his Budget speech, he would have been forced to admit that taxes have increased by a net 8p under this Government—a 9p up, 1p down Budget. We know that this is a Chancellor who dispenses with tradition. However, now he has dispensed with the ultimate tradition of announcing Budget tax rises in his Budget speech. Moreover, all those tax rises have been introduced by a party whose Prime Minister promised not to increase taxes "at all".

Mr. Barry Gardiner (Brent, North): I am grateful to the right hon. Gentleman for giving way, particularly on that point about not increasing taxes. He and his leader have guaranteed that they would give away £15 billion in tax cuts to the richest members of society. What effect would that have on public services?

Mr. Portillo: We have made no such pledge. I do not know what the hon. Gentleman is talking about.

The tax rises were introduced despite the fact that we had been promised no tax rises. Labour Members now like to claim that the Prime Minister never said that, but they should reflect on the fact that they would not even be in the House today if he had not told the British people that. He has not fulfilled his promise.

There are many other prime ministerial promises that he has not fulfilled either. He said that class sizes would be smaller, but they are larger today. He said that waiting lists would fall, but the waiting list to get on the waiting list is double today. He said that he would be tough on crime but, for the first time in six years, crime is rising again in this country. *[Interruption.]*

Mr. Deputy Speaker: Order. I must plead with the House to come to order. The right hon. Gentleman is addressing the House and there should be no private conversations. *[Interruption.]* Order. That goes for Mr. Bercow as well.

Mr. Portillo: We have heard promises, promises, promises from the Government. For three years they have been a promising Government, but those promises look pretty pale and washed out today.

It turns out that the Chancellor is not so much clever as too clever by half. The press and the public now do not believe a word of his Budget. Even the BBC chose to advertise their Budget coverage by saying that it would be an analysis of everything the Chancellor won't be saying.

The Sun newspaper said that it was a Budget that would need the seven-day test before judgment could be passed. It has indeed been a seven-day wonder. Today, on the seventh day, let us review where we have got to: day 1, the CBI said that this was not the Budget that they had been hoping for; day 2, a double taxation measure in the Budget's small print was exposed as costing British business billions of pounds; day 3, more small print was exposed, with a massive hike in company car tax; day 4,

[Mr. Portillo]

contrary to what the Chancellor said in his Budget speech, figures showed that the net increase in the Budget was £1.4 billion of extra taxation; day 5, we had the revelation that different rates of inflation had been used for computing allowances that benefit people from those used for duties that people have to pay; day 6, the Health Secretary admitted that the 10,000 new nurses announced by the Chancellor were not 10,000 new nurses at all, but a reannouncement; day 7, which is today, new figures have shown that the average burden of taxation on a typical family is £670 extra a year under Labour. The Budget has unravelled. It is not so much a seven-day wonder as another demonstration that a week is a long time in politics.

Mr. Beard: When my right hon. Friend the Chancellor has proposed increases in spending on the health service in previous Budgets, the Conservatives have denounced it as reckless. Now the Government propose to spend even more, the Conservatives endorse that spending.

Mr. Portillo: Another Member who cannot get his facts right. We never denounced the increases in health spending.

I am coming to the issue of health. The Prime Minister came here on Wednesday and delivered a mass of gobbledegook about the health service. It was the most embarrassing performance from a Prime Minister in the House of Commons in living memory. It was extraordinary. The Prime Minister who had announced enormous increases in health service spending gave us a demonstration of how to snatch defeat from the jaws of victory.

Mr. Ivan Henderson *rose—*

Mr. Portillo: The hon. Gentleman might learn something if he keeps his seat for a moment.

We welcome the extra money for health and education and we are committed to good public services, but we want good value for money.

We have been promised so much by the Government. We were promised huge results from the first comprehensive spending review, and it turned out to be a comprehensive spending failure. Now, at least if the national health service turns out not to improve at all, we will know who is to blame. The Prime Minister has taken responsibility personally for this. The Prime Minister is running things—just as he did with welfare reform, and he ran that straight into the sands.

I re-emphasise that we support the extra money on health and education. [HON. MEMBERS: "Oh!"] Oh yes. However, we do not support all the Government's record on public spending. We do not support the tens of millions of pounds that the Government are spending on scrapping the pound sterling when the moderate majority of people in this country want to keep the pound. We do not support the hundreds of millions of pounds incurred by the Government by making Britain into a soft touch for asylum seekers. We do not support the £1,000 million pounds extra that the Government are spending on running Whitehall Departments.

We do not support a £32 billion increase in social security spending, which comes from a party which said that it would not have to increase taxes because it would take all the money from reducing welfare bills.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. The right hon. Gentleman does not want to give way. A lot of noise is coming from those on the Government Benches. I do not want to hear them again.

Mr. Portillo: This was the Chancellor's fourth Budget. Over the previous three Budgets, the Chancellor has built for himself a reputation for slipperiness and for obfuscation. *[Interruption.]*

Mr. Deputy Speaker: Order.

Mr. Portillo: The Chancellor has become famous for his fine delivery on the day and his non-delivery after that.

For those who were on the look-out in the Budget for more tricks than treats, it entirely lives up to those perverted expectations. The Chancellor talked of prudence, but he has flouted his own rules for developing responsible public spending plans. He has committed Britain to returning to borrowing even if the economy continues to grow without interruption. He has talked of helping pensioners, but he has abolished their married couple's allowance and the additional age allowance that applied to older people.

The Chancellor claimed to be helping single parents, but he abolished the personal allowance on which single parents rely. He boasted of helping families, but he has swept away their tax allowances and he has loaded duties on to families' essential weekly spending. He posed as the friend of business while managing to increase problems for the old economy, and he has piled on extra taxes to make sure that we keep the new economy at bay. His slogan was "Prudent for a Purpose", but he has cut the ground from all those people who have been prudent with the purpose of providing for their future.

After so much twisting and spinning, the public are awake to the Chancellor's tricks. After so many launches and relaunches for the NHS, nobody expects anything now beyond political grandstanding and jobs for the boys. This is indeed a Chancellor who taxes more and delivers less.

9.39 pm

The Chief Secretary to the Treasury (Mr. Andrew Smith): Before I start, Mr. Deputy Speaker, I have to draw the attention of the House to the fact that there have been two minor amendments to the original Budget resolutions as they now appear on the Order Paper. These are to take account of representations to widen the scope of the provisions affected.

First, on resolution 28—concerning the gift of shares to charities—the original proposal, announced in the pre-Budget report, was to allow only gifts of listed shares to charities. Following representations on the proposal, an extension to a wider range of shares and securities was announced in the Budget, and that is what is in the Order Paper.

The provision on the tax treatment of acquisition, disposal or revaluation of certain rights in resolution 41 has been widened to allow tax relief for all indefeasible rights to use a telecommunications cable system and not only the international submarine ones mentioned in the original wording. Both changes are designed to widen the scope of the new tax reliefs, and should be welcomed by all hon. Members.

Unlike the shadow Chancellor, it will not take me 13 minutes to get to the health service. Nothing could have been clearer from the right hon. Gentleman's speech than that the Tories are the party of privatisation of the health service.

What is the Tory reaction to the Budget? For most of the week, the Tories put their faith in Mr. Wyman of PricewaterhouseCoopers. Mr. Wyman claims that billions of pounds—£8 billion to £10 billion, even—will be lost if we impose measures to tackle tax avoidance. The Opposition jumped on the tax avoidance bandwagon, claiming that Mr. Wyman right, yet when he came to the Treasury, he could not produce the name of one company, one piece of analysis or one figure to make his claims stand up. He promised to bring us the name of a company affected, but could not. Then we find that Mr. Wyman is no ordinary adviser: he was the former tax adviser to Neil Hamilton when he was the Minister for Corporate Affairs. That is the shadow Chancellor and the Conservative party: the tax avoider's friend.

In opening the debate, my right hon. Friend the Secretary of State for Social Security set out eloquently how we are building on the platform of stability that we have been creating over the past three years. We are able to meet our rules of fiscal prudence while at the same time releasing significant new resources for the nation's priorities: tackling child poverty, providing extra support for pensioners and encouraging work and enterprise. That was all widely welcomed by my hon. Friends.

We had an extraordinary reply from the hon. Member for Havant (Mr. Willetts), who said that he could understand a totally means-tested system or a totally universal system; what he plainly could not understand was a pragmatic mix of universal entitlement and targeted help to ensure that we help all pensioners while getting the most help to the poorest. Let us remember that by 2001 we will be spending an extra £6.5 billion on pensioners, and as a direct result the average pensioner household will get an extra £400 a year and the 1 million poorest pensioners will be £1,000 a year better off.

Of course there is more to do, as we have said, but there could not be a clearer contrast between Labour in government, tackling pensioner poverty, and the Tories in government, who allowed pensioner poverty to grow to obscene levels.

Now the shadow Social Security Secretary threatens to take away the winter fuel payment. When directly challenged by my right hon. Friend, he refused to say that the Tories would keep it. There could be no clearer illustration of the fact that the Tories cannot square their so-called tax guarantee with civilised levels of public provision. We heard nothing whatever from the shadow Social Security Secretary or from other Conservative Members about what the Tories would do—two brains, no policy seemed to be the message.

My hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry) welcomed the Budget's health and education commitments in particular, and asked a specific question about the transfer of land for social housing that his local authority, Tameside, was completing ahead of Royal Assent to the Finance Bill. He sought the opportunity to present Tameside's case for exemption from stamp duty. I assure my hon. Friend that I shall look into the matter, and I will be pleased to give the council the opportunity to make that case.

The hon. Member for Northavon (Mr. Webb) asked why we had not put the extra money for the winter fuel allowance on the basic pension. The answer is very simple, and it was given by my hon. Friend the Member for South Thanet (Dr. Ladyman). It is that to do so would have no benefits whatever for the poorest pensioners. What is more, the course suggested by the hon. Member for Northavon would be subject to tax. It seems that the Liberal Democrats are as usual engaged in striking postures way beyond anything that they promised in their election manifesto. In reality, they do nothing to help those in greatest need.

I welcome the positive things about the Budget that my hon. Friend the Member for Liverpool, Walton (Mr. Kilfoyle) said. I thank him for his recognition of the good things that we are doing to improve the health service and schools in his constituency. This was a Budget for the whole country, and it is right for the Government to take positive action to ensure that the benefits are shared across all regions and nations of the United Kingdom.

In my hon. Friend's region alone, the new regional venture capital funds will help create £210 million in funding for investment. The north-west employment zone will provide tailored help for 6,500 long-term unemployed people. The three action teams for the region, each receiving funding of £1.5 million, will help match the unemployed to vacancies in a further three areas in the north-west.

The new deal has already helped 57,000 young people in the region where the constituency of my hon. Friend the Member for Walton lies. Moreover, 170,000 families in the region will benefit from the working families tax credit, and 200,000 families benefit from the minimum wage. I hope that the whole House will welcome the actions taken in a Budget that is a Budget for the whole country.

My hon. Friend the Member for Walton also asked about the structural funds and match funding. The right hon. Member for Caernarfon (Mr. Wigley) made the same inquiries in relation to objective 1 funding. I assure the House that those matters are being considered as part of the spending review. We fully appreciate their importance for regional regeneration, and we are committed to making them a success. However, we must not forget that we only got objective 1 status—for west Wales, the valleys and all the other regions—because people elected a Labour Government.

The hon. Member for Louth and Horncastle (Sir P. Tapsell) questioned the overall fiscal stance of the Budget. Not only does the Budget represent fiscal tightening as compared to the plans announced last year—to the tune of 0.3 per cent. of gross domestic product next year, and 0.2 per cent. of GDP the year after—but it keeps the public finances sound. This year's projected current

[Mr. Andrew Smith]

surplus is £17 billion, while the projected figures for subsequent years are £14 billion, £16 billion, £13 billion, £8 billion, and £8 billion.

Sir Peter Tapsell: How is it possible to argue that this Budget is tightening the fiscal position and, simultaneously, to announce huge extra expenditure?

Mr. Smith: The answer is that we cut the debt interest payments that were costing this country £4 billion a year under the Conservative Government's incompetent and profligate management. Conservative Members might like to contrast what we are doing with the public finances in surplus, with the debt of £50 billion that the previous Conservative Government ran up. That allowed debt as a share of national income to rise to 44 per cent. of GDP. We have cut it to 37 per cent., and the Red Book shows that it will fall further, to one third.

I turn to the contribution from my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon), whom I too am very pleased to see back in the Chamber in such good health. My right hon. Friend praised the Budget's provisions for the national health service, as did all Labour Members and a number of Opposition Members.

My right hon. Friend also raised the needs of manufacturing, as did several other hon. Members. Our measures on capital allowances, on capital gains tax and on research and development credit; the £1 billion venture capital fund; and the small business and clusters measures that were welcomed by my hon. Friend the Member for Coventry, South (Mr. Cunningham) will all help manufacturing. However, the most important thing that we can do is to continue to deliver the essential foundation for lasting success and macro-economic stability so that manufacturers—like other businesses—can plan ahead against a backdrop of low and stable inflation, sound public finances and steady growth. That is the way to continue prosperity in this country.

I now turn to the comments of the shadow Chancellor. One might have thought that, in his first speech to the House as shadow Chancellor, we would have heard from him a vision of how the economy, or Britain, would have fared under a Conservative Government—perhaps that is optimistic, but some people would have expected it. Instead, we heard the usual mix of contradiction, confusion and extremism that is the current Tory party.

We heard a lecture on honesty from the man who drove through the 22 Tory tax increases that broke all their promises. We heard demands for a recognition of marriage in the tax system from the man who, when in office, made the deepest cuts in the married couples allowance. We heard a homily on low taxation from the man who, as Chief Secretary, increased the tax burden by the largest amount in history.

The truth is that the right hon. Gentleman and his hon. Friends would return us to the dismal days of the previous Tory Government, in which he played a part. All would be driven by their only economic policy: the irresponsible, incredible, uncosted and unfair tax cuts for the few to which they are committed through their so-called tax guarantee.

By contrast, we are building economic stability, with 800,000 more people in work, and take-home pay up by 10 per cent. during this Parliament. Their irresponsible guarantee to cut taxes irrespective of economic circumstances would, as the shadow Chancellor must know, risk driving up the deficit and returning us to the Tory boom and bust of the Major years. That was when 1 million businesses went under and tens of thousands of families were in negative equity, or losing their homes. By contrast, we are cutting taxes for hard-working families; we are introducing the 10p rate; the 22p basic rate; the working families tax credit, which the Tories would scrap; and the children's tax credit.

The Tories' tax guarantee would mean tax cuts only for the privileged few. We know that from the shadow Chancellor's own words in his list of commitments. This month, he confirmed the Tory policy of transferable tax allowances. That would cost about—*[Interruption.]* Does the right hon. Gentleman deny that is his policy? It seems that he does. I shall go on to the next commitment.

The right hon. Gentleman said that he wants tax relief for private medical insurance at a cost of at least—*[Interruption.]* Does he deny that that is his policy? I am tempted to ask him which of our policies he disagrees with, but I shall carry on with my list.

The right hon. Gentleman also said that he supported the abolition of capital gains tax. Does he still do so? *[Interruption.]* The Tory document of last October offers top tax rate cuts—*[Interruption.]*

Mr. Portillo: As the Chief Secretary has made three outrageous claims, will he please produce the sources for all of them?

Mr. Smith: If the right hon. Gentleman is now saying that he does not believe what he was previously on record as saying, we accept that he has done a U-turn and has changed his mind.

Mr. Portillo: Why will the right hon. Gentleman not give us the sources?

Mr. Smith: I cited the Tory document of October 1999 offering top tax rate cuts—£600 million for every 1p off.

Mr. Portillo: No, that will not do. The right hon. Gentleman quoted me. Give me the sources.

Mr. Smith: They are the 1997 manifesto, the right hon. Gentleman's personal manifesto the year before last and the Tory document of last October. I shall send him chapter and verse on every one of these claims. He cannot seek so easily to resile from the pledges that he has made.

The right hon. Gentleman and the Conservative party are committed to the few and not the many in this country. The Opposition's tax commitments would deprive the national health service of the resources that the Government have committed over the next four years. The Tory commitments mean that they cannot match the four years of funding that we have announced. The right hon. Gentleman—I suppose that he will challenge this—said:

> Gordon Brown can either reduce taxes or he can increase public spending. What I would recommend is that he use that money to reduce taxes.

He is not challenging that one. He is making it crystal clear that he cannot fund the spending increases in health, education and other public services that the Government are bringing forward.

It is clear what the Opposition's policies would mean for the NHS. In place of a publicly funded NHS, they would have a privatised system where the care received would depend on the amount of money that the individual pays. Whereas Labour is investing to build a modern NHS, the Tories would reduce the NHS to a second-rate safety net.

Only last week the shadow Chancellor said:

I do believe that in the long term you've got to create some new sources of finance, you know, may be companies can help with insurance schemes.

Mr. Portillo: What is the source?

Mr. Smith: The right hon. Gentleman asks for the source, and it is his interview on 19 March during GMTV's "The Sunday Programme".

It is as a result of our sound stewardship of the economy and public finances that we are securing rising living standards, reduced borrowing, lower taxes for hard-working families, extra support for pensioners and substantial investment in health, education and other public services. The increasingly clear choice before the British people is between a Government who are delivering a strong economy and a strong society and an Opposition who are wedded to irresponsible pledges and plans which simply do not add up. In contrast, our priority has been to cut taxes for hard-working families and ensure strong public services for the many, whereas Conservative Members peddle reckless tax cuts for the few.

It is a choice between a Government who keep our promises and an Opposition who could not keep theirs. In this debate Conservative Members have confirmed themselves as the incoherent in pursuit of the undeliverable. Our Budget is indeed prudence for a purpose. It is a Budget for the whole country. It is the Budget that people voted for when they voted Labour and a Budget of which we can all be proud. I commend it to the House.

Question put and agreed to.

Resolved,

That it is expedient to amend the law with respect to the National Debt and the public revenue and to make further provision in connection with finance; but this Resolution does not extend to the making of any amendment with respect to value added tax so as to provide—

(a) for zero-rating or exempting a supply, acquisition or importation;

(b) for refunding an amount of tax;

(c) for varying any rate at which that tax is at any time chargeable; or

(d) for any relief, other than a relief which—

(i) so far as it is applicable to goods, applies to goods of every description, and

(ii) so far as it is applicable to services, applies to services of every description.

MADAM SPEAKER *then, pursuant to paragraph (3) of Standing Order No. 51 (Ways and Means Motions), put forthwith the Questions necessary to dispose of the further motions.*

2. BEER (RATE OF DUTY)

Motion made, and Question put,

That—

(1) In section 36(1) of the Alcoholic Liquor Duties Act 1979 for "£11.50" there shall be substituted "£11.89".

(2) This Resolution shall have effect on and after 1st April 2000.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968.

The House divided: Ayes 370, Noes 142.

Division No. 120] **[10.1 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Betts, Clive
Blackman, Liz
Blair, Rt Hon Tony
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cable, Dr Vincent
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Cawsey, Ian
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Ms Roseanna *(Perth)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline

Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keetch, Paul
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheffld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Morgan, Alasdair *(Galloway)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mullin, Chris
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salmond, Alex
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Ayes:
Mr. Graham Allen and
Mr. David Jamieson.

NOES

Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick

Hayes, John
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Thompson, William
Townend, John
Tredinnick, David
Tyrie, Andrew
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Geoffrey Clifton-Brown and
Mr. Peter Luff.

Question accordingly agreed to.

3. CIDER (RATES OF DUTY)

Resolved,

That—

(1) In section 62(1A) of the Alcoholic Liquor Duties Act 1979—

(a) in paragraph (a) for "£161.20" there shall be substituted "£166.70";

(b) in paragraph (b) for "£37.92" there shall be substituted "£39.21"; and

(c) in paragraph (c) for "£25.27" there shall be substituted "£26.13".

(2) This Resolution shall have effect on and after 1st April 2000.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968.

4. WINE AND MADE-WINE (RATES OF DUTY)

Resolved,

That—

(1) For Part I of the Table of rates of duty in Schedule 1 to the Alcoholic Liquor Duties Act 1979 there shall be substituted—

PART I

WINE OR MADE-WINE OF A STRENGTH NOT EXCEEDING 22 PER CENT.

Description of wine or made-wine	*Rates of duty per hectolitre*
	£
Wine or made-wine of a strength not exceeding 4 per cent.	47.58
Wine or made-wine of a strength exceeding 4 per cent. but not exceeding 5.5 per cent.	65.42
Wine or made-wine of a strength exceeding 5.5 per cent. but not exceeding 15 per cent. and not being sparkling	154.37
Sparkling wine or sparkling made-wine of a strength exceeding 5.5 per cent. but less than 8.5 per cent.	166.70
Sparkling wine or sparkling made-wine of a strength of 8.5 per cent. or of a strength exceeding 8.5 per cent. but not exceeding 15 per cent.	220.54
Wine or made-wine of a strength exceeding 15 per cent. but not exceeding 22 per cent.	205.82

(2) This Resolution shall have effect on and after 1st April 2000.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968.

5. HYDROCARBON OIL (RATES OF DUTY AND REBATE)

Motion made, and Question put,

That—

(1) In section 6(1A) of the Hydrocarbon Oil Duties Act 1979—

(a) in paragraph (a), for "£0.5288" there shall be substituted "£0.5468";

(b) in paragraph (b), for "£0.4721" there shall be substituted "£0.4882"; and

(c) in paragraph (c), for "£0.5021" there shall be substituted "£0.5182".

(2) In section 11(1) of that Act—

(a) in paragraph (a), for "£0.0265" there shall be substituted "£0.0274"; and

(b) in each of paragraphs (b) and (ba), for "£0.0303" there shall be substituted "£0.0313".

(3) In section 13A(1A) of that Act—

(a) in paragraph (a), for "£0.0367" there shall be substituted "£0.0379"; and

(b) in paragraph (b), for "£0.0567" there shall be substituted "£0.0586".

(4) In section 14(1) of that Act, for "£0.0265" there shall be substituted "£0.0274".

(5) This Resolution shall have effect as from 6 o'clock in the evening of 21st March 2000.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968.

The House divided: Ayes 321, Noes 192.

Division No. 121] **[10.15 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Betts, Clive
Blackman, Liz
Blair, Rt Hon Tony
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Mrs Anne *(C'bridge)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Cawsey, Ian
Chaytor, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Killoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'd Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mullin, Chris
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pollard, Kerry

Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Ayes:
Mr. Graham Allen and
Mr. David Jamieson.

NOES

Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cotter, Brian
Cran, James
Cunningham, Ms Roseanna *(Perth)*
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Ewing, Mrs Margaret
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heath, Rt Hon Sir Edward
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Ieuan Wyn *(Ynys Môn)*
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Morgan, Alasdair *(Galloway)*
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swinney, John
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Thompson, William
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Tyler, Paul
Tyrie, Andrew
Wallace, James
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wigley, Rt Hon Dafydd
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Geoffrey Clifton-Brown and
Mr. Peter Luff.

Question accordingly agreed to.

6. HYDROCARBON OIL (MIXING OF LIGHT OIL)

Resolved,

That provision may be made about the mixing of different kinds of light oil.

7. HYDROCARBON OIL (AMENDMENT OF DEFINITIONS OF TYPES OF OIL)

Resolved,

That provision may be made for amending the provisions of the Hydrocarbon Oil Duties Act 1979 defining different types of oil.

8. HYDROCARBON OIL (MISUSE OF REBATED HEAVY OIL)

Resolved,

That—

(1) Section 13 of the Hydrocarbon Oil Duties Act 1979 shall be amended as follows.

(2) In subsection (1)—

(a) for "or, as the case may be, his becoming so liable" there shall be substituted "or his becoming so liable (or, where his conduct includes both, each of them)", and

(b) the words from "; and the Commissioners" to the end shall be omitted.

(3) After subsection (1) there shall be inserted—

"(1A) Where oil is used, or is taken into a road vehicle, in contravention of section 12(2) above, the Commissioners may—

(a) assess an amount equal to the rebate on like oil at the rate in force at the time of the contravention as being excise duty due from any person who used the oil or was liable for the oil being taken into the road vehicle, and

(b) notify him or his representative accordingly."

(4) This Resolution shall have effect in relation to liability arising on or after 1st May 2000.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968.

9. HYDROCARBON OIL (USE OF REBATED HEAVY OIL AS FUEL)

Resolved,

That—

(1) In Schedule 1 to the Hydrocarbon Oil Duties Act 1979, the following provisions shall be omitted—

(a) paragraph 2(1)(b) and the word "or" immediately preceding it, and

(b) paragraph 2(4).

(2) This Resolution has effect in relation to the use of rebated heavy oil as fuel on or after 1st May 2000.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968.

10. TOBACCO PRODUCTS (RATES OF DUTY)

Motion made, and Question put,

(1) For the Table of rates of duty in Schedule 1 to the Tobacco Products Duty Act 1979 there shall be substituted—

"TABLE

1. Cigarettes	An amount equal to 22 per cent. of the retail price plus £90.43 per thousand cigarettes.
2. Cigars	£132.33 per kilogram.
3. Hand-rolling tobacco	£95.12 per kilogram.
4. Other smoking tobacco and chewing tobacco	£58.17 per kilogram.".

(2) This Resolution shall have effect as from 6 o'clock in the evening of 21st March 2000.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968;

The House divided: Ayes 364, Noes 7.

Division No. 122] **[10.27 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Betts, Clive
Blackman, Liz
Blair, Rt Hon Tony
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cable, Dr Vincent
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Cawsey, Ian
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain

Colman, Tony
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Ms Roseanna *(Perth)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keetch, Paul
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Ladyman, Dr Stephen
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Morgan, Alasdair *(Galloway)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mullin, Chris
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salmond, Alex
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil

Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Ayes:
Mr. Graham Allen and
Mr. David Jamieson.

NOES

Beggs, Roy
Cash, William
Donaldson, Jeffrey
Evans, Nigel
Forth, Rt Hon Eric
Ross, William *(E Lond'y)*
Townend, John

Tellers for the Noes:
Rev. Martin Smyth and
Mr. William Thompson.

Question accordingly agreed to.

11. TOBACCO PRODUCTS DUTY (RETAIL PRICE OF CIGARETTES)

Resolved,

That provision may be made amending section 5 of the Tobacco Products Duty Act 1979.

12. AMUSEMENT MACHINE LICENCE DUTY (RATES OF DUTY)

Resolved,

That provision may be made about the rates of amusement machine licence duty.

13. AMUSEMENT MACHINE LICENCE DUTY (MEANING OF AMUSEMENT MACHINE)

Resolved,

That provision may be made amending section 25 of the Betting and Gaming Duties Act 1981.

14. AIR PASSENGER DUTY

Motion made, and Question put,

That provision may be made about air passenger duty.

The House divided: Ayes 363, Noes 3.

Division No. 123] **[10.40 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cable, Dr Vincent
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Cawsey, Ian
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Ms Roseanna *(Perth)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keetch, Paul
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Ladyman, Dr Stephen
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard

Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Morgan, Alasdair *(Galloway)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mullin, Chris
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salmond, Alex
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Ayes:
Mr. Kevin Hughes and
Mr. Greg Pope.

NOES

Beggs, Roy
Donaldson, Jeffrey
Ross, William *(E Lond'y)*

Tellers for the Noes:
Rev. Martin Smyth and
Mr. William Thompson.

Question accordingly agreed to.

15. VEHICLE EXCISE DUTY (GENERAL RATE)

Resolved,

That—

(1) In paragraph 1 of Schedule 1 to the Vehicle Excise and Registration Act 1994—

(a) in sub-paragraph (2), for "£155" there shall be substituted "£160"; and

(b) in sub-paragraph (2A), for "£100" there shall be substituted "£105".

(2) This Resolution shall have effect in relation to licences issued on or after 1st March 2001.

16. VEHICLE EXCISE DUTY (NEW LIGHT PASSENGER OR GOODS VEHICLES)

Resolved,

That provision may be made with respect to the vehicle excise duty chargeable in respect of light passenger and light goods vehicles first registered on or after 1st March 2001.

17. VEHICLE EXCISE DUTY (RATES FOR GOODS VEHICLES ETC.)

Resolved,

That Schedule 1 to the Vehicle Excise and Registration Act 1994 be amended as follows-

(1) For the Table in paragraph 9(1) there shall be substituted—

Revenue weight of vehicle		Rate		
(1) Exceeding	(2) Not Exceeding	(3) Two axle vehicle	(4) Three axle vehicle	(5) Four or more axle vehicle
kgs	kgs	£	£	£
3,500	7,500	165	165	165
7,500	12,000	300	300	300
12,000	13,000	470	490	350
13,000	14,000	650	490	350
14,000	15,000	840	490	350
15,000	17,000	1,320	490	350
17,000	19,000	1,600	850	350
19,000	21,000	1,600	1,020	350
21,000	23,000	1,600	1,470	510
23,000	25,000	1,600	2,230	830
25,000	27,000	1,600	2,340	1,470
27,000	29,000	1,600	2,340	2,320
29,000	31,000	1,600	2,340	3,360
31,000	44,000	1,600	2,340	4,400

(2) For the Table in paragraph 9B there shall be substituted—

Revenue weight of vehicle		Rate		
(1) Exceeding	(2) Not Exceeding	(3) Two axle vehicle	(4) Three axle vehicle	(5) Four or more axle vehicle
kgs	kgs	£	£	£
3,500	7,500	160	160	160
7,500	12,000	160	160	160
12,000	13,000	160	160	160
13,000	14,000	160	160	160
14,000	15,000	160	160	160
15,000	17,000	320	160	160
17,000	19,000	600	160	160
19,000	21,000	600	160	160
21,000	23,000	600	470	160
23,000	25,000	600	1,230	160
25,000	27,000	600	1,340	470
27,000	29,000	600	1,340	1,320
29,000	31,000	600	1,340	2,360
31,000	44,000	600	1,340	3,400

(3) For the Table in paragraph 11(1) there shall be substituted—

Revenue weight of tractive unit		Rate for tractive unit with two axles			Rate for tractive unit with three or more axles		
(1) Exceeding	(2) Not exceeding	(3) Any no. of semi-trailer axles	(4) 2 or more semi-trailer axles	(5) 3 or more semi-trailer axles	(6) Any no. of semi-trailer axles	(7) 2 or more semi-trailer axles	(8) 3 or more semi-trailer axles
kgs	kgs	£	£	£	£	£	£
3,500	7,500	165	165	165	165	165	165
7,500	12,000	300	300	300	300	300	300
12,000	16,000	460	460	460	460	460	460
16,000	20,000	520	460	460	460	460	460
20,000	23,000	810	460	460	460	460	460
23,000	26,000	1,190	590	460	590	460	460
26,000	28,000	1,190	1,130	460	1,130	460	460
28,000	31,000	1,740	1,740	1,090	1,740	660	460
31,000	33,000	2,530	2,530	1,740	2,530	1,000	460
33,000	34,000	5,170	5,170	1,740	2,530	1,470	570
34,000	35,000	5,170	5,170	2,340	2,530	2,100	860
35,000	36,000	6,750	6,750	2,340	2,530	2,100	860
36,000	38,000	9,250	9,250	2,710	2,820	2,820	1,280
38,000	41,000	9,250	9,250	3,950	3,750	4,250	2,500
41,000	44,000	9,250	9,250	3,950	7,250	7,250	2,950

(4) For the Table in paragraph 11B there shall be substituted—

Revenue weight of tractive unit		Rate for tractive unit with two axles			Rate for tractive unit with three or more axles		
(1) Exceeding	(2) Not exceeding	(3) Any no. of semi-trailer axles	(4) 2 or more semi-trailer axles	(5) 3 or more semi-trailer axles	(6) Any no. of semi-trailer axles	(7) 2 or more semi-trailer axles	(8) 3 or more semi-trailer axles
kgs	kgs	£	£	£	£	£	£
3,500	7,500	160	160	160	160	160	160
7,500	12,000	160	160	160	160	160	160
12,000	16,000	160	160	160	160	160	160
16,000	20,000	160	160	160	160	160	160
20,000	23,000	160	160	160	160	160	160
23,000	26,000	190	160	160	160	160	160
26,000	28,000	190	160	160	160	160	160
28,000	31,000	740	740	160	740	160	160
31,000	33,000	1,530	1,530	740	1,530	160	160
33,000	34,000	4,170	4,170	740	1,530	470	160
34,000	35,000	4,170	4,170	1,340	1,530	1,100	160
35,000	36,000	5,750	5,750	1,340	1,530	1,100	160
36,000	38,000	8,250	8,250	1,710	1,820	1,820	280
38,000	41,000	8,250	8,250	2,950	2,750	3,250	1,500
41,000	44,000	8,250	8,250	2,950	6,250	6,250	1,950

(5) In the following provisions—

(a) in paragraph 11(1), after "Subject to sub-paragraphs (2) and (3)", and

(b) in paragraph 11A(2), after "Subject to sub-paragraph (3)",

there shall be inserted "and paragraph 11C".

(6) After paragraph 11B there shall be inserted—

"11C.—(1) This paragraph applies to a tractive unit that—

(a) has a revenue weight exceeding 41,000 kilograms but not exceeding 44,000 kilograms,

(b) has 3 or more axles and is used exclusively for the conveyance of semi-trailers with 3 or more axles,

(c) is of a type that could lawfully be used on a public road immediately before 21st March 2000, and

(d) complies with the requirements in force immediately before that date for use on a public road.

(2) The annual rate of vehicle excise duty applicable to a vehicle to which this paragraph applies is—

(a) in the case of a vehicle with respect to which the reduced pollution requirements are not satisfied, £1,280;

(b) in the case of a vehicle with respect to which those requirements are satisfied, £280.".

(7) This resolution applies in relation to licences issued after 21st March 2000.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968.

18. Value added tax (reduced rate)

Resolved,

That—

(1) Schedule A1 to the Value Added Tax Act 1994 shall have effect with the following amendments.

(2) In paragraph 1(1), after paragraph (a) insert—

"(aa) supplies of services of installing List A energy-saving materials in residential accommodation or in a building intended for use solely for a relevant charitable purpose;

(ab) supplies of List A energy-saving materials by a person who installs those materials in residential accommodation or a building intended for use solely for a relevant charitable purpose;".

(3) In paragraph 1(1), in each of paragraphs (b) and (c), before "energy-saving materials" insert "List B".

(4) In paragraph 1(1), after paragraph (c) insert—

"(d) supplies to a qualifying person of services of connecting, or reconnecting, a mains gas supply to the qualifying person's sole or main residence;

(e) supplies of goods made to a qualifying person by a person connecting, or reconnecting, a mains gas supply to the qualifying person's sole or main residence, being goods whose installation is necessary for the connection, or reconnection, of the mains gas supply;

(f) supplies to a qualifying person of services of installing, maintaining or repairing a central heating system in the qualifying person's sole or main residence;

(g) supplies of goods made to a qualifying person by a person installing, maintaining or repairing a central heating system in the qualifying person's sole or main residence, being goods whose installation is necessary for the installation, maintenance or repair of the central heating system;

(h) supplies consisting in the leasing of goods that form the whole or part of a central heating system installed in the sole or main residence of a qualifying person;

(i) supplies of goods that form the whole or part of a central heating system installed in a qualifying person's sole or main residence and that, immediately before being supplied, were goods leased under arrangements such that the consideration for the supplies consisting in the leasing of the goods was, in whole or in part, funded by a grant made under a relevant scheme;

(j) supplies to a qualifying person of services of installing qualifying security goods in the qualifying person's sole or main residence; and

(k) supplies of qualifying security goods made to a qualifying person by a person who installs those goods in the qualifying person's sole or main residence."

(5) For paragraph 1(1A) substitute—

"(1A) A supply to which any of paragraphs (b) to (k) of sub-paragraph (1) above applies is a supply falling within this paragraph only to the extent that the consideration for it—

(a) is, or is to be, funded by a grant made under a relevant scheme; or

(b) in the case of a supply to which paragraph (i) of that sub-paragraph applies—

(i) is, or is to be, funded by such a grant, or

(ii) is a payment becoming due only by reason of the termination (whether by the passage of time or otherwise) of the leasing of the goods in question."

(6) In paragraph 1(1B), for "sub-paragraph (1)(b) or (c)" substitute "any of paragraphs (b) to (k) of sub-paragraph (1)".

(7) In paragraph 5(3)(c), for "disability working allowance" substitute "disabled person's tax credit".

(8) In paragraph 5(3)(d), for "family credit" substitute "working families' tax credit".

(9) In paragraph 5, after sub-paragraph (3) insert—

"(3A) For the purposes of paragraph 1(1)(aa) and (ab) above "residential accommodation" means—

(a) a building, or part of a building, that consists of a dwelling or a number of dwellings;

(b) a building, or part of a building, used for a relevant residential purpose;

(c) a caravan used as a place of permanent habitation; or

(d) a houseboat.

(3B) For the purposes of paragraph 1(1)(aa) and (ab) above "use for a relevant charitable purpose" means use by a charity in either or both of the following ways, namely—

(a) otherwise than in the course or furtherance of a business;

(b) as a village hall or similarly in providing social or recreational facilities for a local community."

(10) In paragraph 5(4), for "For the purposes of paragraph 1(1)(b) and (c) above "energy-saving materials" means" substitute "For the purposes of paragraph 1(1)(aa) and (ab) above "List A energy-saving materials" means".

(11) In paragraph 5(4)(c), after "central heating system controls" insert "(including thermostatic radiator valves)".

(12) In paragraph 5(4), after paragraph (d) insert—

"(e) solar panels."

(13) In paragraph 5, after sub-paragraph (4) insert—

"(4A) For the purposes of paragraph 1(1)(b) and (c) above "List B energy-saving materials" means any of the following—

(a) gas-fired room heaters that are fitted with thermostatic controls;

(b) electric storage heaters;

(c) closed solid fuel fire cassettes;

(d) electric dual immersion water heaters with foam-insulated hot water tanks;

(e) gas-fired boilers;

(f) oil-fired boilers;

(g) radiators.

(4B) For the purposes of paragraph 1(1)(j) and (k) above, "qualifying security goods" means any of the following—

(a) locks or bolts for windows;

(b) locks, bolts or security chains for doors;

(c) spy holes;

(d) smoke alarms."

(14) In paragraph 5(5), for "paragraph 1(1A) and (1B)" substitute "paragraph 1".

(15) This Resolution applies to supplies made on or after 1st April 2000.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968.

19. Disposals of assets for which a VAT repayment is claimed

Resolved,

That—

(1) In section 3(2) of the Value Added Tax Act 1994, for "Schedules 1 to 3" there shall be substituted "Schedules 1 to 3A".

(2) In section 67 of that Act—

(a) in subsection (1)(a), for "or with paragraph 3 or 8(2) of Schedule 3" there shall be substituted ", with paragraph 3 or 8(2) of Schedule 3 or paragraph 3, 4 or 7(2) or (3) of Schedule 3A";

(b) in subsection (3)(a), for "or paragraph 3 of Schedule 3" there shall be substituted ", paragraph 3 of Schedule 3 or paragraph 3 or 4 of Schedule 3A"; and

(c) in subsection (3)(b), for "or with sub-paragraph (2) of paragraph 8 of Schedule 3" there shall be substituted ", with sub-paragraph (2) of paragraph 8 of Schedule 3 or with sub-paragraph (2) or (3) of paragraph 7 of Schedule 3A".

(3) In section 69(1)(a) of that Act, for "or paragraph 5 of Schedule 3" there shall be substituted ", paragraph 5 of Schedule 3 or paragraph 5 of Schedule 3A".

(4) In section 73(3)(b) of that Act, for "or paragraph 6(2) or (3) of Schedule 3" there shall be substituted ", paragraph 6(2) or (3) of Schedule 3 or paragraph 6(1) or (2) of Schedule 3A".

(5) In section 74(1)(c) of that Act, for "under paragraph 8 of Schedule 3" there shall be substituted ", under paragraph 8 of Schedule 3 or under paragraph 7 of Schedule 3A".

BEST COPY

(6) In the following provisions of that Act—

(a) paragraph 1(4)(a) and (5) of Schedule 1; and

(b) paragraph 1(4) of Schedule 2,

for "or paragraph 6(3) of Schedule 3" there shall be substituted ", paragraph 6(3) of Schedule 3 or paragraph 6(2) of Schedule 3A".

(7) In paragraph 1(3) of Schedule 3 to that Act, for "or paragraph 6(2) of Schedule 2" there shall be substituted ", paragraph 6(2) of Schedule 2 or paragraph 6(2) of Schedule 3A".

(8) After Schedule 3 to that Act there shall be inserted, as Schedule 3A, the following provisions—

"REGISTRATION IN RESPECT OF DISPOSALS OF ASSETS FOR WHICH A VAT REPAYMENT IS CLAIMED

Liability to be registered

1.—(1) A person who is not registered under this Act, and is not liable to be registered under Schedule 1, 2 or 3, becomes liable to be registered under this Schedule at any time—

(a) if he makes relevant supplies; or

(b) if there are reasonable grounds for believing that he will make such supplies in the period of 30 days then beginning.

(2) A person shall be treated as having become liable to be registered under this Schedule at any time when he would have become so liable under sub-paragraph (1) above but for any registration which is subsequently cancelled under paragraph 6(2) below, paragraph 13(3) of Schedule 1, paragraph 6(2) of Schedule 2 or paragraph 6(3) of Schedule 3.

(3) A person shall not cease to be liable to be registered under this Schedule except in accordance with paragraph 2 below.

2. A person who has become liable to be registered under this Schedule shall cease to be so liable at any time if the Commissioners are satisfied that he has ceased to make relevant supplies.

Notification of liability and registration

3.—(1) A person who becomes liable to be registered by virtue of paragraph 1(1)(a) above shall notify the Commissioners of the liability before the end of the period of 30 days beginning with the day on which the liability arises.

(2) The Commissioners shall register any such person (whether or not he so notifies them) with effect from the beginning of the day on which the liability arises.

4.—(1) A person who becomes liable to be registered by virtue of paragraph 1(1)(b) above shall notify the Commissioners of the liability before the end of the period by reference to which the liability arises.

(2) The Commissioners shall register any such person (whether or not he so notifies them) with effect from the beginning of the period by reference to which the liability arises.

Notification of end of liability

5.—(1) Subject to sub-paragraph (2) below, a person registered under paragraph 3 or 4 above who ceases to make or have the intention of making relevant supplies shall notify the Commissioners of that fact within 30 days of the day on which he does so.

(2) Sub-paragraph (1) above does not apply if the person would, when he so ceases, be otherwise liable or entitled to be registered under this Act if his registration and any enactment preventing a person from being liable to be registered under different provisions at the same time were disregarded.

Cancellation of registration

6.—(1) Subject to sub-paragraph (3) below, where the Commissioners are satisfied that a registered person has ceased to be liable to be registered under this Schedule, they may cancel his registration with effect from the day on which he so ceased or from such later date as may be agreed between them and him.

(2) Where the Commissioners are satisfied that on the day on which a registered person was registered he was not registrable, they may cancel his registration with effect from that day.

(3) The Commissioners shall not under sub-paragraph (1) above cancel a person's registration with effect from any time unless they are satisfied that it is not a time when that person would be subject to a requirement, or entitled, to be registered under this Act.

(4) In determining for the purposes of sub-paragraph (3) above whether a person would be subject to a requirement, or entitled, to be registered at any time, so much of any provision of this Act as prevents a person from becoming liable or entitled to be registered when he is already registered or when he is so liable under any other provision shall be disregarded.

Exemption from registration

7.—(1) Notwithstanding the preceding provisions of this Schedule, where a person who makes or intends to make relevant supplies satisfies the Commissioners that any such supply is zero-rated or would be zero-rated if he were a taxable person, they may, if he so requests and they think fit, exempt him from registration under this Schedule.

(2) Where there is a material change in the nature of the supplies made by a person exempted under this paragraph from registration under this Schedule, he shall notify the Commissioners of the change—

(a) within 30 days of the date on which the change occurred; or

(b) if no particular date is identifiable as the day on which it occurred, within 30 days of the end of the quarter in which it occurred.

(3) Where there is a material alteration in any quarter in the proportion of relevant supplies of such a person that are zero-rated, he shall notify the Commissioners of the alteration within 30 days of the end of the quarter.

(4) If it appears to the Commissioners that a request under sub-paragraph (1) above should no longer have been acted upon on or after any day, or has been withdrawn on any day, they shall register the person who made the request with effect from that day.

Supplemental

8. Any notification required under this Schedule shall be made in such form and shall contain such particulars as the Commissioners may by regulations prescribe.

9.—(1) For the purposes of this Schedule a supply of goods is a relevant supply where—

(a) the supply is a taxable supply;

(b) the goods are assets of the business in the course or furtherance of which they are supplied; and

(c) the person by whom they are supplied, or a predecessor of his, has received or claimed, or is intending to claim, a repayment of VAT on the supply to him, or the importation by him, of the goods or of anything comprised in them.

(2) In relation to any goods, a person is the predecessor of another for the purposes of this paragraph if—

(a) that other person is a person to whom he has transferred assets of his business by a transfer of that business, or part of it, as a going concern;

(b) those assets consisted of or included those goods; and

(c) the transfer of the assets is one falling by virtue of an order under section 5(3) (or under an enactment re-enacted in section 5(3)) to be treated as neither a supply of goods nor a supply of services;

and the reference in this paragraph to a person's predecessor includes references to the predecessors of his predecessor through any number of transfers.

AVAILABLE

(3) The reference in this paragraph to a repayment of VAT is a reference to such a repayment under a scheme embodied in regulations made under section 39."

(9) In paragraph 5(5) of Schedule 4 to that Act, for the words from "under sections 25 and 26" to the end there shall be substituted—

"(a) under sections 25 and 26, to credit for the whole or any part of the VAT on the supply, acquisition or importation of those goods or of anything comprised in them; or

(b) under a scheme embodied in regulations made under section 39, to a repayment of VAT on the supply or importation of those goods or of anything comprised in them."

(10) Paragraphs (1) to (7) and (9) above have effect in relation to supplies made on or after 21st March 2000; and paragraph (8) above has effect in relation to relevant supplies (within the meaning of Schedule 3A to that Act) made on or after that date.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968.

20. Climate change levy

Motion made, and Question put,

That provision may be made for charging a tax, to be known as climate change levy, on—

(a) supplies of electricity; and

(b) supplies of gas, coal or other commodities capable of being used as fuel.

The House divided: Ayes 351, Noes 146.

Division No. 124] **[10.53 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cable, Dr Vincent
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Cawsey, Ian
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keetch, Paul
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Killoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Ladyman, Dr Stephen
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael

Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mullin, Chris
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Ayes:
Mr. Kevin Hughes and
Mr. Greg Pope.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cran, James
Cunningham, Ms Roseanna *(Perth)*
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Ewing, Mrs Margaret
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Morgan, Alasdair *(Galloway)*
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Salmond, Alex
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Swinney, John
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Thompson, William
Townend, John
Tredinnick, David
Tyrie, Andrew
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Peter Luff and
Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.

21. Income tax (charge and rates for 2000–01)

Motion made, and Question put,

That—

Income tax shall be charged for the year 2000–01, and for that year—

(a) the starting rate shall be 10 per cent.;

(b) the basic rate shall be 22 per cent.; and

(c) the higher rate shall be 40 per cent.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968.

The House divided: Ayes 311, Noes 48.

Division No. 125] **[11.5 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Mrs Anne *(C'bridge)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Cawsey, Ian
Chaytor, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mullin, Chris
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*

Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Ayes:
Mr. Kevin Hughes and
Mr. Greg Pope.

NOES

Allan, Richard
Ashdown, Rt Hon Paddy
Baker, Norman
Ballard, Jackie
Beith, Rt Hon A J
Brake, Tom
Brand, Dr Peter
Breed, Colin
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Chidgey, David
Cotter, Brian
Cunningham, Ms Roseanna *(Perth)*
Davey, Edward *(Kingston)*
Ewing, Mrs Margaret
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Gorrie, Donald
Hancock, Mike
Harris, Dr Evan
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Keetch, Paul
Kirkwood, Archy
Livsey, Richard
Llwyd, Elfyn
Maclennan, Rt Hon Robert
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Morgan, Alasdair *(Galloway)*
Oaten, Mark
Rendel, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns)*
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tyler, Paul
Wallace, James
Webb, Steve
Wigley, Rt Hon Dafydd
Willis, Phil

Tellers for the Noes:
Mr. Andrew Stunell and
Mr. John Swinney.

Question accordingly agreed to.

22. Income Tax (Extension of Starting Rate)

Resolved,

That—

(1) Section 1A of the Income and Corporation Taxes Act 1988 shall be amended as follows.

(2) In subsection (1)(b), after the words "is not" there shall be inserted "—

(i) savings income falling within section 1(2)(aa), or

(ii)".

(3) After subsection (1) there shall be inserted—

"(1AA) In subsection (1)(b)(i) 'savings income' means income to which this section applies other than—

(a) income chargeable under Schedule F, or

(b) equivalent foreign income falling within subsection (3)(b) below and chargeable under Case V of Schedule D.".

(4) The preceding paragraphs apply for the year 2000-01 and subsequent years and shall be deemed to have had effect for the year 1999-00.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968.

23. Corporation Tax (Charge and Rate for 2001)

Resolved,

That, for the financial year 2001, corporation tax shall be charged at the rate of 30 per cent.

24. Corporation Tax (Small Companies' Rate for 2000)

Resolved,

That, for the financial year 2000—

(a) the small companies' rate shall be 20 per cent., and

(b) the fraction mentioned in section 13(2) of the Income and Corporation Taxes Act 1988 shall be one fortieth.

25. Gift Aid Payments by Individuals

Resolved,

That—

(1) Section 25 of the Finance Act 1990 shall be amended in accordance with paragraphs (2) to (7) below.

(2) In subsection (1)(c), for "an appropriate certificate" there shall be substituted "an appropriate declaration".

(3) In subsection (2)—

(a) paragraphs (c) and (g) shall cease to have effect;

(b) in paragraph (e), for "two and a half per cent of the amount of the gift" there shall be substituted "the limit imposed by subsection (5A) below"; and

(c) for paragraph (i) there shall be substituted—

"(i) either—

(i) at the time the gift is made, the donor is resident in the United Kingdom or performs duties which by virtue of section 132(4)(a) of the Taxes Act 1988 (Crown employees serving overseas) are treated as being performed in the United Kingdom; or

(ii) the grossed up amount of the gift would, if in fact made, be payable out of profits or gains brought into charge to income tax or capital gains tax."

(4) For subsection (3) there shall be substituted—

"(3) The reference in subsection (1)(c) above to an appropriate declaration is a reference to a declaration which—

(a) is given in such manner as may be prescribed by regulations made by the Board; and

(b) contains such information and such statements as may be so prescribed.

(3A) Regulations made for the purposes of subsection (3) above may—

(a) provide for declarations to have effect, to cease to have effect or to be deemed never to have had effect in such circumstances and for such purposes as may be prescribed by the regulations;

(b) require charities to keep records with respect to declarations given to them by donors; and

(c) make different provision for declarations made in a different manner."

(5) After subsection (5) there shall be inserted—

"(5A) The limit imposed by this subsection is—

(a) where the amount of the gift does not exceed £100, 25 per cent of the amount of the gift;

(b) where the amount of the gift exceeds £100 but does not exceed £1,000, £25;

(c) where the amount of the gift exceeds £1,000, 2.5 per cent of the amount of the gift.

(5B) Where a benefit received in consequence of making a gift—

(a) consists of the right to receive benefits at intervals over a period of less than twelve months;

(b) relates to a period of less than twelve months; or

(c) is one of a series of benefits received at intervals in consequence of making a series of gifts at intervals of less than twelve months,

the value of the benefit shall be adjusted for the purposes of subsection (4) above and the amount of the gift shall be adjusted for the purposes of subsection (5A) above.

(5C) Where a benefit, other than a benefit which is one of a series of benefits received at intervals, is received in consequence of making a gift which is one of a series of gifts made at intervals of less than twelve months, the amount of the gift shall be adjusted for the purposes of subsection (5A) above.

(5D) Where the value of a benefit, or the amount of a gift, falls to be adjusted under subsection (5B) or (5C) above, the value or amount shall be multiplied by 365 and the result shall be divided by—

(a) in a case falling within subsection (5B)(a) or (b) above, the number of days in the period of less than twelve months;

(b) in a case falling within subsection (5B)(c) or (5C) above, the average number of days in the intervals of less than twelve months;

and the reference in subsection (5B) above to subsection (4) above is a reference to that subsection as it applies for the purposes of subsection (2)(e) above.

(5E) In determining whether a gift to a charity falling within subsection (5F) below is a qualifying donation, there shall be disregarded the benefit of any right of admission received in consequence of the making of the gift—

(a) to view property the preservation of which is the sole or main purpose of the charity; or

(b) to observe wildlife the conservation of which is the sole or main purpose of the charity;

but this subsection shall not apply unless the opportunity to make gifts which attract such a right is available to members of the public.

(5F) A charity falls within this subsection if its sole or main purpose is the preservation of property, or the conservation of wildlife, for the public benefit.

(5G) In subsection (5E) above "right of admission" refers to admission of the person making the gift (or any member of his family who may be admitted because of the gift) either free of the charges normally payable for admission by members of the public, or on payment of a reduced charge."

(6) For subsections (6) to (9) there shall be substituted—

"(6) Where any gift made by the donor in a year of assessment is a qualifying donation, then, for that year—

(a) the Income Tax Acts and the Taxation of Chargeable Gains Act 1992 shall have effect, in their application to him, as if—

(i) the gift had been made after deduction of income tax at the basic rate; and

(ii) the basic rate limit were increased by an amount equal to the grossed up amount of the gift;

(b) the provisions mentioned in subsection (7) below shall have effect, in their application to him, as if any reference to income tax which he is entitled to charge against any person included a reference to the tax treated as deducted from the gift; and

(c) to the extent, if any, necessary to ensure that he is charged to an amount of income tax and capital gains tax equal to the tax treated as deducted from the gift, he shall not be entitled to relief under Chapter I of Part VII of the Taxes Act 1988,

but paragraph (a)(ii) above shall not apply for the purposes of any computation under section 350(2)(a) or (b) of that Act (relief where gain charged at a higher rate).

(7) The provisions referred to in subsection (6)(b) above are—

(a) section 289A(5)(e) of the Taxes Act 1988 (relief under enterprise investment scheme);

(b) section 796(3) of that Act (credit for foreign tax); and

(c) paragraph 1(6)(f) of Schedule 15B to that Act (venture capital trusts).

(8) Where the tax treated as deducted from a gift by virtue of subsection (6) above exceeds the amount of income tax and capital gains tax with which the donor is charged for the year of assessment, the donor shall be assessable and chargeable with income tax at the basic rate on so much of the gift as is necessary to recover an amount of tax equal to the excess.

(9) In determining for the purposes of subsection (8) above the total amount of income tax and capital gains tax with which the donor is charged for the year of assessment, there shall be disregarded—

(a) any tax charged at the basic rate by virtue of—

(i) section 348 of the Taxes Act 1988 (read with section 3 of that Act); or

(ii) section 349 of that Act (read with section 350 of that Act);

(b) any tax treated as having been paid under—

(i) section 233(1)(a) of that Act (taxation of certain recipients of distributions);

(ii) section 249(4)(a) of that Act (stock dividends treated as income); or

(iii) section 547(5)(a) of that Act (method of charging life policy gain to tax);

(c) any relief to which section 256(2) of that Act applies (relief by way of income tax reduction);

(d) any relief under—

(i) section 347B of that Act (relief for maintenance payments);

(ii) section 788 of that Act (relief by agreement with other countries); or

(iii) section 790(1) of that Act (unilateral relief);

(e) any set off of tax deducted, or treated as deducted, from income other than—

(i) tax treated as deducted from income by virtue of section 421(1)(a) of that Act (taxation of borrower when loan released etc); or

(ii) tax treated as deducted from a relevant amount within the meaning of section 699A of that Act (untaxed sums comprised in the income of an estate) except to the extent that the relevant amount is or would be paid in respect of a distribution chargeable under Schedule F; and

(f) any set off of tax credits.

(9A) For the purposes of sections 257(5) and 257A(5) of the Taxes Act 1988 (age related allowances), the donor's total income shall be treated as reduced by the aggregate amount of gifts from which tax is treated as deducted by virtue of subsection (6) above."

(7) In subsection (12), paragraphs (b) and (e) and the word "and" immediately preceding paragraph (e) shall cease to have effect.

(8) In subsections (1)(b) and (3)(b) of section 257BB of the Income and Corporation Taxes Act 1988, after "section 256(2)(b)" there shall be inserted "(read with section 25(6)(c) of the Finance Act 1990 where applicable)".

(9) In paragraph 4(1)(b) of Schedule 13B to that Act, after "section 256(2)(b)" there shall be inserted "(read with section 25(6)(c) of the Finance Act 1990 where applicable)".

(10) This Resolution has effect in relation to—

(a) gifts made on or after 6th April 2000 which are not covenanted payments; and

(b) covenanted payments falling to be made on or after that date.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968.

26. Gift Aid Payments by Companies

Resolved,

That—

(1) Section 339 of the Income and Corporation Taxes Act 1988 shall be amended in accordance with paragraphs (2) to (8) below.

(2) In subsection (1), for paragraph (a) there shall be substituted—

"(a) a payment which, by reason of any provision of the Taxes Acts except section 209(4), is to be regarded as a distribution; and".

(3) Subsections (2), (3), (3A), (3F), (6), (7) and (8) shall cease to have effect.

(4) In subsection (3B)(b), for "two and a half per cent. of the amount given after deducting tax under section 339(3)" there shall be substituted "the limit imposed by subsection (3DB) below".

(5) After subsection (3D) there shall be inserted—

"(3DA) The limit imposed by this subsection is—

(a) where the amount of the payment does not exceed £100, 25 per cent of the amount of the payment;

(b) where the amount of the payment exceeds £100 but does not exceed £1,000, £25;

(c) where the amount of the payment exceeds £1,000, 2·5 per cent of the amount of the payment.

(3DB) Where a benefit received in consequence of making a payment—

(a) consists of the right to receive benefits at intervals over a period of less than twelve months;

(b) relates to a period of less than twelve months; or

(c) is one of a series of benefits received at intervals in consequence of making a series of payments at intervals of less than twelve months,

the value of the benefit shall be adjusted for the purposes of subsection (3C) above and the amount of the payment shall be adjusted for the purposes of subsection (3DA) above.

(3DC) Where a benefit, other than a benefit which is one of a series of benefits received at intervals, is received in consequence of making a payment which is one of a series of payments made at intervals of less than twelve months, the amount of the payment shall be adjusted for the purposes of subsection (3DA) above.

(3DD) Where the value of a benefit, or the amount of a payment, falls to be adjusted under subsection (3DB) or (3DC) above, the value or amount shall be multiplied by 365 and the result shall be divided by—

(a) in a case falling within subsection (3DB)(a) or (b) above, the number of days in the period of less than twelve months;

(b) in a case falling within subsection (3DB)(c) or (3DC) above, the average number of days in the intervals of less than twelve months;

and the reference in subsection (3DB) to subsection (3C) above is a reference to that subsection as it applies for the purposes of subsection (3B) above."

(6) For subsection (4) there shall be substituted—

"(4) Where a company gives a sum of money to a charity, the gift shall in the hands of the charity be treated for the purposes of this Act as if it were an annual payment."

(7) For subsection (7AA) there shall be substituted—

"(7AA) Where—

(a) a qualifying donation to a charity is made by a company which is wholly owned by a charity, and

(b) the company makes a claim for the donation, or any part of it, to be deemed for the purposes of section 338 to be a charge on income paid in an accounting period falling wholly or partly within the period of nine months ending with the date of the making of the donation,

the donation or part shall be deemed for those purposes to be a charge on income paid in that accounting period, and not in any later period.

A claim under this subsection must be made within the period of two years immediately following the accounting period in which the donation is made, or such longer period as the Board may allow."

(8) In subsection (9), the words "in subsections (1) to (4) above includes" shall cease to have effect.

(9) In subsection (1) of section 209 of the Income and Corporation Taxes Act 1988, for "section 339(6) and any other express exceptions" there shall be substituted "any express exceptions".

(10) In subsection (2)(a) of section 338 of that Act, after "company" there shall be inserted "or payments falling within paragraph (b) below".

(11) This Resolution has effect in relation to payments made on or after 1st April 2000; and—

(a) so much of an accounting period as falls before that date; and

(b) so much of it as falls after 31st March 2000,

shall be treated as separate accounting periods for the purposes of the amendment made by paragraph (5) above.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968.

27. Covenanted Payments to Charities

Resolved,

That—

(1) In subsection (5)(b) of section 338 of the Income and Corporation Taxes Act 1988, for "a covenanted donation to charity" there shall be substituted "a qualifying donation".

(2) In section 347A of that Act, subsections (2)(b), (7) and (8) shall cease to have effect.

(3) In subsection (3) of section 348 of that Act, at the end there shall be inserted "or to any payment which is a qualifying donation for the purposes of section 25 of the Finance Act 1990".

(4) In subsection (1) of section 349 of that Act, at the end there shall be inserted "or to any payment which is a qualifying donation (within the meaning of section 339) or a qualifying donation for the purposes of section 25 of the Finance Act 1990".

(5) In subsection (6) of section 505 of that Act, the words "and, for this purpose, all covenanted payments to charity (within the meaning of section 347A(7)) shall be treated as a single item" shall cease to have effect.

(6) In subsection (9) of section 660A of that Act, for paragraph (b) there shall be substituted—

"(b) qualifying donations for the purposes of section 25 of the Finance Act 1990."

(7) Section 59 of the Finance Act 1989 shall cease to have effect.

(8) Where a deed of covenant executed by an individual before 6th April 2000 provides for the payment of specified amounts, any amount payable under the deed on or after that date shall be determined as if the individual were entitled to deduct tax from that amount at the basic rate.

(9) This Resolution has effect in relation to covenanted payments—

(a) falling to be made by individuals on or after 6th April 2000; or

(b) made by companies on or after 1st April 2000.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968.

28. Disposals of Investments to Charities etc.

Resolved,

That provision may be made about the disposal of shares, securities or other investments to charities or other bodies.

29. Employee Share Ownership Plans

Resolved,

That provision may be made for the purposes of income tax about employee share ownership plans.

30. Profit Sharing Schemes (Corporation Tax Relief)

Resolved,

That provision may be made about corporation tax relief for payments to trustees of profit sharing schemes approved under Schedule 9 to the Income and Corporation Taxes Act 1988.

31. Profit Sharing Schemes (Arrangements for Loans)

Resolved,

That—

(1) In paragraph 2 of Schedule 9 to the Income and Corporation Taxes Act 1988, after sub-paragraph (2) there shall be inserted—

"(2A) The Board shall not approve a profit sharing scheme unless they are satisfied—

(a) that the arrangements for the scheme do not make any provision, and are not in any way associated with any provision made, for loans to some or all of the employees of—

(i) the company that established the scheme, or

(ii) in the case of a group scheme, any participating company, and

(b) that the operation of the scheme is not in any way associated with such loans.

(2B) For the purposes of sub-paragraph (2A) above 'arrangements' includes any scheme, agreement or understanding, whether or not legally enforceable."

(2) In paragraph 3(2) of that Schedule, before paragraph (d) there shall be inserted—

"(ca) the Board—

(i) cease to be satisfied of the matters mentioned in paragraph 2(2A) above, or

(ii) in the case of a scheme approved before 21st March 2000, are not satisfied of those matters; or".

(3) This Resolution shall be deemed to have come into force on 21st March 2000.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968.

32. Profit Sharing Schemes (Restrictions on Types of Shares)

Resolved,

That—

(1) In paragraph 9(1) of Schedule 9 to the Income and Corporation Taxes Act 1988, after "below" there shall be inserted "(disregarding paragraph 11A)".

(2) After paragraph 11 of that Schedule there shall be inserted—

"11A.—(1) In the case of a profit sharing scheme, scheme shares must not be shares—

(a) in an employer company, or

(b) in a company that—

(i) has control of an employer company, and

(ii) is under the control of a person or persons within sub-paragraph (2)(b)(i) below in relation to an employer company.

(2) For the purposes of this paragraph a company is "an employer company" if—

(a) the business carried on by it consists substantially in the provision of the services of the persons employed by it, and

(b) the majority of those services are provided to—

(i) a person who has, or two or more persons who together have, control of the company, or

(ii) a company associated with the company.

(3) For the purposes of sub-paragraph (2)(b)(ii) above a company shall be treated as associated with another company if both companies are under the control of the same person or persons.

(4) For the purposes of sub-paragraphs (1) to (3) above—

(a) references to a person include a partnership, and

(b) where a partner, alone or together with others, has control of a company, the partnership shall be treated as having like control of that company.

(5) For the purposes of this paragraph the question whether a person controls a company shall be determined in accordance with section 416(2) to (6)."

(3) In paragraph 12 of that Schedule—

(a) in sub-paragraph (1), in paragraph (c) for "other than" to the end of that paragraph there shall be substituted "other than those permitted by sub-paragraph (1A) below.", and

(b) after sub-paragraph (1) there shall be inserted—

"(1A) Subject to sub-paragraph (1B) below, scheme shares may be subject to—

(a) restrictions which attach to all shares of the same class, or

(b) a restriction authorised by sub-paragraph (2) below.

(1B) In the case of a profit sharing scheme, scheme shares must not be subject to any restrictions affecting the rights attaching to those shares which relate to—

(a) dividends, or

(b) assets on a winding-up of the company,

other than restrictions which attach to all other ordinary shares in the same company."

(4) Paragraphs (1) to (3) of this Resolution shall be deemed to have come into force on 21st March 2000.

(5) Paragraphs (2) and (3) of this Resolution do not have effect in relation to shares acquired before 21st March 2000 by the trustees of a profit sharing scheme approved under Schedule 9 to the Income and Corporation Taxes Act 1988.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968.

33. Provision of Services Through Intermediary

Resolved,

That provision may be made relating to the provision of services through an intermediary.

34. Rent-factoring

Resolved,

That provision may be made for sums received by way of consideration for the transfer of rent, or by way of premium, under rent-factoring agreements to be chargeable to corporation tax or income tax.

35. Groups of Companies etc.

Resolved,

That provision may be made about groups of companies and consortia for the purposes of corporation tax.

36. Enterprise Investment Scheme

Resolved,

That provision may be made amending Chapter III of Part VII of the Income and Corporation Taxes Act 1988.

37. Venture Capital Trusts

Resolved,

That provision may be made amending Schedule 28B to the Income and Corporation Taxes Act 1988.

38. Research and Development

Resolved,

That provision may be made amending provisions referring to "scientific research".

39. Capital Allowances

Resolved,

That provision (including retrospective provision) may be made about capital allowances.

40. Relief for Interest on Loans to Buy Annuities

Resolved,

That provision may be made amending sections 353, 365 and 369 of the Income and Corporation Taxes Act 1988.

41. Tax Treatment of Acquisition, Disposal or Revaluation of Certain Rights

Resolved,

That provision may be made as to the treatment for tax purposes of amounts relating to the acquisition, disposal or revaluation of—

(a) certain licences granted under section 1 of the Wireless Telegraphy Act 1949,

(b) indefeasible rights to use a telecommunications cable system, or

(c) rights derived, directly or indirectly, from any such right as is mentioned in paragraph (a) or (b).

42. Chargeable Gains (Gifts and Trusts)

Resolved,

That provision (including retrospective provision) may be made amending the Taxation of Chargeable Gains Act 1992 with respect to—

(a) relief under section 165 or 260 of that Act,

(b) gains accruing to trustees,

(c) disposals of interests in settled property, and

(d) transfers of value by trustees.

43. Chargeable Gains (Companies)

Resolved,

That provision may be made about the treatment of the chargeable gains of companies for the purposes of corporation tax (including provision for the recovery of unpaid tax).

44. Double Taxation Relief

Motion made, and Question put,

That provision may be made amending—

(a) Part XVIII of the Income and Corporation Taxes Act 1988; and

(b) section 278 of the Taxation of Chargeable Gains Act 1992.

The House divided: Ayes 307, Noes 181.

Division No. 126] **[11.18 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Mrs Anne *(C'bridge)*
Campbell–Savours, Dale
Cann, Jamie
Casale, Roger
Cawsey, Ian
Chaytor, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Rt Hon Robin *(Livingston)*
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Ms Roseanna *(Perth)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Patrick *(Bedford)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan

Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Alasdair *(Galloway)*
Morley, Elliot
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mullin, Chris
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Ryan, Ms Joan
Salmond, Alex
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Sloate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Ayes:
Mr. Clive Betts and
Mr. Mike Hall.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark

O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Thompson, William
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Tyler, Paul
Tyrie, Andrew
Wallace, James
Waller, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Peter Luff and
Mr. Geoffrey Clifton–Brown.

Question accordingly agreed to.

45. Controlled Foreign Companies

Resolved,

That provision (including provision having retrospective effect) may be made amending Chapter IV of Part XVII of the Income and Corporation Taxes Act 1988.

46. Use of Sterling and Other Currencies

Resolved,

That provision may be made amending sections 92 to 95 of the Finance Act 1993 and Chapter II of Part II of that Act.

47. Insurance

Resolved,

That provision may be made—

(a) about the reserves and reinsurance contracts of certain companies and other persons carrying on general insurance business; and

(b) amending sections 431D and 432ZA to 432C of the Income and Corporation Taxes Act 1988 and Schedule 11 to the Finance Act 1996.

48. Petroleum Revenue Tax

Resolved,

That provision may be made with respect to cases where operating expenditure is incurred by participators during chargeable periods to which section 9(1) of the Oil Taxation Act 1975 applies.

49. Payments under Deduction of Tax

Resolved,

That provision may be made about payments under deduction of tax.

50. Film Production etc.

Resolved,

That provision may be made about expenditure on the production or acquisition of films or sound recordings.

51. Stamp Duty on Conveyance or Transfer on Sale (Rates)

Motion made, and Question put,

That the following provisions shall have effect for the period beginning 28th March 2000 and ending 31 days after the earliest of the dates mentioned in section 50(2) of the Finance Act 1973—

(1) In Part I of Schedule 13 to the Finance Act 1999, in the third column of the table in paragraph 4—

(a) in the third entry, for "2.5%" there shall be substituted "3%"; and

(b) in the fourth entry, for "3.5%" there shall be substituted "4%".

(2) This Resolution applies to instruments executed on or after 28th March 2000.

(3) But this Resolution does not apply to an instrument giving effect to a contract made on or before 21st March 2000, unless—

(a) the instrument is made in consequence of the exercise after that date of any option, right of pre-emption or similar right; or

(b) the instrument transfers the property in question to, or vests it in, a person other than the purchaser under the contract, because of an assignment (or, in Scotland, assignation) or further contract made after that date.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of section 50 of the Finance Act 1973.

The House divided: Ayes 303, Noes 178.

Division No. 127] **[11.30 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Mrs Anne *(C'bridge)*
Campbell–Savours, Dale
Cann, Jamie
Casale, Roger
Cawsey, Ian
Chaytor, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*

Cunningham, Jim *(Cov'try S)*
Cunningham, Ms Roseanna *(Perth)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Elman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Hall, Patrick *(Bedford)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ilsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Morgan, Alasdair *(Galloway)*
Morley, Elliot
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mullin, Chris
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Ryan, Ms Joan
Salmond, Alex
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Ayes:
Mr. Clive Betts and
Mr. Mike Hall.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, David *(Bour'mth E)*
Baker, Norman
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain

Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Thompson, William
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Tyler, Paul
Tyrie, Andrew
Wallace, James
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Peter Atkinson and
Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.

52. Stamp Duty on Leases (Rent)

Resolved,

That the following provisions shall have effect for the period beginning 28th March 2000 and ending 31 days after the earliest of the dates mentioned in section 50(2) of the Finance Act 1973—

(1) In Part II of Schedule 13 to the Finance Act 1999—

(a) in paragraph 11, in paragraph 1 of the table, and

(b) in paragraph 12(3), in paragraphs 1(a) and (b) of the table,

for "£500" there shall be substituted "£5,000".

(2) This Resolution has effect in relation to instruments executed on or after 28th March 2000.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of section 50 of the Finance Act 1973.

53. Stamp Duty (Seven Year Leases)

Resolved,

That the following provisions shall have effect for the period beginning 28th March 2000 and ending 31 days after the earliest of the dates mentioned in section 50(2) of the Finance Act 1973—

(1) In paragraph 12(3) of Schedule 13 to the Finance Act 1999, in paragraph 1 of the Table, for "less than 7 years" substitute "not more than 7 years".

(2) Subject to paragraphs (4) to (13), paragraph (1) applies to instruments executed on or after 1st October 1999.

(3) Paragraphs (4) to (13) apply to—

(a) leases of land for a term of seven years, and

(b) agreements for leases of land for a term of seven years,

executed on or after 1st October 1999 and before the commencement date.

(4) An instrument to which this paragraph applies which is stamped with the appropriate amount of duty is duly stamped, whenever it was executed.

(5) An instrument to which this paragraph applies which—

(a) immediately before the commencement date was duly stamped, but

(b) was stamped with less than the appropriate amount of duty,

ceases to be duly stamped on the commencement date.

(6) Paragraph (5) applies even if the instrument has been stamped in accordance with section 12(5) of the Stamp Act 1891 with a stamp denoting that it is duly stamped.

(7) If an instrument ceases to be duly stamped on the commencement date as a result of paragraph (5)—

(a) section 12(6) of the Stamp Act 1891 does not apply to it at any time when it is not duly stamped, and

(b) section 14(1) of that Act does not apply to it at any time when it is not duly stamped, unless the unpaid duty and any interest or penalty is paid in accordance with that subsection.

(8) Section 12A(1) of the Stamp Act 1891 does not prevent an instrument to which this paragraph applies which is stamped with less than the appropriate amount of duty from being stamped with additional duty.

(9) Section 14(4) of the Stamp Act 1891 applies in relation to an instrument to which this paragraph applies as if, as respects any time on or after the commencement date, the reference to the law in force at the time when it was executed were to the law in force on the commencement date.

(10) Paragraphs (12) and (13) apply for the purpose of applying sections 12 to 13B and 15 to 15B of the Stamp Act 1891 in relation to any additional duty chargeable on an instrument to which this paragraph applies.

(11) Those sections continue to apply without modification as respects any other stamp duty chargeable on the instrument.

(12) Those sections have effect as respects the additional duty as if—

(a) the additional duty were the only stamp duty chargeable on the instrument;

(b) the instrument had been executed on the commencement date; and

GREAT BRITAIN HOUSE OF COMMONS PARLIAMENTARY DEBATES (HANSARD) 1999/2000

Published on microfiche by Chadwyck-Healey (a Bell & Howell Information and Learning Company)
The Quorum, Barnwell Road
Cambridge CB5 8SW
England

Distributed in the USA by Bell & Howell Information and Learning
300 North Zeeb Rd
PO Box 1346
Ann Arbor
MI 48106 1346, USA

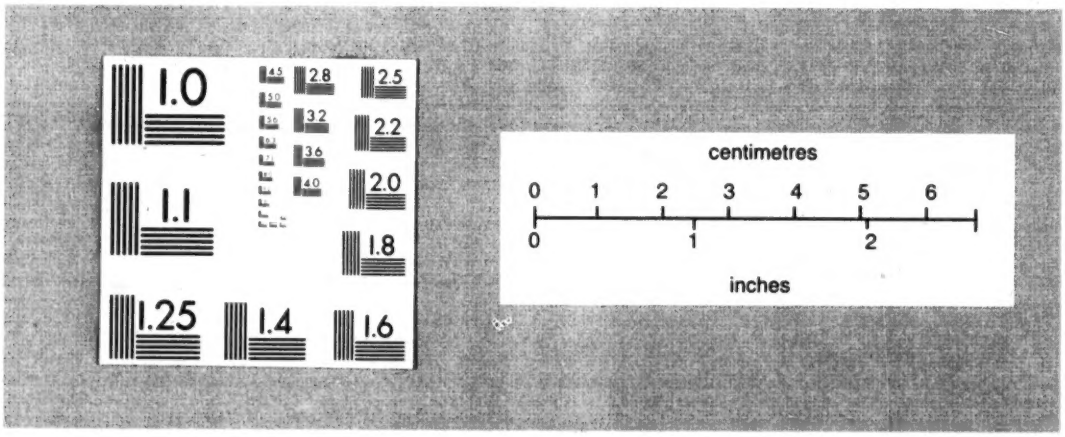
Date of publication: 2000/2001

Reproduction rights: © Parliamentary copyright 1999/2000. Reproduced by permission of the Controller of Her Majesty's Stationery Office.

Microfiche edition: © 2000/2001 Bell & Howell Information and Learning Company. All rights reserved.

Technical data: Film type: positive silver halide, archivally permanent microfiche conforming to AIIM and BSI standards.

Producing laboratory: Bell & Howell



(c) in the case of an instrument executed outside the United Kingdom and first received in the United Kingdom before the commencement date, the instrument had been first received in the United Kingdom on the commencement date.

(13) Accordingly, those sections apply as respects additional duty as if—

(a) references to duty were to additional duty;

(b) references to stamping were to stamping with additional duty;

(c) references to an instrument's being stamped were to its being stamped with additional duty;

(d) references to an instrument's being duly stamped were to its being stamped with all the additional duty chargeable on it;

(e) references to an instrument's being unstamped were to its not being stamped with any additional duty;

(f) references to an instrument's being insufficiently stamped were to its being stamped with insufficient additional duty;

(g) references to adjudication, or an appeal, under any of those sections were to adjudication or an appeal under the section in question as it has effect as respects additional duty; and

(h) references to the maximum penalty were to the maximum penalty as respects additional duty.

(14) In this Resolution—

"additional duty", in relation to an instrument, means additional stamp duty chargeable on the instrument as a result of paragraph (1);

"the appropriate amount of duty", in relation to an instrument, means the stamp duty that would have been chargeable on the instrument if paragraph (1) had had statutory effect when it was executed; and

"the commencement date" means 28th March 2000.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of section 50 of the Finance Act 1973.

54. Stamp Duty (Variation by Regulations)

Resolved,

That provision may be made authorising the variation of existing stamp duties by regulations.

55. Stamp Duty (Land Transferred etc. for Other Property)

Resolved,

That the following provisions shall have effect for the period beginning 28th March 2000 and ending 31 days after the earliest of the dates mentioned in section 50(2) of the Finance Act 1973—

(1) Paragraph (2) applies where—

(a) an instrument transferring or vesting an estate or interest in land would not, apart from this Resolution, be or fall to be treated as a conveyance or transfer on sale for the purposes of stamp duty; but

(b) the transfer or vesting of the estate or interest is for consideration; and

(c) the consideration is or includes any property ("the other property").

(2) For the purposes of Part I of Schedule 13 to the Finance Act 1999, the instrument transferring or vesting the estate or interest shall be taken to be a transfer on sale of the estate or interest.

(3) If—

(a) the other property is or includes one or more estates or interests in land, and

(b) *ad valorem* duty is chargeable on the conveyance or transfer of all or any of those estates or interests,

the amount of duty that would (apart from this paragraph) be chargeable in consequence of paragraph (2) on the transfer on sale there mentioned shall be reduced (but not below nil) by the total of the *ad valorem* duty chargeable as mentioned in paragraph (b).

(4) If, for the purposes of Part I of Schedule 13 to the Finance Act 1999, the amount or value of the consideration for the transfer on sale mentioned in paragraph (2) would (apart from this paragraph) exceed the market value of the estate or interest immediately before the execution of the instrument transferring or vesting it, the amount or value of the consideration shall be taken for those purposes to be equal to that market value.

(5) For the purposes of this Resolution, the market value of property at any time is the price which that property might reasonably be expected to fetch on a sale at that time in the open market.

(6) Paragraph (2) has effect even though—

(a) the transfer or vesting of the estate or interest is the whole or part of the consideration for a sale of the other property; or

(b) the transaction is by way of exchange.

(7) Paragraph (2) does not affect any charge to stamp duty in respect of the same or any other instrument so far as it relates to the transfer of the other property.

(8) This Resolution is subject to paragraph (5) of the Resolution of the House (Stamp duty (transfer of land to connected company)) of 27th March 2000.

(9) This Resolution shall be construed as one with the Stamp Act 1891.

(10) This Resolution applies to instruments executed on or after 28th March 2000.

(11) But this Resolution does not apply to an instrument giving effect to a contract made on or before 21st March 2000, unless—

(a) the instrument is made in consequence of the exercise after that date of any option, right of pre-emption or similar right; or

(b) the instrument transfers the property in question to, or vests it in, a person other than the purchaser under the contract, because of an assignment (or, in Scotland, assignation) or further contract made after that date.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of section 50 of the Finance Act 1973.

56. Stamp Duty (Transfer of Land to Connected Company)

Resolved,

That the following provisions shall have effect for the period beginning 28th March 2000 and ending 31 days after the earliest of the dates mentioned in section 50(2) of the Finance Act 1973—

(1) This Resolution applies where an estate or interest in land is transferred to or vested in a company ("A") and—

(a) the person transferring or vesting the estate or interest ("B") is connected with A; or

(b) some or all of the consideration for the transfer or vesting consists of the issue or transfer of shares in a company with which B is connected.

(2) For the purposes of Part I of Schedule 13 to the Finance Act 1999, an instrument transferring or vesting the estate or interest shall be taken to be a transfer on sale of the estate or interest.

(3) If for those purposes the amount or value of the consideration for the transfer on sale of the estate or interest would, apart from this paragraph, be less than the value determined under paragraph (4), the consideration shall be taken for those purposes to be the value determined under paragraph (4).

(4) That value is—

(a) the market value of the estate or interest immediately before the execution of the instrument transferring or vesting it; but

BEST C

(b) reduced by the value of so much of any actual consideration as does not consist of property.

(5) Where—

(a) apart from this Resolution, an instrument would be chargeable to stamp duty in accordance with the Resolution of the House (Stamp duty: land transferred etc for other property) of 27th March 2000, and

(b) apart from that Resolution, the instrument would be chargeable to stamp duty in accordance with this Resolution,

the stamp duty chargeable on the instrument shall be determined in accordance with this Resolution (instead of that Resolution).

(6) This Resolution applies only if, in consequence of its application, the instrument transferring or vesting the estate or interest is chargeable with a greater amount of stamp duty than it would be apart from this Resolution and that Resolution.

(7) For the purposes of this Resolution, the market value of property at any time is the price which that property might reasonably be expected to fetch on a sale at that time in the open market.

(8) In this Resolution—

"company" means any body corporate;

"shares" includes stock and the reference to shares in a company includes a reference to securities issued by a company.

(9) For the purposes of this Resolution, the question whether any person is connected with another shall be determined in accordance with the provisions of section 839 of the Income and Corporation Taxes Act 1988.

(10) This Resolution shall be construed as one with the Stamp Act 1891.

(11) This Resolution applies to instruments executed on or after 28th March 2000.

(12) But this Resolution does not apply to an instrument giving effect to a contract made on or before 21st March 2000, unless—

(a) the instrument is made in consequence of the exercise after that date of any option, right of pre-emption or similar right; or

(b) the instrument transfers the property in question to, or vests it in, a person other than the purchaser under the contract, because of an assignment (or, in Scotland, assignation) or further contract made after that date.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of section 50 of the Finance Act 1973.

57. Stamp Duty (Grant of Lease to Connected Company)

Resolved,

That the following provisions shall have effect for the period beginning 28th March 2000 and ending 31 days after the earliest of the dates mentioned in section 50(2) of the Finance Act 1973—

(1) This Resolution applies where a lease is granted to a company ("A") and—

(a) the person granting the lease ("B") is connected with A; or

(b) some or all of the consideration for the grant of the lease consists of the issue or transfer of shares in a company with which B is connected.

(2) Paragraph (3) has effect for the purposes of stamp duty chargeable under Part II of Schedule 13 to the Finance Act 1999 by reference to Part I of that Schedule.

(3) If, apart from this paragraph, the amount or value of the consideration for the grant would be less than the value determined under paragraph (4), the consideration shall be taken to be the value determined under paragraph (4).

(4) That value is—

(a) the market value, immediately before the instrument granting the lease is executed, of the lease granted; but

(b) reduced by the value of so much of any actual consideration as does not consist of property.

(5) This Resolution applies only if, in consequence of its application, the lease is chargeable with a greater amount of stamp duty than it would be apart from this Resolution.

(6) For the purposes of this Resolution, the market value of property at any time is the price which that property might reasonably be expected to fetch on a sale at that time in the open market.

(7) In this Resolution—

"company" means any body corporate;

"shares" includes stock and the reference to shares in a company includes a reference to securities issued by a company.

(8) For the purposes of this Resolution, the question whether any person is connected with another shall be determined in accordance with the provisions of section 839 of the Income and Corporation Taxes Act 1988.

(9) This Resolution shall be construed as one with the Stamp Act 1891.

(10) This Resolution applies to instruments executed on or after 28th March 2000.

(11) But this Resolution does not apply to an instrument giving effect to a contract made on or before 21st March 2000, unless—

(a) the instrument is made in consequence of the exercise after that date of any option, right of pre-emption or similar right; or

(b) the instrument transfers the property in question to, or vests it in, a person other than the purchaser under the contract, because of an assignment (or, in Scotland, assignation) or further contract made after that date.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of section 50 of the Finance Act 1973.

58. Stamp Duty (Marketable Securities Transferred etc. for Exempt Property)

Resolved,

That the following provisions shall have effect for the period beginning 28th March 2000 and ending 31 days after the earliest of the dates mentioned in section 50(2) of the Finance Act 1973—

(1) Paragraph (2) applies where—

(a) an instrument transferring marketable securities would not, apart from this Resolution, be or fall to be treated as a transfer on sale for the purposes of stamp duty; but (b) the transfer of the marketable securities is for consideration; and (c) the consideration is or includes any qualifying property ("the other property").

(2) For the purposes of Part I of Schedule 13 to the Finance Act 1999, the instrument transferring the marketable securities shall be taken to be a transfer on sale of those securities.

(3) If the amount or value of the consideration for that transfer on sale would (apart from this paragraph) exceed the market value of the marketable securities immediately before the execution of the instrument transferring them, the amount or value of the consideration shall be taken to be equal to that market value.

For this purpose the market value of property at any time is the price which that property might reasonably be expected to fetch on a sale at that time in the open market.

(4) Paragraph (2) has effect even though—

(a) the transfer of the marketable securities is the whole or part of the consideration for a sale of the other property, or

(b) the transaction is by way of exchange.

PY AVAILABLE

(5) Paragraph (2) does not affect any charge to stamp duty in respect of the same or any other instrument so far as it relates to the transfer of the other property.

(6) In this Resolution "qualifying property" means any debt due, stock or securities, to the extent that the debt, stock or securities are not chargeable securities, within the meaning of Part IV of the Finance Act 1986.

(7) This Resolution shall be construed as one with the Stamp Act 1891.

(8) This Resolution applies to instruments executed on or after 28th March 2000.

(9) But this Resolution does not apply to an instrument giving effect to a contract made on or before 21st March 2000, unless—

(a) the instrument is made in consequence of the exercise after that date of any option, right of pre-emption or similar right; or

(b) the instrument transfers the property in question to, or vests it in, a person other than the purchaser under the contract, because of an assignment (or, in Scotland, assignation) or further contract made after that date.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of section 50 of the Finance Act 1973.

59. Stamp Duty (Miscellaneous)

Resolved,

That provision may be made—

(a) amending section 55 of the Stamp Act 1891, section 42 of the Finance Act 1930, section 11 of the Finance Act (Northern Ireland) 1954, sections 75 and 76 of the Finance Act 1986 and section 151 of the Finance Act 1995; and

(b) about stamp duty on documents relating to the surrender or renunciation of leases.

60. Stamp Duty (Intellectual Property)

Resolved,

That the following provisions shall have effect for the period beginning 28th March 2000 and ending 31 days after the earliest of the dates mentioned in section 50(2) of the Finance Act 1973—

(1) No stamp duty is chargeable on an instrument for the sale, transfer or other disposition of intellectual property.

(2) Where stamp duty under Part I of Schedule 13 to the Finance Act 1999 is chargeable on an instrument and part of the property concerned consists of intellectual property—

(a) the consideration in respect of which duty would otherwise be charged shall be apportioned, on such basis as is just and reasonable, as between the part of the property which consists of intellectual property and the part which does not, and

(b) the instrument shall be charged only in respect of the consideration attributed to such of the property as is not intellectual property.

(3) Where part of the property referred to in section 58(1) of the Stamp Act 1891 consists of intellectual property, that provision shall have effect as if "the parties think fit" read "is just and reasonable".

(4) Where—

(a) part of the property referred to in section 58(2) of the Stamp Act 1891 consists of intellectual property, and

(b) both or (as the case may be) all the relevant persons are connected with one another,

that provision shall have effect as if the words from "for distinct parts of the consideration" to the end of the subsection read ", the consideration is to be apportioned in such manner as is just and reasonable, so that a distinct consideration for each separate part or parcel is set forth in the conveyance relating thereto, and such conveyance is to be charged with *ad valorem* duty in respect of such distinct consideration.".

(5) In a case where paragraph (3) or (4) applies and the consideration is apportioned in a manner that is not just and reasonable, the enactments relating to stamp duty shall have effect as if—

(a) the consideration had been apportioned in a manner that is just and reasonable, and

(b) the amount of any distinct consideration set forth in any conveyance relating to a separate part or parcel of property were such amount as is found by a just and reasonable apportionment (and not the amount actually set forth).

"The enactments relating to stamp duty" means the Stamp Act 1891 and any enactment amending or which is to be construed as one with that Act.

(6) For the purposes of paragraph (4)—

(a) a person is a relevant person if he is a person by or for whom the property is contracted to be purchased;

(b) the question whether persons are connected with one another shall be determined in accordance with section 839 of the Income and Corporation Taxes Act 1988.

(7) Intellectual property shall be disregarded for the purposes of paragraph 6 of Schedule 13 to the Finance Act 1999.

(8) Any statement as mentioned in paragraph 6(1) of that Schedule shall be construed as leaving out of account any matter which is to be so disregarded.

(9) Section 12 of the Finance Act 1895 does not require any person who is authorised to purchase any property as mentioned in that section after 27th March 2000 to include any intellectual property in the instrument of conveyance required by that section to be produced to the Commissioners.

(10) If the property consists wholly of intellectual property no instrument of conveyance need be produced to the Commissioners under that section.

(11) Subject to paragraph (12), the preceding paragraphs of this Resolution apply to instruments executed on or after 28th March 2000.

(12) Paragraphs (9) and (10) apply where the Act mentioned in section 12 of the Finance Act 1895, and by virtue of which property is vested or a person is authorised to purchase property, is passed after 27th March 2000.

(13) In this Resolution "intellectual property" means—

(a) any patent, trade mark, registered design, copyright or design right,

(b) any plant breeders' rights and rights under section 7 of the Plant Varieties Act 1997,

(c) any licence or other right in respect of anything within paragraph (a) or (b), or

(d) any rights under the law of a country outside the United Kingdom that correspond or are similar to those within paragraph (a), (b) or (c).

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of section 50 of the Finance Act 1973.

61. Stamp Duty (Northern Ireland Assembly Commission)

Resolved,

That the following provisions shall have effect for the period beginning 28th March 2000 and ending 31 days after the earliest of the dates mentioned in section 50(2) of the Finance Act 1973—

(1) Section 55 of the Finance Act 1987 shall be amended as follows.

(2) In subsection (1)—

(a) after "agreed to be made" there shall be inserted "(a)";

(b) after "Minister of the Crown or" there shall be inserted "(b)"; and

(c) after "Treasury, or" there shall be inserted "(c)"

(3) In subsection (1), after "National Assembly for Wales," there shall be inserted "or

(d) to the Northern Ireland Assembly Commission,".

(4) Paragraph (3) has effect in relation to instruments executed on or after 28th March 2000.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of section 50 of the Finance Act 1973.

62. Landfill Tax (Rate)

Motion made, and Question put,

That—

(1) In section 42 of the Finance Act 1996, in subsections (1)(a) and (2) for "£10" there shall be substituted "£11".

(2) This Resolution has effect in relation to taxable disposals made, or treated as made, on or after 1st April 2000.

And it is hereby declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968.

The House divided: Ayes 334, Noes 136.

Division No. 128] **[11.42 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cable, Dr Vincent
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell–Savours, Dale
Cann, Jamie
Casale, Roger
Cawsey, Ian
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Ms Roseanna *(Perth)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Hall, Patrick *(Bedford)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Keetch, Paul
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Ladyman, Dr Stephen
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moore, Michael
Morgan, Alasdair *(Galloway)*
Morley, Elliot
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mullin, Chris
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pollard, Kerry

Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salmond, Alex
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stunell, Andrew
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Ayes:
Mr. Clive Betts and
Mr. Mike Hall.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Beggs, Roy
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Thompson, William
Townend, John
Tredinnick, David
Tyrie, Andrew
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Peter Luff and
Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.

63. Landfill tax (recovery)

Resolved,

That provision may be made about the recovery of landfill tax from persons other than landfill site operators.

64. Relief from tax (incidental and consequential charges)

Resolved,

That it is expedient to authorise any incidental or consequential charges to any duty or tax (including charges having retrospective effect) which may arise from provisions designed in general to afford relief from taxation.

PROCEDURE (MUTUAL SECURING OF EXCISE DUTIES)

Resolved,

That, notwithstanding anything to the contrary in the practice of the House relating to the matters that may be included in Finance Bills, any Finance Bill of the present Session may contain provision about security for excise duties charged in other Member States of the European Community.

PROCEDURE (DONATIONS TO CHARITY)

Resolved,

That, notwithstanding anything to the contrary in the practice of the House relating to the matters that may be included in Finance Bills, any Finance Bill of the present Session may contain provision for the payment by the Commissioners of Inland Revenue of supplements on sums falling to be paid to charities and other bodies in accordance with schemes approved under section 202 of the Income and Corporation Taxes Act 1988.

PROCEDURE (R&D TAX CREDITS)

Resolved,

That, notwithstanding anything to the contrary in the practice of the House relating to the matters that may be included in Finance Bills, any Finance Bill of the present Session may contain provision for allowing R&D tax credits to be paid to companies.

PROCEDURE (MUTUAL EXCHANGE OF INFORMATION)

Resolved,

That, notwithstanding anything to the contrary in the practice of the House relating to the matters that may be included in Finance Bills, any Finance Bill of the present Session may contain provision for giving effect to arrangements made with the government of any territory outside the United Kingdom with a view to the exchange of information necessary for carrying out—

(a) the domestic laws of the United Kingdom concerning income tax, capital gains tax, corporation tax in respect of income and chargeable gains and inheritance tax; and

(b) the laws of the territory to which the arrangements relate concerning any taxes imposed by the laws of that territory which are of a similar character to those taxes, or are chargeable on or by reference to death or gifts inter vivos.

PROCEDURE (FUTURE TAXATION)

Resolved,

That, notwithstanding anything to the contrary in the practice of the House relating to the matters that may be included in Finance Bills, any Finance Bill of the present Session may contain the following provisions taking effect in a future year—

(a) provision about air passenger duty;

(b) provision for charging climate change levy;

(c) provision about children's tax credit;

(d) provision for corporation tax to be charged for the financial year 2001;

(e) provision about the income tax charge on cars available for private use;

(f) provision relating to profit sharing schemes approved under Schedule 9 to the Income and Corporation Taxes Act 1988, including provision relating to individuals to whom shares are appropriated under such schemes and provision about corporation tax relief for payments to trustees of such schemes;

(g) provision about relief under section 229 of the Taxation of Chargeable Gains Act 1992;

(h) provision relating to retirement benefits schemes, within the meaning of Chapter I of Part XIV of the Income and Corporation Taxes Act 1988;

(i) provision relating to personal pension schemes, within the meaning of Chapter IV of Part XIV of the Income and Corporation Taxes Act 1988;

(j) provision amending section 660A of the Income and Corporation Taxes Act 1988; and

(k) provision about payments under deduction of tax and about returns and other information.

FINANCE [*Money*]

Queen's Recommendation having been signified—

Resolved,

That, for the purposes of any Act resulting from the Finance Bill, it is expedient to authorise—

(a) the payment out of money provided by Parliament of sums payable by the Secretary of State by virtue of provisions of that Act relating to vehicle excise and registration;

(b) the payment out of money provided by Parliament of such amounts as are required by the Commissioners of Inland Revenue to make payments under provisions of that Act relating to charities;

(c) the deduction of sums from the gross revenues of the department of the Commissioners of Inland Revenue for the purpose of the payment of R&D tax credits; and

(d) the payment out of money provided by Parliament of sums payable by virtue of provisions of that Act relating to incentives to use electronic communications—

(i) for the purposes mentioned in section 132(1) of the Finance Act 1999, and

(ii) for any other communications with the tax authorities or in connection with taxation matters.

Bill ordered to be brought in upon the foregoing resolutions: And that the Chairman of Ways and Means, Mr. Chancellor of the Exchequer, Mr. Secretary Prescott, Mr. Secretary Straw, Mr. Secretary Blunkett, Mr. Secretary Milburn, Mr. Secretary Darling, Mr. Secretary Byers, Mr. Andrew Smith, Dawn Primarolo, Miss Melanie Johnson and Mr. Stephen Timms do prepare and bring it in.

FINANCE BILL

Mr. Stephen Timms accordingly presented a Bill to grant certain duties, to alter other duties, and to amend the law relating to the National Debt and the Public Revenue, and to make further provision in connection with Finance: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed [Bill 97].

11.55 pm

Mr. St. Aubyn: On a point of order, Mr. Deputy Speaker. Tonight, the Chief Secretary to the Treasury portrayed Mr. Peter Wyman as a personal tax adviser to a former Member, Mr. Neil Hamilton. Given that all that Mr. Wyman ever did was to give public, unpaid service to a Government deregulation task force when

[Mr. St. Aubyn]

Mr. Hamilton was a Minister, has the Chief Secretary approached the Chair to correct a pernicious insinuation against a leading accountant in this country?

Mr. Deputy Speaker (Mr. Michael Lord): That is not a point of order for the Chair.

Mr. Stephen O'Brien (Eddisbury): On a point of order, Mr. Deputy Speaker. It is a separate point of order. Was it in order tonight for the Chief Secretary to traduce Mr. Peter Wyman's evidence to the Treasury last Friday?

Mr. Deputy Speaker: That matter was dealt with in an earlier debate. It is not a matter for the Chair now.

Mr. St. Aubyn: Further to that point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: No. It is not a matter for the Chair now.

DELEGATED LEGISLATION

Mr. Deputy Speaker: With the leave of the House, I will put motions 3 to 9 together.

Hon. Members: Object.

Mr. Deputy Speaker: In that case, we will do them one by one.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Financial Services

That the draft Official Listing of Securities (Change of Competent Authority) Regulations 2000, which were laid before this House on 1st March, be approved.—*[Mr. Greg Pope.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Industrial Development

That the draft Financial Assistance for Industry (Increase of Limit) Order 2000, which was laid before this House on 1st March, be approved.—*[Mr. Greg Pope.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Contracting Out

That the draft Contracting Out (Functions relating to Social Security) Order 2000, which was laid before this House on 1st March, be approved.—*[Mr. Greg Pope.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Social Security

That the draft Social Security (Work-focused Interviews) Regulations 2000, which were laid before this House on 1st March, be approved.—*[Mr. Greg Pope.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Local Government Finance

That the Local Government Finance (England) Special Grant Report (No. 53) on rural bus subsidy grants for 2000–01 (HC 302), which was laid before this House on 3rd March, be approved.—*[Mr. Greg Pope.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Local Government Finance

That the Local Government Finance (England) Special Grant Report (No. 54) on Rural Bus Challenge 1999 (HC 303), which was laid before this House on 3rd March, be approved.—*[Mr. Greg Pope.]*

The House divided: Ayes 275, Noes 44.

Division No. 129] **[11.57 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Begg, Miss Anne
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Campbell, Mrs Anne *(C'bridge)*
Campbell-Savours, Dale
Casale, Roger
Cawsey, Ian
Chaytor, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff

Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Morley, Elliot
Mountford, Kali
Mullin, Chris
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Ryan, Ms Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Ayes:
Mr. Don Touhig and
Mr. Robert Ainsworth.

NOES

Allan, Richard
Ashdown, Rt Hon Paddy
Baker, Norman
Ballard, Jackie
Beith, Rt Hon A J
Brake, Tom
Brand, Dr Peter
Breed, Colin
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Chidgey, David
Cotter, Brian
Cunningham, Ms Roseanna *(Perth)*
Davey, Edward *(Kingston)*
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Hancock, Mike
Harris, Dr Evan
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Keetch, Paul
Kirkwood, Archy
Livsey, Richard
Llwyd, Elfyn
Maclennan, Rt Hon Robert
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Morgan, Alasdair *(Galloway)*
Oaten, Mark
Rendel, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Swinney, John
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve
Wigley, Rt Hon Dafydd
Willis, Phil

Tellers for the Noes:
Sir Robert Smith and
Mr. Andrew Stunell.

Question accordingly agreed to.

Resolved,

That the Local Government Finance (England) Special Grant Report (No. 55), on 1999–2000 Special Grant for Asylum Seekers' Support (Adults and Families of Asylum Seekers) (HC 304), which was laid before this House on 6th March, be approved.

Graffiti and Vandalism

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McNulty.]*

12.7 am

Dr. Vincent Cable (Twickenham): For the benefit of the small number of night owls or masochists who have chosen to remain for this debate, I want to raise an issue that causes great concern, anger and frustration to many of our constituents. In many respects, it is a local problem dealt with through local agencies, but the Minister has a strategic role in looking at best practice and pulling the various threads together, so I think that it is an appropriate issue to throw at him.

Why is graffiti a big issue and of such concern to many of us? First, in the areas in which it is a serious problem—and mine is one—it creates an atmosphere of neglect and disorder and fear of crime, particularly among vulnerable elderly people, who see it as evidence of the authorities' inability to maintain the fabric of local society and, rightly or wrongly, associate that with crime. Demoralisation flows from that.

Secondly, graffiti is often associated with criminality. I had a long discussion before the debate with some of the youth workers in my constituency and with the local police, who know many of the perpetrators. Typically, in an area such as mine, which has 100,000 people, there are probably 20 youths seriously involved in graffiti. Many of them are also involved in theft. They probably stole the aerosols and may be at the beginning of involvement with substance abuse. Some of the aerosol sprays are intoxicating—apparently they give an adrenaline buzz to the kids who use them. Unless there is proper intervention by the courts, the police, the youth workers and others, many of those adolescents will find themselves on a slippery slope that will lead quickly to a young offenders institution and prison.

The final reason why this is an issue of concern is the cost, which can be considerable. My local authority is severely stretched financially. That is one of the reasons for the last of the Divisions that we have just had, on a totally separate issue. The authority has a budget of £100,000 a year for a hotline on graffiti, but it has had to double the number of people involved because of rising demand.

I have had correspondence with London United Buses, which is in despair about the enormous cost of cleaning buses and shelters. A study carried out five years ago on the London underground suggested that about £2 million a year had to be spent on the removal and clearing up of graffiti. That is a substantial cost for utilities, local councils and, indirectly, for all of us.

I want to focus on areas of action and policy initiatives that the Minister can take forward. The first issue is policing. Clearly, the police are in the front line. My local police are positive about the issue, and they apply an effective zero-tolerance policy. They work closely with the police consultative group in the area, and give the matter appropriate priority.

For the Metropolitan police as a whole, graffiti and associated vandalism is not a high-priority offence; perhaps it should be, and I am interested in the Minister's reactions to that. Clearly, this is also linked to the numbers of police officers. As the Minister knows—we will not rehearse the party political arguments—there is a problem with the decline in police numbers in London. That has been particularly serious in suburban areas which are assumed to be less prone to crime, and which therefore have borne the brunt of the cuts.

It is evident in the areas which have seen a decline in policing that graffiti and associated vandalism have blossomed. On Sunday afternoon, I went round an area which has just had a beat police officer withdrawn for reasons of economy. It is now one of the worst-affected areas. Cause and effect is difficult to prove, but that is certainly highly suggestive.

Where police officers are not available, closed circuit television is important. I note here the positive initiatives of some of the train operators. South West Trains, whatever its other deficiencies, has seen the value of properly monitored CCTV. I hope that I have persuaded the company to accelerate the installation in some of the worst-affected stations. Clearly, that is an important part of the picture.

The second line of defence is the courts, and I attended a meeting of the local police consultative group last week where there was consternation at the fact that, in the local magistrates court, one of the worst offenders had been up on 50 counts and had been given no more than a supervision order. I think it is now recognised that there is a wide range of possible offences. It will be interesting to hear from the Minister the results of the field surveys that have been done in 10 boroughs, from which are emerging the most promising lines of action through the courts.

Perhaps we could draw on international experience. In Holland, widespread use was made of what could be called reparation provisions, insisting that graffiti offenders clear up the mess that they had created through community service orders. That would seem to be a promising route, and it would be interesting to hear the Minister's reaction to that.

The third line of argument—it is perhaps a little different from the conventional way of pursuing the matter—is what we might call the supply-side problem. If we were talking about drugs, we would be talking about the supply of drugs. In terms of graffiti, far too little attention is paid to the issue of how aerosol sprays and other instruments get into the hands of potential young offenders. There is an issue here for the retail sector and for the manufacturers.

I noticed in one of the local discount stores this weekend that aerosol sprays are being sold at a heavy discount—six for £1. The owners of the stores must know what the aerosols are being used for. Graffiti is now almost certainly the major market for a lot of aerosol sprays, and there is a complete absence of social responsibility. This seems to be an area where public education, led at ministerial level, might be useful.

Similarly, the manufacturers know what they are producing; they know what these things are for, and there must be a heightened sense of social responsibility among them. The paint industry is giving a lot of thought to the matter. The Paint Research Association is based in my constituency, and has helpfully sent me some of its academic journals on new coverings which, were they used extensively by householders and utilities, would substantially diminish the adhesive potential of graffiti paint. I am not sure how widely that has been promoted

or how much support the Government and local authorities have given it. The industry has some responsibility. Has the Minister discussed the possible remedies with it?

At present, there is a clean-up hotline in many boroughs and the council can paint over the damage, but it needs the permission of the property owner, which is frequently not forthcoming. Owners are sometimes difficult to find and many businesses do not want to pay the small charge that is asked of them. There is a particular problem with utilities, which will not allow authorities to touch their heavily marked equipment.

Would it be useful for local authorities to have the additional power to compel clean-up, without the approval of property owners? I am not sure what the legislative problems might be. Secondary legislation might be needed. Something that allowed a more co-ordinated and tougher response would be appreciated.

Dr. Julian Lewis (New Forest, East): The hon. Gentleman has put his finger on the pulse of the problem. Is not the whole point of graffiti tags for one artist to advertise his handiwork to others, and is it not the case that, with a hotline such as that operated by New Forest district council, which leads to the graffiti being obliterated within 48 hours, not only is the vandals' objective defeated but policing is made much easier if they keep returning to the site to reinstate their efforts?

Dr. Cable: The hon. Gentleman is right: speed is of the essence. That is why the local authority needs not only the resources but the legal powers to respond rapidly. I noticed that he used the word "artist". I try to avoid that expression. There may be occasional cases in which graffiti are artistic or even witty, but they are infrequent. Graffiti seriously disfigure public space.

I am not asking for a heavy-handed intervention from the Home Office. The Minister is aware of good practice both here and abroad, in the courts and in local initiatives. Some bold schemes have been tried. I believe that in Los Angeles and Chicago, attempts were made to ban the sale of aerosol sprays to under-age children. It would be useful to have some reflection on that experience. What is good practice? Does the Home Office have a view, and is it disseminating it? How does it propose to bring the various threads together?

There is a role for Ministers to bring together the various agencies. Even if the Minister does not legislate specifically, he could bring together the utilities, which are very variable in their response to the problem, and the private sector—not necessarily to coerce them but to improve their sense of public responsibility.

12.19 am

Mr. Edward Davey (Kingston and Surbiton): I am grateful to my hon. Friend the Member for Twickenham (Dr. Cable) for allowing me to borrow a few minutes of his time, and I echo many of his comments.

There is an epidemic of graffiti in my constituency. In New Malden, Chessington, Tolworth and Surbiton there is not a road sign, telephone box or bus shelter without some ugly scrawl or tag defacing it. It is not a coincidence that the rise in graffiti has accompanied the fall in the number of police officers, and especially beat officers, in our community. There has been a cull of nearly a quarter of the Kingston police division in the past five years.

The Minister may say that the Government have put more resources into the Metropolitan police and that the numbers are being turned around, but we have yet to see any evidence of that in Kingston. We have had the recent announcement that we will not get the cuts that we expected next year. I welcome that, but until we start rebuilding the local police force and get more police on the beat we will not turn the tide of vandalism and graffiti, which is sometimes called low-level crime.

I have a few specific questions for the Minister. Will he ask his officials to review the problems faced by the police in getting evidence to convict vandals of graffiti offences? For example, is there any way for police to challenge and search youngsters who they suspect are carrying spray cans in their bags with intent to deface a property, or who they believe have come from defacing a property? At the moment, the law does not allow that.

Will the Minister assure me that his Department will monitor the use of the new reparation orders to punish graffiti vandals? Will he make sure that the courts use the orders as Parliament intended—as an appropriate and common-sense punishment for offences of this type? Will he try to support the probation service and youth offender teams as they use the new punishments? Will he ensure that they are carried out properly?

Will the Minister ensure that the effect of the reparation orders with regard to reducing graffiti is properly studied? Following what my hon. Friend the Member for Twickenham said, will he also review the policy with regard to age limits on the sale of spray paints? I received an e-mail today from a constituent, who said that he and his neighbours in New Malden believed that that solution would help. Similar arguments are used to support the limits on sales to minors of other products, and they apply equally to the sale of spray cans.

Will the Minister consider issuing new Home Office guidelines to manufacturers and retailers of spray paints, to encourage them to play their part in combating the graffiti menace? Could not the guidelines offer advice on the storage and display of the paints, with a view to minimising the pilfering of spray paint cans?

Finally, would the Minister be prepared to organise an anti-graffiti summit? The paint manufacturers could take part, as could public service organisations such as transport operators, telecoms providers, cable television suppliers and local authorities. That would be a way to generate new ideas, spread best practice and develop new partnerships to tackle the problem.

In my gallop through these issues, I have not touched on clean-up, a part of the solution mentioned by my hon. Friend the Member for Twickenham. It is very important that graffiti are cleaned up as soon as possible, as that will discourage vandals.

Government and local councils must give a lead on the matter. I hope that the Minister will join me in condemning those Conservative councillors who wanted to cut Kingston's graffiti clean-up budget. They talk tough in the local papers about graffiti, but they fail to provide the finances needed to clean up. Will the Minister join me in congratulating Liberal Democrat and Labour councillors in Kingston, who worked together to prevent the cuts in the clean-up budget?

[Mr. Edward Davey]

We should not tolerate graffiti in our communities. I hope that the Government will build on the good measures, such as reparation orders, that they have taken and the previous Conservative Government did not. I hope that they will go much, much further.

12.23 am

The Minister of State, Home Office (Mr. Charles Clarke): First, I congratulate the hon. Member for Twickenham (Dr. Cable) on securing this Adjournment debate. I also congratulate the hon. Members for Kingston and Surbiton (Mr. Davey) and for New Forest, East (Dr. Lewis) on their interventions.

Initially, I was tempted to draw some association between Liberal Democrats and graffiti, but then I thought that that would be unworthy. I shall therefore take the subject at its face value.

Mr. Bob Russell (Colchester): The writing is on the wall.

Mr. Charles Clarke: I hear what the hon. Gentleman says, but I was in his constituency last Friday, and I must say that I felt that the writing would be on the wall for him at the next general election.

I can understand why, in the light of all the most recent pronouncements on crime and disorder, members of the public believe that offences such as vehicle crime, burglary and violent crime take a higher priority than quality-of-life issues such as vandalism and graffiti. However, the points made by the hon. Member for Twickenham are warranted, and we should take them very seriously.

The Government recognise the damaging effect of vandalism and graffiti on neighbourhoods and how people feel about living where there are substantial amounts of criminal damage. We are concerned to tackle those issues with energy and enthusiasm; I shall set out the ways in which we plan to do so.

It may be helpful to the House to understand the scale of the problem. According to the recorded crime statistics bulletin for the 12 months ending in September 1999, there were more than 900,000 offences of criminal damage. That included damage against vehicles, dwellings and buildings other than dwellings, such as bus shelters and post boxes—a wide range.

That is not the whole picture. In 1998, the British crime survey, which measures reported and unreported crime, stated that, in 1997, there were more than 2,900,000 acts of vandalism against private property. It noted that vandalism was under-reported by 26 per cent.

One of the reasons for that under-reporting was that those interviewed felt the offence too trivial to warrant troubling the police. It is important that we feel comfortable in reporting all crimes. I am sure Members on both sides of the House would join me in urging everyone to report crimes of that type, however trivial they may seem. Without an understanding of the problem, we shall all struggle to tackle such issues in a measured and effective manner.

It is important to recognise that the police need to set priorities for their time and money. It is not always possible for the police to be around when offences such as vandalism and graffiti are being committed. They look to members of the public to play their part in reporting offences.

In the light of the comments made by the hon. Members for Twickenham and for Kingston and Surbiton, I remind them that, in our debate on the police grant, I committed myself to examine the issue of police numbers in suburban areas of London. Several Opposition and Government Members made powerful points about the need for such issues to be addressed properly. Indeed, my Parliamentary Private Secretary, my hon. Friend the Member for Harrow, West (Mr. Thomas), exerts immense pressure over such matters, and they are being set in hand.

A range of groups, such as neighbourhood watch and community organisations, can actively contribute and help the police in developing and strengthening the quality of life of their communities.

Many of the crime and disorder reduction partnerships across the country have identified graffiti and criminal damage as important issues for the community. According to our latest figures, 227 of the 363 strategies seen by the Home Office have given priority to criminal damage. More than 90 per cent. of the audits referred to graffiti and criminal damage. The problem is not limited only to the Liberal elements of south-west London; it exists throughout the country, as I am happy to acknowledge.

Much of the work to tackle criminal damage will be undertaken locally, taking into account the most appropriate form of action for each neighbourhood. That was reflected in the speeches we heard this evening. Several local authorities have decided that the way to tackle the matter is through eternal vigilance—comments have been made about that. For example, Stevenage has a graffiti busters service, which acts rapidly on all reported incidences of graffiti. Part of Richmond's strategy is to highlight the fact that it has a graffiti removal service. Those are only isolated examples; across the country, authorities have developed strategies to address the matter effectively.

The use of CCTV was mentioned by the hon. Member for Twickenham. It might have been gracious of him to acknowledge that the Government have made a major investment in CCTV, which has resulted in its being much more widespread. There has been an active commitment by local authorities and crime reduction partnerships around the country to introduce CCTV. That has the knock-on result of giving additional effective support to policing.

Education campaigns—especially those aimed at schoolchildren—and improvement of the local environment can all play a part in reducing the incidence of criminal damage and in making people feel better about their surroundings.

I have already mentioned crime and disorder reduction partnerships. The Crime and Disorder Act 1998 includes provision for orders aimed at confronting young people

with their behaviour, as well as tackling the circumstances that provide them with the opportunity to commit crimes. The reparation order requires the young offender to make specific reparation to his or her victim, or to the community. The hon. Member for Kingston and Surbiton asked me for an assurance that the Home Office is closely monitoring the use of the orders, to see whether courts use them as an appropriate and common-sense punishment for graffiti vandals. We support the probation service and youth offending teams to make sure that such punishments are properly carried out. My experience of the operation of the reparation schemes in various parts of the country is extremely positive. By forcing people to confront the consequences of their actions, they are an effective way of dealing with the issue at an early stage.

Parenting orders are another device under the crime and disorder reduction partnerships and are intended to help and support parents to control their children's behaviour. That is an important element of the partnerships.

I emphasise our commitment to the development of neighbourhood and community warden schemes, which are an additional resource that can help to develop the eyes and ears of the community above and beyond the police and neighbourhood watch schemes. In my city of Norwich, as in many areas, the neighbourhood warden scheme in the parks of the city has been an effective operation that has inhibited certain types of behaviour. Such schemes are an important development that should be generally welcomed.

Spray paints and marker pens have been mentioned. In response to the specific point put to me, I have not discussed them with manufacturers thus far and I have not had discussions generally about the issue. Although the idea of restricting the sale of spray paints and marker pens is initially attractive, to do so would penalise young people who have genuine and legitimate reasons for their purchase. Marker pens in particular are widely used by young people in a variety of different ways and not for graffiti. Simply to say that someone cannot have one because he is a young person might be taking a sledgehammer to crack a nut.

We believe that such a ban is unlikely to prevent the determined graffiti "artists"—like the hon. Member for Twickenham, I was entertained by the use of that word—from obtaining aerosol paint and continuing their criminal activity. I hope that retailers will, as a matter of course, consider who they are selling such products to. It is important to emphasise that, under the Intoxicating Substances (Supply) Act 1985, it is a matter for individual retailers to reserve the right to prohibit the sale of solvents to young people who appear not to have a legitimate reason for buying them. The Act provides some powers that retailers are able to use.

The police already have the power to arrest anyone who they reasonably suspect has committed or is about to commit the offence of criminal damage. Where vandals are found in possession of a paint spray can with the intention of damaging property or after already having done so, the criminal law can be brought to bear.

The hon. Member for Kingston and Surbiton referred to the problems that the police have in obtaining evidence to convict vandals of graffiti offences. The short answer to his question is that we keep matters under constant review, but that we think that the police have significant powers in this area.

It will interest the hon. Member for Twickenham—he represents a London constituency—to learn that the Department of the Environment, Transport and the Regions has advised me that section 12 of the London Local Authorities Act 1995 gives councils the power to serve a notice on an occupier of premises where a surface of those premises has on it a "sign". That includes any writing or picture—for example, graffiti—that a council feels is detrimental to the amenity of the area. Not all London councils have adopted the provisions in the Act—I do not know what the position is in the hon. Gentleman's constituency—but the power is there for London councils to use if they wish.

The surface on which the graffiti exists must, according to the Act, be readily visible from a place to which the public have access. Once any council notice has been served, the owner or occupier has 14 days to remove the offending graffiti. The owner or occupier has the right to appeal to a magistrates court within the 14 days. If no appeal is made, and after 14 days the graffiti has not been removed, the council may do the work itself, incurring the clean-up costs. It would then have to go to court to recover the costs and would have to prove that the area's amenity had suffered detrimentally.

Section 13 of the same Act provides additional leeway to the British Railways Board, Railtrack, London Regional Transport and any of their subsidiaries, such as London Underground. Those bodies are called protected parties. If graffiti exists on any of their property, the 14-day notice period is increased to 28 days and the protected party can serve a counter-notice on the council. The counter-notice lets it impose its own reasonable conditions on any cleaning-up work.

As I said, I have been advised on that by DETR. It is important to note that what I have said is only the Department's interpretation, and matters of fine interpretation are for the courts. However, I am prepared to look further at how that Act has operated and to consider whether it might appropriately be extended to other local authorities or changed in certain respects.

More fundamentally, with the Youth Justice Board, the Department for Education and Employment and DETR, we are funding a series of youth inclusion programmes, targeting young people in neighbourhoods most in need of support. Although those will concentrate on setting up family link centres and skills centres, environmental work will play an important part.

I add that the social exclusion unit's policy action teams are considering a variety of issues that impact on vandalism and graffiti. I have mentioned neighbourhood wardens, and a range of other schemes are intended to focus on anti-social behaviour such as vandalism and graffiti. I agree with the hon. Member for Twickenham that developing a stronger approach on good practice is an important way to proceed, and we shall certainly consider ways in which we can do that and make progress.

[Mr. Charles Clarke]

I have already answered the points made by the hon. Member for Kingston and Surbiton about evidence and reparation orders. He asked me whether I could use what influence I have with the Crown Prosecution Service. I simply say to him that, as he knows, those are matters for the CPS, not for Ministers.

I have responded to the question of reviewing policy on age limits for the sale of spray paints, and the case would have to be well made before we considered making such a draconian intervention. However, as I said, individual retailers have powers in these cases. I was asked whether I would consider issuing new Home Office guidelines to spray paint manufacturers and retailers. At this stage we are not considering such guidelines, but we will of course consider what has been said in this debate.

Finally, I respond to the suggestion of an anti-graffiti summit—I think that hon. Members were perhaps over-influenced by the European Union summit in Lisbon—which would involve everybody concerned. I have to confess with humility and shame that although we have a string of tsars, we do not yet plan to introduce an anti-graffiti summit that will shake the world, but we are certainly prepared to consider that.

Question put and agreed to.

Adjourned accordingly at twenty-three minutes to One o'clock.

House of Commons

Tuesday 28 March 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF NEWCASTLE UPON TYNE BILL *[Lords]*
(*By Order*)

Order for Third Reading read.

To be read the Third time on Tuesday 4 April.

GREENHAM AND CROOKHAM COMMONS BILL (*By Order*)

Order for Second Reading read.

To be read a Second time on Tuesday 4 April.

Oral Answers to Questions

HEALTH

The Secretary of State was asked—

Beta Interferon

1. **Mr. Andrew Stunell** (Hazel Grove): What estimate he has made of the additional cost to the NHS of permitting prescription of beta interferon wherever clinically indicated. [115148]

The Minister of State, Department of Health (Mr. John Denham): No estimate has been made, since opinions vary about when beta interferon is clinically indicated. We have referred beta interferon to the National Institute for Clinical Excellence, and we expect to receive its draft report at the end of May.

Mr. Stunell: I am sure that, in the next 60 minutes, we will hear several times about the large amounts of money going into the NHS. Will the Minister give an undertaking that when the decision on beta interferon is made, affordability will not be a barrier, and that treatment levels of the drug will rise to the European level of 12 per cent. against the current 3 per cent?

Mr. Denham: It is for NICE to give guidance on the clinical and cost-effectiveness of beta interferon to enable us to make the best use of resources. It remains, as it always has been, the responsibility of Ministers to determine the level of resources available in the NHS. I am particularly pleased that, in last week's Budget, a substantial increase in resources for the NHS was announced.

Mr. Harry Barnes (North-East Derbyshire): Has the Minister seen the league tables in *The Mirror* today which show the health authority provision of medicines and drugs, with a variety of provision for beta interferon? Some areas are not supplied, some are partially supplied and some are fully supplied. What lessons does my hon. Friend draw from that information?

Mr. Denham: I draw the lesson that the Conservative party is the mother and father of the postcode lottery in care. The following of the guidance on the prescription of beta interferon, which was introduced by the previous Government, remains, and has led to this situation. I am pleased that this Government have been able to set up NICE, which will tackle the postcode lottery of care, and that we have been able to announce a substantial increase in resources for the NHS to enable spending on the treatment of patients to increase.

Mrs. Ann Winterton (Congleton): The national health service is supposed to be precisely that—national. Multiple sclerosis patients have a right to expect that, where it is clinically approved, they should have the drug of their choice. When will the Minister take charge of the situation, and not use NICE as a cop-out?

Mr. Denham: The hon. Lady must know that the guidance currently being followed by the NHS was introduced several years ago by the previous Administration. It is precisely because the Government were not happy with that situation that we created NICE. We referred beta interferon to it as one of its first year's programmes of work. We look forward to receiving advice later this summer, as this is the only way in which we can tackle the postcode lottery of care from which so many people are suffering.

Mr. Nick Ainger (West Carmarthen and South Pembrokeshire): Does my hon. Friend agree that there is another drug, prostocyclin, with the same problems as beta interferon, in that health authorities cannot afford to pay for it? As a result, patients are dying. In the United States, the same British-made drug is four times cheaper than it is here. Is not the solution that those high-priced drugs with relatively small use are modulated, in that their prices drop to an affordable level while the general price of drugs provided by the same drug company is slightly increased? If so, the price to the NHS would remain the same; we would not have postcode prescribing; and, in the case of prostocyclin, patients would live.

Mr. Denham: I am aware of my hon. Friend's concerns about the use of prostocyclin for pulmonary hypertension. This drug has not been licensed to treat that condition, which means that it is prescribable only on a named-patient basis. That means that it is being prescribed in small numbers, and there are not the economies of scale that are seen in America, where the drug is more widely licensed. In general, US drug prices are some 70 per cent. higher than in the NHS. The pharmaceutical price regulation scheme will save some £200 million in the coming year from the drugs budget, which will become

resources that are available for the NHS to treat patients. Treatment of the condition is being considered by the national specialist commissioning advisory group at present.

Mrs. Caroline Spelman (Meriden): The fact that affordability was slipped into the criteria used by NICE by virtue of a statutory instrument amending the Health Act 1999 would mean that NICE, in deciding on treatments such as beta interferon, could be at odds with the Secretary of State, who said on 8 March:

"I take decisions about affordability."—[*Official Report*, 8 March 2000; Vol. 345, c. 1022.]

If NICE agrees that beta interferon is an effective treatment, will the Minister still stand in the way by saying that it is not affordable to the NHS?

Mr. Denham: As I have already said, the ultimate determinant of affordability is the level of resources available to the national health service. I am very proud that, over the next four years, this Government are committed to putting a level of resources into the national health service that will be twice the rate of increase achieved by the previous Conservative Government, under whose stewardship so many of the problems arose. If a Conservative Government were returned to power, they would return to a policy of postcode lottery and underfunding. They would promote a policy of forcing patients to buy their own drugs.

Health Action Zones

2. **Mr. Michael Clapham** (Barnsley, West and Penistone): What assessment he has made of the improvements brought about by health action zones. [115149]

The Secretary of State for Health (Mr. Alan Milburn): Our own monitoring of health action zones and independent evaluations both show that the extra resources that we have committed to them are helping them to modernise health services and tackle health inequalities. Today, I am making further funds available for health authorities in health action zone areas, and for authorities in all parts of the country.

A total of £600 million is being allocated today from the extra resources that my right hon. Friend the Chancellor announced for the NHS in his Budget. The new resources will put local health services on a sound financial footing. They will help in preparing better for winter, in tackling waiting lists and waiting times, and in putting NICE recommendations into action.

I am directing health authorities to pass all the money directly to primary care groups, which in turn will pass it on to NHS trusts and hospitals, so that patients feel the benefit in better, faster front-line services. There will also be a bonus fund of £60 million to reward good performance in achieving local targets.

I am writing today to all hon. Members, including those in health action zone areas, with details of these extra funds.

Mr. Clapham: I thank my right hon. Friend for that answer, and I especially welcome the new resources that he is to make available to health action zones. The health action zone in South Yorkshire that covers the coalfield areas is running a number of progressive projects that are improving health and reducing health inequalities.

I hear what my right hon. Friend says about the money going straight to primary care groups, but will he ensure that there is a close working relationship between the PCGs and the health action zones so that, in tandem, they can tackle the priorities identified in the health improvement plan?

Mr. Milburn: I am aware of the work of the health action zone in my hon. Friend's constituency—indeed, I think that I launched it a couple of years ago. I am glad that it is making progress, and that my hon. Friend is closely involved with it.

I can assure my hon. Friend that we want the health action zones, the primary care groups, the NHS trusts, the health authorities and the local authorities to work very closely in tandem. We want there to be one care system in future, rather than the competing care systems that may have existed in the past.

I can further assure my hon. Friend that I have a very clear message for the health service. The Government have provided the extra resources that were being demanded for the national health service. The challenge now, for health services in my hon. Friend's area and elsewhere, is to use that money to good effect, to get it to the front line, and to start to make a difference that patients can see.

Mrs. Marion Roe (Broxbourne): I was most interested in that reply from the Secretary of State, but I should be even more interested to hear his response to the findings contained in the report entitled "The Widening Gap". It found that the areas selected for health action zones are vague, and that they are not based on greatest health needs. What is the right hon. Gentleman's response to that?

Mr. Milburn: If the hon. Lady had bothered to visit the constituency of my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham)—who I think would be very happy to extend an invitation and where I am sure that she would be extremely welcome—she would understand about health inequalities and the sort of problems that my hon. Friend's constituents face. The Government are determined to achieve two things. First, we aim to improve the health of the population overall, which of course is the right thing to do. Secondly, we aim to improve the health of the worst off at a faster rate—precisely in order to narrow the health inequalities that are a scar on our nation.

Mrs. Linda Gilroy (Plymouth, Sutton): I thank my right hon. Friend for his reply to my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham). He is very welcome to visit the health action zone in Plymouth, as is the hon. Member for Broxbourne (Mrs. Roe), who seemed so sceptical about its ability to deliver.

Last Friday, we launched a parents forum in Plymouth. My right hon. Friend earlier mentioned partnership values: does he agree that it is very important to involve parents in the future health of their children?

Mr. Milburn: I welcome the initiative with which my hon. Friend the Member for Plymouth, Sutton

(Mrs. Gilroy)—and, indeed, my hon. Friend the Member for Plymouth, Devonport (Mr. Jamieson)—are closely involved. I have to keep on the side of the Whips, Madam Speaker, because otherwise I will get into dreadful trouble.

There is an important lesson for the health service in general here. In the future, we want to see much better engagement, not just with parents but with patients. After all, that is what the national health service exists to do—to provide services for patients. In the health action zones, and in other parts of the country, now that the NHS has the resources that it was calling for—the significant increases in funding at historic levels on a sustained basis—we want to see a real engagement, not just nationally but locally, with patients organisations, so that patients receive the services they deserve.

Dr. Peter Brand (Isle of Wight): I am sure that the Secretary of State will accept that all the country is a health action zone of one type or another, and that much work has been done to create the health improvement programmes that are the basis of health delivery in a given locality. Can the right hon. Gentleman assure us that the criteria set for the money flowing down into localities, and the bonus payments, will be local criteria, accepted by the Secretary of State as part of his health improvement programme, but that the determination of the flow of money will be made locally rather than at Richmond house?

Mr. Milburn: I should explain to the hon. Gentleman that today I am making available two sources of extra funding for the national health service from the money that the Chancellor announced last Tuesday. First, there is £600 million extra for the NHS to deal with the very real service pressures that the hon. Gentleman, and others, have been banging on about for some time. That money was called for by the NHS Confederation the weekend before the Budget statement. It is to deal with the issues of winter, waiting, and getting back into financial balance. On top of that, a further £60 million is available, but that is dependent on good performance. Frankly, once we provide these extra significant levels of resources—twice the level of real-terms growth that we have seen in the NHS over the past 25 to 30 years—there should no longer be any excuse for poor performance. Patients in every part of the country want excellence, not excuses, and the new fund is designed to incentivise good performance.

Personal Social Services

3. **Helen Jackson** (Sheffield, Hillsborough): What steps the Government are taking to improve the quality of personal social services. [115150]

The Minister of State, Department of Health (Mr. John Hutton): We are taking a range of measures to improve the quality of personal social services. Our quality protects programme is improving quality and consistency in children's services. The Care Standards Bill will establish a new independent regulatory system in residential care homes, so improving standards in care settings. Our new performance assessment system will, for the first time, provide a national benchmark by which we can measure change. We shall also be consulting in the very near future on a quality strategy to plan a range of further steps that we wish to take in improving the quality of personal social services.

Helen Jackson: I thank my hon. Friend for his answer. I also welcome the commitment to extra resources that we heard last week in the Chancellor's statement. Does my hon. Friend agree that vulnerable citizens, whether they are elderly, children, physically or mentally disabled, need the assistance of personal social services, and that they, in particular, need to be treated as individuals? That requires a professionalism about the provision, whether it is delivered by the public, private or voluntary sector. In areas where there is a mixture, how will my hon. Friend ensure that those standards of quality and professionalism are delivered across the board in personal social services?

Mr. Hutton: I certainly agree with my hon. Friend about the importance of additional resources. She will be aware that we are increasing the total resources available to local authorities in England for personal social services spending at twice the rate of inflation. That is important. However, my hon. Friend is also right that it is not just a question of resources, which is why the Government have developed a new approach to raising the standards of care provided in social services departments. It is totally unacceptable that similar authorities have a completely different range of outcomes in relation to the services that they provide.

I also agree strongly with my hon. Friend about the need to improve the protection for vulnerable citizens against abuse. That is why last week we launched a new drive to protect vulnerable adults from the risk of abuse. It is a very serious problem, and we are determined to work with local authorities to provide better protection for our vulnerable citizens.

Mr. Julian Brazier (Canterbury): I welcome the Minister's comments on protecting the vulnerable against abuse, but is he aware of the concern among nursing homes in East Kent caused by his "Fit for the Future?" document, especially some of its more bureaucratic provisions, which have been cited as the reason for the closure of one nursing home already? Is he further aware of the impact that the programme is likely to have on bed blocking in the acute hospital sector? Two of our three hospitals have this very week been closed for a while to new admissions.

Mr. Hutton: Yes, I am aware of the concerns that he and other hon. Members from Kent have made about "Fit for the Future?" It is inappropriate to say that "Fit for the Future" is the reason why homes are closing, because it is not in operation yet and is unlikely to be so for several years to come. We are making it clear to care home providers that, whatever decisions we eventually make about the national minimum required standards, those standards will be fair, affordable and realistic. We have no intention of driving good care home providers out of the sector. Far from it, good care home providers have absolutely nothing to fear from "Fit for the Future?"

Student Nurses

5. **Mr. Brian White** (Milton Keynes, North-East): What steps he has taken to increase the number of student nurses. [115152]

The Secretary of State for Health (Mr. Alan Milburn): We have increased the number of nurse training places and we have increased pay for nurses and midwives. As a result, we have also increased the number of applicants for training. Last year, over 70 per cent. more people applied for nurse training courses.

Mr. White: I thank my right hon. Friend for that reply. Is he aware of a problem that a number of student nurses have brought to my attention? When they come back to training, they have an interaction with the benefits systems that cause them problems. One constituent was promised that she could continue to receive the working families tax credit, but when she became a student nurse, she found that she could not.

Mr. Milburn: I am aware of some of those problems. As my hon. Friend is aware, a review of the NHS bursary schemes through which student nurses are paid is under way. I can reassure my hon. Friend that the review is taking place not only inside the Department of Health, but in conjunction with our colleagues in the Department for Education and Employment and the Department of Social Security.

Dr. Liam Fox (Woodspring): Can the Secretary of State tell us how much money the Government will save as a result of the decision to cut travel allowances for student nurses on clinical placement?

Mr. Milburn: I am not aware of the amount of money that we will save, but the investment that we are making in nurse training and in expanding the number of nurses in the NHS is good news for patients and good news for nurses, and stands in marked contrast to the cuts in nurse training places and in the number of nurses that we saw under the Conservative Government.

Dr. Fox: It is clear that the Secretary of State does not understand that his Department is cutting travel allowances for some of the poorest nurses currently on clinical placement. That is proving a great hardship. If the right hon. Gentleman had contacted the Royal College of Nursing, he would have been more aware of it.

The Secretary of State might know the answer to my next question because I gave him notice of it in the debate last week. It is clear that the Chancellor's announcement of 15,000 nurses was untrue. The Secretary of State talks about 10,000. Over what time scale will they be recruited? Will there be 10,000 whole-time nurse posts or 10,000 nurses in total, with some working part-time? If the number is 10,000 in total, how many full-time posts do the Government intend them to fill?

Mr. Milburn: I have in front of me what the Chancellor told the House last Tuesday. He said two things. He said that, with the extra resources and the reforms that were still to come, we would be able to recruit at least 10,000 more nurses next year and the year after and that, as a consequence of the historic levels of funding that we had put into the NHS, there would be even more nurses to come. That stands in marked contrast to what happened under the previous Government. The number of nurse training places was cut. The number of qualified nurses fell. We are now beginning to turn the corner on nurse shortages. There are now 4,500 more nurses working in the NHS today than just a year ago. If the hon. Gentleman had any sense whatever, he would welcome the extra resources and nurses that the Government are putting into the NHS.

Dr. Fox: Two questions; no answers. The Secretary of State does not know that he is cutting nurses' allowances, and he is unable to answer—for a second time—detailed questions that the RCN has put to him in writing. He betrays the fact that the Government are making it up as they go along. What a bunch of waffle.

When the new nurses join the NHS, which I welcome, they will find it packed by the Secretary of State with Labour placemen. They will find a twilight world of deceptions and bullying in which bed numbers have been cut by 9,000 since Labour came to power. They were told that all NHS units would be modernised—untrue. The Chancellor said that there would be 15,000 more nurses—untrue. The Prime Minister told the House that spending on the NHS would be 7.6 per cent. of gross domestic product—untrue. What sort of ethical signal does it send to those joining the NHS when those at the top cannot be trusted to tell the truth on any subject?

Hon. Members: Hear, hear.

Mr. Milburn: The hon. Gentleman and his hon. Friends are becoming excited, so I shall leave some basic facts with them. From 1 April, an extra £600 million will go into the NHS—delivered by Labour, opposed by the Tories. The NHS will receive an extra £2 billion for the next financial year—delivered by Labour, opposed by the Tories. The NHS will receive an extra 6.3 per cent. in real terms over the next four years—delivered by Labour, opposed by the Tories. The NHS will receive an extra 50 per cent. in real terms over five years—delivered by Labour, opposed by the Tories. The truth is that the Tories are desperate to talk of spinning because they cannot match our spending. They have made their choice about the NHS, public spending and taxation policy—tax perks for the privileged, not a health service for the people.

Mental Health Services (Racism)

6. **Dr. Ian Gibson** (Norwich, North): What studies he has undertaken of the incidence of racism in mental health services. [115153]

The Minister of State, Department of Health (Mr. John Hutton): Last year, the Department of Health and the Royal College of Psychiatrists jointly produced a detailed study into ethnicity and mental health. It recognised the problems of racism and set out practical solutions to problems identified in clinical practice. These have been reflected in the national service framework for mental health as we have sought to address specific needs of black and ethnic minority mental health service users.

Dr. Gibson: I congratulate my hon. Friend. At last, a Government are taking mental health services seriously

after years of neglect, and are resourcing those services. Is my hon. Friend aware of the MIND charity report that contains evidence that mental health services discriminate against black and minority ethnic communities? Is he aware that a constituent of my hon. Friend the Member for Peterborough (Mrs. Brinton) died under restraint procedures in a hospital in my constituency, and that an inquest is still awaited a year and a half later?

Mr. Hutton: My hon. Friend makes two points. First, we recognise the need to improve mental health services. That is why they are one of my Department's major priorities. We are introducing significant new reforms to mental health services, backed by significant new resources. Many people from black minority populations feel that they do not receive a fair deal from mental health services. Many parts of the national service framework try to address their concerns, including those on primary and non-institutional care, and that will benefit patients from black minority ethnic backgrounds.

Secondly, on David Bennett, we should all wish to express our regret about his death to his family. My hon. Friend will be aware that that death remains the subject of a police inquiry, and the coroner's inquest will not be held until the inquiry has been completed. Under those circumstances, it would be inappropriate for me to comment further on that tragic incident.

Mr. John Bercow (Buckingham): Has the Minister discussed his concern about racism in the provision of mental health services with the Home Secretary in the context of the recent Second Reading of the Race Relations (Amendment) Bill?

Mr. Hutton: Yes, these matters are discussed across government. We must address that serious issue. There is a temptation among some Opposition Members—the hon. Gentleman may not have fallen into the trap—to pretend that there is no issue relating to black people's access to mental health services. We are determined to address problems, and we are doing so seriously. I hope the hon. Gentleman will be able to support us.

Financial Allocation Formula

7. **Mr. Mike Gapes** (Ilford, South): What plans he has to review the financial allocation formula for health authorities. [115154]

The Minister of State, Department of Health (Mr. John Denham): A review of the formula is already under way. We want a fairer formula that contributes to our goal of reducing health inequalities. All parts of the NHS will benefit from the cash boost announced last week. Redbridge and Waltham Forest health authority's share of the first £660 million is more than £6 million. That will give the health authority an 8.23 per cent. cash increase for the coming year.

Mr. Gapes: My hon. Friend's announcement of extra money will be most welcome in Redbridge and Waltham Forest. However, does he agree that the existing allocations formula, with its staff market forces factor, causes difficulties for several London health authorities for whom there is a distinct cliff edge between one authority and its neighbour? Will he look closely at the impact of higher wages in the City of London? Those high wages mean that, because of the formula, people in outer-London boroughs lose out financially.

Mr. Denham: The advisory committee that is considering the formula is examining many issues; for example, market forces; rurality; and the number of the older population. They must all be taken into account; it will be some time before there is any prospect of a change to the formula.

However, with the additional £6 million, on top of the large increase in resources already announced for next year, the key priority for the health authority, the trust, and, indeed, for my hon. Friend, must be to ensure that every penny is used effectively, so that we do not just spend more money in his area but modernise the health service and improve services to patients.

Mr. Nicholas Soames (Mid-Sussex): Is the hon. Gentleman aware of the serious difficulty that has arisen in West Sussex as a result of the extremely bad funding arrangement for West Sussex county council? That has left many geriatric beds in hospitals blocked with people who should rightfully be cared for in old people's homes. Will the hon. Gentleman liaise with his colleagues in other Departments to see what help can be given to West Sussex county council to overcome that problem? It has led to the council being unable to cope with its obligations.

Mr. Denham: I hear what the hon. Gentleman has to say. I am not familiar with the details of the situation in West Sussex, although I know that social services departments throughout England received a good increase in their standing spending assessments last year. I shall look into his particular concerns.

However, the additional £9.95 million of health resources heading to the West Sussex health authority, under the announcement made by my right hon. Friend the Secretary of State today, will make a significant difference. Among the matters that we have suggested that health authorities should consider is the development of intermediate care provision—to offer that bridge between hospital and home that can prevent bed blocking.

If the hon. Gentleman really believes that that amount is not enough, he should look back at the record of the previous Government. During 18 years, they never dreamt of investing in the health service in that way.

Mr. David Hinchliffe (Wakefield): Do the allocation arrangements mentioned by the Secretary of State today, which bypass health authorities, indicate some thinking about the possible future role of those authorities?

Mr. Denham: We simply wanted to achieve one important effect: we want the money to be spent on real services and not on red tape. We want to put it into the hands of front-line doctors and nurses in primary care groups, who, in any case, would have been responsible for commissioning at least 60 per cent. of services from this April. By making it clear that the money must go into front-line services for patients, we can ensure that the extra investment will have the fastest possible impact on real patients and their treatment in the health service.

Mr. Philip Hammond (Runnymede and Weybridge): Can the Minister give the House an assurance that he will

use the allocation of £600 million to address the grotesque distortions in funding between NHS areas? That distortion means that, for example, in my constituency, where NHS spending is just £615 per head, the percentage of patients waiting for 12 months or more for surgery is 10 times higher than in the Secretary of State's constituency, where NHS spending is £730 per head—nearly 20 per cent. higher than in mine.

Mr. Denham: In answer to an earlier question, I said that a review of the allocation formula was under way. It will consider a wide range of factors. If the hon. Gentleman is seriously suggesting that a Conservative Government would wish to adopt a purely per capita system of funding that took no account of, for example, providing services in rural areas, inequalities in health needs or the size of health populations, that is astonishing. Such an approach would amount to a huge shift of resources away from those people who suffer most from ill health and who die earlier towards those areas where health provision is best. Some changes may be necessary to the allocation formula in relation to a range of issues. However, the hon. Gentleman should think again about going in the direction that he suggested.

Meningitis (Yorkshire)

8. **Mr. John Healey** (Wentworth): If he will make a statement on progress with the new immunisation programme against meningitis C-type in Yorkshire. [115155]

The Parliamentary Under-Secretary of State for Health (Yvette Cooper): The first phase of the new meningococcal group C vaccine programme in Yorkshire and across the country is progressing well. We are on target to offer the vaccine to all under-18s by the end of this year. I welcome the hard work of those across the national health service and that of the manufacturers who have done so much to put the programme in place so quickly.

Mr. Healey: I thank my hon. Friend for that reply. She will remember the three local teenage deaths in nine days last winter from the C-type killer. Is she, therefore, aware of the strong support in Rotherham for the Government's determination to make the United Kingdom the first country in the world to use this new vaccine in a national immunisation programme? Will she pay tribute to the health authority, the schools and other local agencies in Rotherham which together have achieved 91 per cent. coverage among the vulnerable 15 to 17-year-olds in schools? In particular, Rawmarsh comprehensive has achieved a 99 per cent. immunisation rate. Will she confirm that we have not seen such figures for any vaccination programme for that age group in the past?

Yvette Cooper: I certainly pay tribute to the work done in Rotherham and to the high take-up rates that have been achieved. I am pleased to tell the House of the impact of the meningitis C vaccination programme so far. The data we have suggest that the new vaccine has already cut winter cases in the groups who were immunised first by 75 per cent. and that the number of tragic deaths from meningitis C in those age groups has fallen already. That proves how right my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) was, as the former Secretary of State for Health, to take the decision to bring in the vaccine as rapidly as possible and far more quickly than many people thought possible.

Miss Anne McIntosh (Vale of York): Will the Minister ensure that there is proper publicity, so that everyone who is eligible for the vaccine will be assured of it within a year? Will she join me in encouraging hospital staff and medical care workers generally to have the vaccinations to which they are also entitled?

Yvette Cooper: I welcome the hon. Lady's support for the meningitis C vaccination programme. We have already begun television advertising to make people aware of the programme. Vaccinations for children of school age are being carried out in schools, and awareness in schools is also important.

Mr. Kevin Barron (Rother Valley): Despite the excellent targets that are being met in the schools in Rotherham, some people are excluded from the programme. Will my hon. Friend ensure that there are means of contacting people who are not in schools, so that as many people as possible receive the vaccinations? Through my hon. Friend the Minister, may I thank my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson), who spent a lot of time and energy when he was at the Department of Health making sure that we had the type of protection that our country and our children deserve?

Yvette Cooper: I certainly support my hon. Friend's remarks. It is worth reinforcing the point that we are the first country in the world to have this vaccination programme in place. It is a tribute to the work of the NHS that we have managed to do that. My hon. Friend is right to say that there are groups of people—particularly 15 to 17-year-olds who are not in school—that we want to find other ways to reach. The under-fives and the 15 to 17-year-olds who are not at school will be reached through their general practitioners, but we are keen to make further progress on that in future.

Heart Disease

9. **Fiona Mactaggart** (Slough): What priority he will give to areas with high levels of heart disease in allocating new resources for improving cardiac care and surgery. [115156]

The Secretary of State for Health (Mr. Alan Milburn): The national service framework, which I published earlier this month, is a 10-year programme of action, which will mean that everyone can get top-quality coronary heart disease services wherever they live. As a first step, the extra £50 million to increase heart operations is being distributed using a formula that takes account of deaths from heart disease.

Fiona Mactaggart: I thank my right hon. Friend for that reply. Under the Conservative Government, the town that I represent, despite being in the prosperous south-east, became unhealthier. It is one of the top 10 towns in the country for deaths from coronary heart disease among people aged over 65. Unlike the rest of the country, in Slough the rate of increase for deaths from

CHD is continuing. I am glad that the targeted £50 million will be connected to deaths from heart disease. May I take this opportunity to thank my right hon. Friend for that money? That sum, together with the £600 million that he announced earlier, will mean that Slough, where people have been allowed to die for 20 years because of the ignorance of those who were not focusing on the health needs of the community, will no longer have the only district general hospital in the country without a dedicated coronary care unit.

Mr. Milburn: My hon. Friend raises an important point. I think that all right hon. and hon. Members are aware that, by international standards, we have a high incidence of coronary heart disease in the United Kingdom compared with other developed nations. There is also an unfortunate coincidence in that the very parts of the country that often have the highest levels of coronary heart disease often have the lowest levels of cardiac surgery interventions. That is something that we must put right. We must get resources into the right places. That is the right and fair thing to do.

As for cardiac services, we shall be rolling out the new mechanisms described in the national service framework first into the areas where they are needed most, precisely to deal with some of the big health problems and to narrow the health inequalities that my hon. Friend describes.

Mr. Michael Jack (Fylde): Will the Secretary of State join me in congratulating the cardiac thoracic unit at the Blackpool Victoria hospital on its excellent work in increasing patient throughput and on the quality of the surgery that it has performed? Will he take this opportunity to remove the cloud of doubt that hangs over the future of the unit? It is much needed in Blackpool and Fylde, and the doubt must be removed. Will the right hon. Gentleman ensure that, in his distribution of moneys, the North West Lancashire health authority has sufficient funds to ensure that patient throughput can again rise at Blackpool?

Mr. Milburn: As I understand it, the issue about the unit to which the right hon. Gentleman refers is out for consultation. It is a matter that will need to go through the appropriate mechanisms, and it will be determined locally. If it is referred to me, I shall examine it carefully.

Mr. Dennis Turner (Wolverhampton, South-East): I understand that my right hon. Friend is currently considering demand projections for a fourth cardiac unit in the west midlands. In Wolverhampton, we have not only the highest number of deaths from cardiac disease in the west midlands but the lowest level of access to surgery in the west midlands. Will my right hon. Friend give sympathetic consideration to a new cardiac unit being sited in Wolverhampton?

Mr. Milburn: I am not aware of the particular local circumstances. If my hon. Friend cares to write to me, I shall examine carefully the issues that he has raised. It is important that all right hon. and hon. Members understand that we have severe capacity problems with our cardiac services and units. As a result of decades of neglect of cardiac services, we have only 170 cardiac surgeons in the NHS in England. We are expanding the numbers pretty rapidly by more than 100 during the next five or six years. That will be an increase of about 60 per cent.

Progress is dependent on the number of surgeons that we have, and it will take time to train them. However, no one should doubt our commitment to increase the number of cardiac surgeons available and to increase the number of heart operations that we are able to carry out. Equally, and in some ways even more significantly, we are committed to nipping some of these problems in the bud. We must get the right emphasis on treatment and on prevention.

Dr. Evan Harris (Oxford, West and Abingdon): Can the Secretary of State reassure the House that he is aware that it takes more than surgeons, welcome though they will be, to perform cardiac surgery? Will he guarantee funding for intensive-care and high-dependency beds and the anaesthetists who will be needed to increase the number of operations being done?

Mr. Milburn: It is not only those members of staff who are necessary, important though they are. We also need cardiac nurses and other back-up staff, who will be extremely important. The hon. Gentleman is aware that if we are to expand the capacity of major services to deal with our country's biggest killers—coronary heart disease and cancer—we require an expansion in the number of staff, including doctors, nurses and therapists. That of course requires an increase in the number of available beds, but as I have said to the hon. Gentleman before, it is pretty easy to get beds; it is harder to get trained staff, and I am afraid that it takes time.

Infliximab

10. **Mr. Andrew Robathan** (Blaby): When the National Institute for Clinical Excellence will examine the drug infliximab. [115157]

The Minister of State, Department of Health (Mr. John Denham) *rose—*

Mr. Owen Paterson (North Shropshire): What about Gisela? Give her a go.

Madam Speaker: Order. That is disgraceful, juvenile behaviour. I call the Minister.

Mr. Denham: We are considering a number of possible topics for appraisal by NICE during the year 2000-01, and an announcement will be made as soon as possible.

Mr. Robathan: Crohn's disease is an extremely unpleasant condition, which is not terribly common but common enough for those who suffer from it. Infliximab, which was licensed last August, appears to be a very effective treatment for many cases. Does the Minister remember the remarks of his right hon. Friend the Secretary of State—then a Minister of State—on 30 June 1998? He said:

> As of now, no one will be denied the drugs that they need. That is a guarantee.—[*Official Report*, 30 June 1998; Vol. 315, c. 143.]

Could he explain to Crohn's disease sufferers in my constituency and throughout the country why they are being denied infliximab and why, when they ask for it, they are told that it has not yet been evaluated by NICE? That seems to them to be rationing by proxy, and they would like to be given the drugs that they need and which their consultants believe they need.

Mr. Denham: In preparation for this question, I have endeavoured to establish whether any parts of the country are experiencing problems in the prescribing of that drug for Crohn's disease, and I am assured that in the great majority of health authorities, including Leicestershire, treatment with infliximab is now being funded in appropriate cases. If doubt about that remains, the hon. Gentleman may want to contact me. He will of course welcome the additional £11.3 million of resources that my right hon. Friend the Secretary of State has allocated to Leicestershire today—at least I hope that he will welcome it—because that will undoubtedly enable the health authority to meet a variety of patient needs, including increased drug costs.

Private Finance Initiative

11. **Dr. Lynne Jones** (Birmingham, Selly Oak): What assessment he has made of the effectiveness of private finance for health capital projects. [115158]

The Minister of State, Department of Health (Mr. John Hutton): The private finance initiative option for every national health service capital investment project must demonstrate that, overall, it is better value for money when compared to the publicly funded alternative, the public sector comparator. Under this Government, 18 major hospital PFI schemes worth nearly £1.4 billion have been approved and are currently under construction. That is the biggest capital investment in the history of the national health service.

Dr. Jones: My hon. Friend will be aware that approval in principle has been given for a new hospital to replace the Selly Oak and Queen Elizabeth hospitals in south Birmingham. Although there is considerable public support for the new hospital, there is anxiety that the additional cost of private finance could lead to the provision of fewer beds and a reduced service.

I note my hon. Friend's reply, but the Select Committees on Health and on the Treasury have exposed the lack of rigour and transparency in the assessment of value for money of private finance schemes. Will my hon. Friend assure my constituents that those problems will not arise in the case of our hospital, and that if, after a fair evaluation, it is found that the public sector comparator offers best value, adequate public capital will be made available so that our hospital can go ahead?

Mr. Hutton: We have not yet received the outline business case on the investment in Birmingham to which my hon. Friend referred. However, I hope that I can allay some of her fears about the issues that she has raised. In total, the first wave of major PFI schemes will provide slightly more beds than would have been the case if they had been built under the conventional public capital method.

May I also remind my hon. Friend that the Government commissioned Arthur Andersen to examine PFI projects? That report, published in January this year, showed that, on average, PFI projects were delivering savings of 17 per cent. over traditional forms of procurement. The evidence of value for money certainly exists, and I am sure that my hon. Friend will join me in welcoming the recent finding of the Select Committee on the Treasury that

> the promotion of PFI projects has clearly led to a considerable and welcome increase in investment in our hospitals.

Mr. Edward Garnier (Harborough): The Minister may know that it was private finance alone that built the breast cancer unit at the Glenfield hospital in Leicestershire, and that it was the Secretary of State for Health's predecessor who opened the unit last November. It is now threatened with closure. When will the Minister, on behalf of the entire ministerial team, be able to make a pronouncement about the future of the unit? I appreciate that the magic word "consultation" is being bandied about, but the people of Leicestershire and of the Trent region need to know the Government's attitude towards the future of that hospital.

Mr. Hutton: If changes in services are proposed in the hon. and learned Gentleman's constituency or anywhere else, there must be proper public consultation. If issues are raised in the course of that consultation—for example, if a community health council opposed the service reconfigurations that were being proposed—it would be for Ministers eventually to decide the outcome of that process. We are not there yet, but there will be plenty of opportunity for the hon. and learned Gentleman to raise those concerns with me and my right hon. Friend the Secretary of State in future months.

Mr. Andrew Reed (Loughborough): Does my hon. Friend accept that the public sector route has a vital role to play in rebuilding our national health service, and that we should not rely on private finance initiatives alone? On that basis, may I thank him and the rest of the team for financing the £9.5 million Loughborough hospital, which will start work this summer and is financed solely by the public sector? Will my hon. Friend visit that site, along with the Opposition spokesperson, the hon. Member for Woodspring (Dr. Fox), who visited it recently, to see Labour delivering its health promises?

Mr. Hutton: That is probably an invitation that I shall not be able to turn down, so I look forward to visiting my hon. Friend's constituency. Ultimately, what is important is what works, and what delivers the new investments and the new capital projects for the NHS on time and on budget. The PFI has an outstandingly good record on delivering those projects on time and on budget, but of course my hon. Friend is right to say that a significant amount of investment is still taking place through the traditional public sector capital route, and that will continue to be the case.

Mr. David Davis (Haltemprice and Howden): I am glad to hear the Minister speak of the 17 per cent. advantage that an average PFI project has. As he has just commented, such projects are also significantly faster than the public sector route. Given that one of his problems with the extra money that he has will be capacity increase,

can we look forward to a dramatic increase in the use of PFI to accelerate the increase in capacity in the health service?

Mr. Hutton: We want an expanded role for the private finance initiative. However, what matters not just for the right hon. Gentleman's constituents who are patients of the national health service, but for his constituents who are taxpayers as well, is that whatever route we take and whichever way we deliver new capital investment projects for the NHS, the system provides value for money. The PFI has shown its worth, and we are making sure that it will continue to play that role in future.

Mr. John Smith (Vale of Glamorgan): I, too, welcome my hon. Friend's comments on the effective use of PFI. What counts is what works. Does he suspect, as I do, that civil servants are sometimes reluctant to consider other uses of private finance initiatives, not just for capital projects but for the shared use of facilities and other imaginative proposals that could allow us to retain vital health services in smaller hospitals, which have sometimes been under-utilised? I am sure that there are plenty of good ideas out there, but I sometimes sense a reluctance to push ahead with them.

Mr. Hutton: I reassure my hon. Friend that we are in the market for new ideas. We are examining all sorts of ways of encouraging the closer partnerships to which he has drawn attention. I am particularly interested in making sure that, in relation to social services, for example, we encourage greater use of the PFI as a route to getting some of the important reinvestment that we need. There is a clear difference, is there not, between the Government, who have delivered that capital investment through the PFI route, and the Opposition, who spent almost 20 years talking about it, but never built a single hospital?

Dentistry

12. **Mr. Mark Oaten** (Winchester): What plans he has to improve access to NHS dentistry. [115159]

The Parliamentary Under-Secretary of State for Health (Ms Gisela Stuart) *rose—*

Hon. Members: Hear, hear.

Ms Stuart: I hope that Opposition Members will cheer equally loudly when they see the extra allocation for health authorities.

The investing in dentistry initiative will generate up to 900,000 extra patient registrations, and by the end of this year there will be about 40 dental access centres in the areas that need them most. We are also implementing a new scheme to reward and extend dentists' commitment to the NHS.

Mr. Oaten: Is the Minister aware that in large parts of the country it is almost impossible to gain access to an NHS dentist? How much of last week's new money will be spent on trying to reverse that trend?

Ms Stuart: We now have a record number of extra dentists. In the last 12 months, the number has increased by 480 to 17,746. The real issue, however, is not just the total number of dentists, but their commitment to the NHS. We have accepted all the recommendations of the doctors and dentists review body, which means a 3.3 per cent. increase in dentists' remuneration, along with the package rewarding extra commitment to the NHS. That amounts to some £17 million. In the current year, a total of some £50 million extra will be spent on NHS dentistry.

Dr. Doug Naysmith (Bristol, North-West): As my hon. Friend will know, following guidelines issued by the General Dental Council in 1998, the use of general anaesthesia in dental practices has virtually ceased. That, however, leaves the problem of patients who suffer from anxiety which must be controlled. The best method is through sedation techniques, but the British Dental Association has pointed out that not enough dentists are trained in such techniques, and that there are not enough facilities for them to be trained. Is my hon. Friend aware of that, and, if so, can she say what the Government are going to do about it?

Ms Stuart: I thank my hon. Friend for raising the issue. Because there is some anxiety in the profession, we have set up a review body which will shortly recommend guidelines on the best way in which to proceed.

Mr. Nicholas Winterton (Macclesfield): I want to be kind to the hon. Lady. Will she join me in congratulating South Cheshire health authority on its proposal for a dental access scheme, which is currently out for consultation and which, if implemented—providing a new centre in Macclesfield, and others elsewhere—will dramatically increase the number of people who can gain access to NHS dentistry? Does she agree that healthy teeth can lead to a healthy nation?

Ms Stuart: I am delighted that, in being kind, the hon. Gentleman did not feel that he had to be cruel first. I hope that he will welcome the extra allocation of more than 8 per cent. to his health authority.

Some six dental access centres are currently in operation, and about 34 applications have been made. The centres will improve access for those who cannot be registered. We are also supporting the establishment of schemes in schools to encourage them to register with dentists in areas where fluoride is not regularly put into the water. We also want to increase the use of such simple devices as tooth brushes. The hon. Gentleman is right: we must start with children, and healthy teeth are the beginning of overall health.

Accident and Emergency Departments

13. **Mr. Bill Michie** (Sheffield, Heeley): How many accident and emergency departments are being improved as part of the modernisation programme; and if he will make a statement. [115160]

17. **Mr. Steve McCabe** (Birmingham, Hall Green): How many accident and emergency departments are being modernised; and if he will make a statement. [115164]

The Parliamentary Under-Secretary of State for Health (Ms Gisela Stuart): The £115 million capital investment in accident and emergency services is enabling 244 improvement schemes to be carried out in 182 hospital trusts in England.

Mr. Michie: When considering the modernisation of accident and emergency units throughout the country, will my hon. Friend also consider the role of the ambulance service?

Ms Stuart: My hon. Friend is right: the modernisation review, examining the way in which patients are treated in accident and emergency departments, must go much further, and ambulances play a vital role. As well as giving extra money to the ambulance service and implementing the modernisation programme, we are piloting schemes in parts of the country to separate category C calls, which are less urgent, from those involving the patients in greatest need. We want to ensure through NHS Direct that the ambulances that are needed most urgently to take such patients to accident and emergency units are used as effectively as possible.

Mr. McCabe: Labour Members welcome the improvements to accident and emergency units. However, we are not simply considering facilities. Anyone who has recently visited an accident and emergency unit must be aware of the tremendous pressures on staff. What is the Minister doing to help the people whom we employ in accident and emergency units?

Ms Stuart: My hon. Friend is right to say that as well as modernising the processes in accident and emergency units, we must recognise that our most valuable asset is the staff. Last October, we published a joint initiative with other Departments to support all hospitals in preventing violence, including attacks on staff. I recently visited Sandwell health authority, which has launched a successful anti-violence initiative. One of the most pleasing aspects was the announcement by the chair of the local bench that an assault on national health service staff would be considered an aggravating factor by magistrates sentencing in that area.

Several hon. Members *rose—*

Madam Speaker: Order. Time is up. I hope that the hon. Member for North Shropshire (Mr. Paterson) is happy, as he has heard a great deal from the Minister now.

Points of Order

3.31 pm

Dr. Liam Fox (Woodspring): On a point of order, Madam Speaker. Twice last week after the Prime Minister's statement on health, I raised a point of order about inaccuracies in the details that he gave. For example, he said that 7.6 per cent. of gross domestic product would be spent on the NHS. A Sunday newspaper confirmed that that figure was incorrect. "Questions of Procedure for Ministers" makes it clear that when misleading figures are given to the House, Ministers should provide a correct figure as soon as possible. Has the Prime Minister or any Minister suggested that that is to be done? It is disgraceful that figures are corrected in Sunday newspapers while the House is treated disdainfully.

Madam Speaker: If I understand the hon. Gentleman's point correctly, I believe that a correction is being made in answer to written question 11. I have also gained the impression that the hon. Gentleman may hear from the Prime Minister, although I am not clear about that. However, there is a question on the Order Paper that relates to the hon. Gentleman's point.

Mr. Michael Fabricant (Lichfield): On a point of order, Madam Speaker. With characteristic honesty, the Under-Secretary of State for Health, the hon. Member for Birmingham, Edgbaston (Ms Stuart), said that 182 trusts would benefit from the modernisation programme for accident and emergency departments. However, the Department of Health issued a press release stating that all accident and emergency departments would be modernised. That is obviously an untruth. *[Interruption.]*

Madam Speaker: Order. These are questions of argument, which I cannot resolve. If the hon. Gentleman has a genuine point, he should make it by using the Order Paper and tabling a question or an early-day motion to draw the Department's attention to it.

Mr. John Bercow (Buckingham): On a point of order, Madam Speaker. Further to what my hon. Friend the Member for Woodspring (Dr. Fox) said—

Madam Speaker: Order. I deal with one point of order at a time; I have dealt with that point. *[Interruption.]* Order. I am on my feet. Is the hon. Gentleman making a different point of order?

Mr. Bercow: Yes.

Madam Speaker: It is a different a point of order: therefore I must hear it.

Mr. Bercow: On 12 January, the Prime Minister wrongly told the House that 170,000 young people had left the new deal to go into unsubsidised employment. I have corresponded with the Prime Minister about that. Department for Education and Employment figures have shown his comments to be factually incorrect. My concern is for the equal treatment of all hon. Members. Although my hon. Friend the Member for Woodspring is a splendid fellow, if he gets an apology for an error, is not it right that I should also receive—

Madam Speaker: Order. I made no point about anyone receiving an apology. I said that there was a question on the Order Paper, which I assumed would lead to a correction, and that the hon. Member for Woodspring (Dr. Fox) might receive a letter from the Prime Minister. I do not know the contents of that letter: they are between a Minister and an hon. Member, and are nothing to do with me.

Mr. Philip Hammond (Runnymede and Weybridge): On a point of order, Madam Speaker. Several weeks ago, I raised the question of the roadworks in Parliament square and the obstruction to hon. Members who are trying to reach the House. A trench has been progressing down Millbank from Lambeth bridge over the past couple of weeks and is now approaching Chancellor's Gate.

It appears to me that, within the next day or two, that trench will prevent Members from turning right from Millbank through Chancellor's Gate. Many Members use that route during Divisions when arriving by motor car. Have the Officers of the House had any further discussions with Westminster city council? If not, would you ask them, as a matter of urgency, to do so?

Madam Speaker: I remember the hon. Gentleman's point of order and it was a very sensible one, too. It resulted in our having closer relationships on such matters with Westminster city council. I am not aware of the matter of which he speaks, but he can be sure that I shall make inquiries and do what I can to be helpful.

Local Government (Access to Information)

3.35 pm

Mr. Gareth Thomas (Clwyd, West): I beg to move,

That leave be given to bring in a Bill to make further provision in respect of local government in England and Wales, for disclosure of information to the public and for convening meetings in public; and for connected purposes.

Local government is undergoing great changes as part of the Government's agenda of modernising councils and making them more effective, more flexible and more responsive to local needs. The Local Government Bill has completed its passage in the other place and I broadly support its essential principles and the inclusive way in which the Government have proceeded by publishing a draft Bill, convening a Joint Committee of both Houses and undertaking extensive consultation.

Many Members will accept the need to move towards new political structures—whether mayors or cabinet-style executives—with clearer and more transparent lines of accountability. However, there is increasing concern that the new structures of local government should be both open and accountable and seen to be open and accountable. The general public and, indeed, non-executive council members must have ample opportunity to discuss and influence important decisions—on education, social services, planning or, as in my own constituency recently, the sale of council land that had been used as playing fields for many years—before they are made.

The role of the overview and scrutiny committees will therefore be crucial, as will the requirement that decisions be recorded with the reasons for them and the advice given by officers. It is essential that local government retains the trust and confidence of the community that it serves. The Bill's purpose is to ensure that that trust is retained because, once lost, it is extraordinarily difficult to regain.

The Bill would extend to the new structures of local government the existing requirements on openness and access to information in part V of the Local Government Act 1972. Meetings have to be open to the public and the media, although exempt information can be discussed and decided on in private. If the meetings are open, agendas, officers' reports and background papers must be publicly available three days in advance.

As the Local Government Bill stands, there is no requirement that cabinets should meet in public or disclose their agendas in advance, but it is vital that decisions that could affect a community greatly should not be made in private. That perception has to be removed. My Bill would require such bodies to meet in public unless particular types of exempt information were involved, which would maintain the current openness and transparency.

In respect of decisions not involving meetings—those taken by elected mayors or individual members of an executive cabinet—my Bill would give the public equivalent rights to see papers before they were taken. In addition, it would require a short delay before executive decisions could be implemented and provide powers for non-executive councillors and scrutiny committees to call in and review such decisions. My Bill is based on the premise that open decision making is better decision making.

Question put and agreed to.

Bill ordered to be brought in by Mr. Gareth Thomas, Mrs. Betty Williams, Dr. David Clark, Mr. Mark Fisher, Mr. David Drew, Mr. Gwyn Prosser, Mr. Huw Edwards and Mr. John Smith.

LOCAL GOVERNMENT (ACCESS TO INFORMATION)

Mr. Gareth Thomas accordingly presented a Bill to make further provision in respect of local government in England and Wales, for disclosure of information to the public and for convening meetings in public; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 21 July, and to be printed [Bill 99].

Orders of the Day

Criminal Justice and Court Services Bill

Order for Second Reading read.

3.41 pm

The Secretary of State for the Home Department (Mr. Jack Straw): I beg to move, That the Bill be now read a Second time.

The Bill is an important step in our drive for a more effective and targeted criminal justice system that works better to reduce crime and so protect the public. The Crime and Disorder Act 1998, the Youth Justice and Criminal Evidence Act 1999 and the Criminal Justice (Mode of Trial) No.2 Bill—recently before the House—have all been introduced to that end. The Criminal Justice and Court Services Bill is a further step to the achievement of our goals.

The Bill will restructure the probation service, so that it is more effective and focuses on its key tasks of enforcement and public protection, with a separate service for children and family courts. It will give the police, courts and others the additional tools that they need to tackle crime through drug testing, electronic monitoring and police access to driver information, as well as dealing more effectively with truancy. It will provide particular safeguards for the most vulnerable people through measures to prevent unsuitable people from working with children.

As I told the House on 13 March, amendments will be tabled to the Bill to bring the sentencing and release of those detained at Her Majesty's pleasure into line with the decisions of the European Court of Human Rights in the case of Thompson and Venables.

The probation service does a vital job. Its officers work in a difficult environment, sometimes with dangerous offenders. I hope that the House will join me in paying tribute to their professionalism, yet there is a need for greater efficiency and focus in the service. Enforcement rates against offenders who break probation conditions are simply not good enough. A survey by the Association of Chief Officers of Probation in September last year found that only 44 per cent. of those who broke probation were actually breached—that is, sent back to court for re-sentencing—and then only for a third or subsequent failure. That has led to probation being seen by too many offenders as a soft option.

Moreover, the service is fragmented into 54 autonomous units, with only limited accountability to central Government. That fragmentation is well illustrated in turn by huge variations in performance on almost any measure one can choose. The rates of breach—bearing in mind that it is at the third or subsequent failure to observe an attendance requirement of a probation order—can range from 89 per cent. in respect of the best county, Cornwall, to 8 per cent. for Essex. Nine out of 10 offenders who breach national standards and who have failed to turn up on three or more occasions in Essex are not subject to any further action.

Jackie Ballard (Taunton): Will the Home Secretary give way?

Mr. Straw: I will later.

We have watched some services give enhanced early retirement deals to senior staff who have failed to perform to the standard required. Until now, no Home Secretary has had the power to prevent them from spending taxpayers' money in that way.

We have to build on the best of past experience and on current practice to deliver a probation service that concentrates on its core aim: enforcement of sentences and public protection. The service is a law enforcement agency, and must act as such.

In our judgment, that efficiency and effectiveness can best be achieved by a unified service—renamed in the Bill as the National Probation Service for England and Wales—with stronger national leadership. As hon. Members will have noticed, clause 2(2) provides clear statutory aims for everyone working within the service—that the persons concerned must have regard to

(a) the protection of the public,

(b) the reduction of re-offending,

(c) the proper punishment of offenders.

The Bill will establish a unified and centrally co-ordinated service, with 42 local areas matching police authority boundaries. The new service will work more closely with police and other agencies and with local crime and disorder partnerships. Local probation boards will work to deliver their services in a way which serves their locality better. Each board will be responsible for developing its own work plan within an overall national strategy, and the boards will be more representative of the local population.

Greater central direction of the type that the Bill envisages will promote more consistent use of an evidence-based approach that is based on what works. It will also promote a joined-up criminal justice system, so that there is co-ordination between all agencies involved in dealing with any given offender.

Mr. Edward Garnier (Harborough): On the subject of a joined-up justice system, I look again at clause 2(2)(c), on the "proper punishment of offenders." Currently, those who breach a probation sentence passed in the Crown court are returned to the magistrates court to be dealt with for the breach. Does the Home Secretary agree that it would be sensible if those who breached Crown court probation orders were brought back to the Crown court, to prevent any delay or lack of punishment powers?

Mr. Straw: The hon. and learned Gentleman is entirely correct to say that, and I should be very happy to have his support in ensuring the implementation of such a proposal. It is an obvious and important point.

Mr. Simon Hughes (Southwark, North and Bermondsey): We share the Home Secretary's view that it would be right to make the probation service conterminous across the country with police authority boundaries. Such an arrangement seems both sensible and good. However, will the Home Secretary think again about the power that he is giving himself in the Bill to appoint those who will chair all the probation committees?

May I remind the right hon. Gentleman that his predecessor started with a plan that the Home Secretary should appoint the chairs of all police authorities, but that the current Home Secretary and other Labour Members supported us in opposing the proposal and it was

[Mr. Simon Hughes]

thrown out? The previous Lord Chancellor wanted to appoint all the chairs of the magistrates committees, but that proposal, too, was thrown out. Can the Home Secretary resist taking more power to himself, when an otherwise good idea is about to be spoiled by excessive interference by the Home Secretary?

Mr. Straw: I always resist opportunities to take more power to myself—[HON. MEMBERS: "Oh."] My record of transferring power and responsibility to the level at which it should lie, as we have done in the Crime and Disorder Act 1998, precedes me.

Mr. John Bercow (Buckingham): Buck passing.

Mr. Straw: I do not think that that accusation fairly lies against me. The right hon. Member for Maidstone and The Weald (Miss Widdecombe) accuses me of coming to the House too often—not, touch wood, so often this year, but certainly for a time last year. She also said that I was responsible for something that had not gone perfectly and asked what I was going to do about it. One cannot have it both ways. The right hon. Lady's former boss used to think that it was possible to come to the House to say that not he, but someone else who was not an hon. Member, was responsible for something. I have taken the opposite view, although sometimes, in the short term, it makes the situation more uncomfortable than it might have been. But that is my job, and I am delighted to do it as long as the Prime Minister wishes me to do it and the House gives me its approbation.

I ought to answer the point made by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes). He will know that schedule 1 makes provision for the appointment of the local boards. He is right to say that we propose that the chairpeople should be appointed by the Secretary of State. I understand his point, but I do not accept that there is a direct parallel with police authorities, which are representative of local authorities as well. He will know that the independent members of police authorities have to go through a shortlisting procedure, subject to the Secretary of State's approval. There is a similar arrangement for magistrates.

As with all the appointments that I have made, there will be a proper system, approved by the Commissioner for Public Appointments, to ensure that the arrangements and candidates are the most suited for the job. As I have said before, no Bill that I have taken through the House has been perfect in all its particulars.

Miss Ann Widdecombe (Maidstone and The Weald): This one is not.

Mr. Straw: There is an important point to be made about the role of Parliament. The right hon. Lady did not follow that when she was a Minister and had to come to the House more frequently than I have to explain the most extraordinary examples of maladministration over which she had presided. That is the purpose of a Committee stage. I am not saying for a moment that we intend to shift from our current position, but of course we will listen to the arguments. No doubt the hon. Member for Southwark, North and Bermondsey will also advance them when he speaks later in the debate.

The Minister of State, Home Office (Mr. Paul Boateng): At length.

Mr. Straw: At length, as my right hon. Friend says.

A co-ordinated and targeted approach should mean that, from arrest to the end of their licence, each offender will be dealt with appropriately and effectively. In the criminal justice system envisaged in the Bill, if an offender has, for example, a drug problem that could lead them to reoffend, it should be recognised and dealt with throughout their contact with the police, the courts, prison and the probation service. We are determined to ensure not only that the service is effective, but that it offers value for money. If any of the 42 new boards show themselves unable to perform to the high standard required, the Secretary of State will have the power to contract out those services.

Miss Widdecombe: Why is the power to test for drugs and to tackle the problem to be used only against those who have committed acquisitive crime rather than including those who have committed more serious crimes, such as violence against the person?

Mr. Straw: The provision is confined at the moment to those who commit acquisitive or drug offences, because, as I shall say in more detail later, the evidence suggests that such offenders have the highest propensity to commit further offences as a result of their drug offending. However, of course we are open to argument about whether the list in the schedule should be extended.

The restructuring of the probation service provides a timely opportunity to create a new service that focuses on the needs of children and families going through the court system, principally in respect of civil proceedings. At present, those functions are carried out by the probation service family court welfare services, the guardian at litem and reporting officer service, and the children's section of the Official Solicitor's office. The Bill will create a single service to replace them—the Children and Family Court Advisory and Support Service, which will no doubt be known by its acronym, CAFCASS. CAFCASS will be responsible for safeguarding the welfare of children before courts dealing with family court proceedings. Its aim will be to put children first and to offer a fast, flexible and consistent service. The probation service will then be able to concentrate on its main purpose of law enforcement.

Mr. Nick Hawkins (Surrey Heath): Has the Home Secretary considered whether that is the appropriate acronym? Would it not be more sensible to bear it in mind that anything involved in family court services has to be careful to avoid ridicule? Has not the Home Secretary thought that, inevitably and sadly, the acronym will lead to the organisation being renamed "carcase"?

Mr. Straw: Those of us who know the phonetic alphabet know that there is a difference between an F and an R, and I do not think for a second that there will be any trouble. There are plenty of acronyms like this one, and I am sure that it will be perfectly satisfactory.

Mr. Bercow: Does the Home Secretary recall that when the Minister of State wisely abandoned plans for the

renaming of the probation service, he pointed out that the concept of community punishment and of rehabilitation would remain central to the purpose and workings of the service, but would not be included in the title? On the same principle, why is it not possible simply to incorporate the words "advice", "advisory" and "support" in the working of the organisation, but not to include them in what is now an unnecessarily lengthy and cumbersome title?

Mr. Straw: I understand the hon. Gentleman's point, and I am sure that some complicated argument was made as to why the words should be included so as not to confuse people in terms of the children and family courts service. This is not one of the world's most important issues. We have ensured that the name is not open to parody. I think that it is satisfactory, but if better titles which will not lead to confusion with other services can be proposed in Committee, we are open to argument.

Mr. Barry Jones (Alyn and Deeside): With regard to magistrates family courts, can my right hon. Friend say whether they have a good future? Will they continue, because there is evidence that work on family matters is migrating from the magistrates courts up to the higher court, at county level—perhaps because there is more to be earned by advocates there? I have raised this matter with the Lord Chancellor, and I wish my right hon. Friend to consider that there should be a good future for these courts.

Mr. Straw: I believe that there is, and I have seen nothing contrary to that. I am assured that that is the case by my hon. Friend the Parliamentary Secretary, Lord Chancellor's Department. One understands the economics of legal advice—to which my right hon. Friend referred—but I know that the Lord Chancellor has taken vigorous steps to ensure better control of the bills for civil and criminal legal aid.

Community sentences, supervised by the probation service, need to be a credible sentencing option for tackling offending behaviour. At present, the system is not working as it should. I have mentioned the ACOP survey's disturbing findings on the enforcement of probation conditions. This failure to breach offenders defying their probation orders is happening, despite the 1995 national standards for probation, which require that offenders be subject to breach proceedings if they miss three attendance meetings without an acceptable excuse.

The Bill seeks to improve the enforcement of community sentences. These measures build upon work already undertaken to tighten national standards which come into force on 1 April this year. The Bill gives the new enforcement standards a statutory basis. Under the new regime, where an offender over 18 is not immediately returned to court after the first unacceptable failure to comply with an order, there will be a duty on the probation service to issue a warning, and to return him to court on the second unacceptable failure within any 12-month period, or within six months for a curfew order made by the court. If the offender is found to be in breach, save for exceptional circumstances, he or she will be sentenced to up to three months' imprisonment, or longer if the original offence allowed for a greater term of imprisonment.

Our message to offenders should be loud and clear—community service orders and sentences will no longer be a soft option. Breaches will be dealt with speedily and firmly.

As well as improving public protection, the Bill will make community sentences more credible, both to the courts and to the public. The courts need to know that they have a range of flexible sentencing options with which to target the particular needs of offenders so as to stop them reoffending and to protect the public. The sentences also need to be understood. We are therefore renaming them, so that their purposes are clear from their names.

One of the most important tools in our drive to make community sentences more effective, and therefore to protect the public better, is electronic monitoring. Trials of electronic monitoring, or tagging, as a sentence of the court took place in seven probation areas between 1995 and 1999. The trials proved very successful, with a success rate of over 80 per cent., which compares favourably with other community disposals. From 1 December 1999, courts throughout England and Wales have been able to sentence offenders to an electronically monitored curfew order for a wide range of offences, including theft and burglary.

In turn, this Bill will give the courts the power to order the electronic monitoring of any offender serving a community sentence. Courts will also be able to make that order in a variety of ways, such as by means of a curfew order, or by requiring proper electronic monitoring of an offender's attendance for community service, at a probation office or on offending behaviour programmes.

The Bill is structured in a way that will allow us to keep pace with changes in technology. It provides for this disposal to be made available area by area, as the technology and contracts are let on a rolling basis. We have learned from the previous Administration's successful experience in piloting curfew as a sentence of the court and then rolling it out area by area.

Mr. Bercow: Will the right hon. Gentleman give way?

Mr. Straw: I shall make a little progress and then, as ever, give way to the hon. Gentleman.

The Crime and Disorder Act 1998 provided that selected offenders on sentences of imprisonment of between three months and less than four years could be tagged. That allows prison governors to place on electronic curfew offenders in the last period of their custodial sentence for a period of between two weeks and two months, according to the original sentence length. The provision was, as the House will recall, endorsed by a unanimous recommendation of the Select Committee on Home Affairs in its third report for 1997-98.

Prison governors have shown great care in their risk assessments. About 31 per cent. of eligible offenders have been placed on home detention curfew, and the success rate has been over 90 per cent. Its value is to ensure a better transition between custody and the community. One requirement of HDC, for example, is that the offender have a suitable home address. That often forces offenders who want to benefit from HDC to make better post-custody arrangements.

Miss Widdecombe: The Home Secretary says that there has been a 95 per cent. success rate, but does he

[Miss Widdecombe]

accept that the failures have included some extremely serious cases? For example, two people later charged with rape would have been in prison had they not been let out early on the tagging experiment. Will the right hon. Gentleman apologise to the victims of people who do not serve the full sentence that a judge says that they should serve because they have been let out into the community?

Mr. Straw: I shall treat that intervention in the manner that it deserves. The right hon. Lady was prisons Minister in the previous Administration, and knows very well that prisoners coming to the end of their determinate sentences are released on licence. The ludicrous arrangements entitled "Honesty in Sentencing" that she had inserted into the Crime (Sentences) Act 1997 would have ensured early release for many prisoners before the court date that would otherwise have been set, and without electronic monitoring.

It is no good the right hon. Lady trying to rewrite history. Home detention curfew was backed unanimously by the Select Committee on Home Affairs. A member of that Committee was the hon. Member for Surrey Heath (Mr. Hawkins), who endorsed the proposal. He said that HDC

> will provide adequate protection to the public because of the tagging element, and will give prisoners an opportunity to readjust to life outside prison.

We accepted that endorsement. Moreover, the right hon. Lady was a member of the Opposition when home detention curfew issues were being debated in the proceedings of the Crime and Disorder Act 1998. She and her right hon. and hon. Friends decided not to oppose those arrangements.

Of course there is an element of risk with any arrangement that involves the release of prisoners before they die. Prisoners may well be released and then reoffend. I regret any reoffending by those on HDC, or those on licence. When she was a Home Office Minister, the right hon. Lady let out many offenders, no doubt on licence, who then went on to reoffend, and I do not recall her apologising. We will get the figures, because there are bound to have been offenders whom she and the then Home Secretary, the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), let out, such as mandatory lifers who reoffended and had to be recalled. The right hon. Lady knows that very well. Frankly, this kind of hollow mischief making impresses no one.

Mr. Hawkins: I am grateful to the Home Secretary for giving way, but I think that on this occasion his spin doctors at Millbank may have let him down. If he looks carefully at that Home Affairs Committee report, he will realise that I was not even appointed to the Select Committee until midway through that inquiry. In any event, the evidence that was heard by that Committee, including much evidence that was heard before I was even a member, was not about the scheme that he has talked about introducing, and then introduced. So it does not support his contention, and I hope that next time he will ensure that his researchers read the whole report, including the information about when people were appointed to the Committee, before he makes such cheap points.

Mr. Straw: I think that the hon. Member for Surrey Heath is called Mr. Nick Hawkins. It says here that he was appointed to the Committee on 2 March 1998. It then says—I have checked this carefully, because I would not for a moment wish to traduce the hon. Gentleman—that there were proceedings of the Committee relating to the report. Right hon. and hon. Members who have been members of Select Committees will know that Select Committees receive evidence and then go through the draft report, usually prepared by a Clerk, line by line. What do I find? There were only four meetings of the Committee to deliberate on the report, and on 14 July, Mr. Nick Hawkins was present when the Committee deliberated. On 21 July, Mr. Nick Hawkins was present when the Committee deliberated. On 22 July, Mr. Nick Hawkins was present when the Committee deliberated. On 28 July, the Committee deliberated, Mr. Nick Hawkins was present, and it was agreed unanimously that

> the Chairman do make the report to the House.

The hon. Gentleman has no case. He had four opportunities to move an amendment to the report. He failed to do so. I am afraid that he must stick by what he and other members of the Committee Select said, which was that HDC

> will provide adequate protection to the public because of the tagging element, and will give prisoners an opportunity to readjust to life outside prison.

The hon. Gentleman tries to wriggle, and suggests that what was being talked about was not the home detention curfew included in the Crime and Disorder Act. That is completely incorrect. It was exactly about that in every particular, spelled out in paragraph 163. I think that the hon. Gentleman has the report there—I suggest that he read it. I will give way to the hon. Gentleman if he really wants more pain.

Mr. Hawkins: I am not suggesting for a moment that I was not at the meetings. If the Home Secretary had listened to my original intervention—which, plainly, he did not—he would know that I said that the inquiry and its evidence was already well under way before I was appointed to the Committee. The right hon. Gentleman and members of his party may well be told by Alastair Campbell and by the Secretary of State for Northern Ireland, the right hon. Member for Hartlepool (Mr. Mandelson), to vote on matters when they have not heard all the evidence. However, if the Home Secretary is suggesting that it is appropriate to vote in favour of or against a report when one has not heard all the evidence, he should think again. He is suggesting that I should have voted against a report when I had not heard all the evidence. I suggest that the right hon. Gentleman is in a hole and should stop digging.

Mr. Boateng: You have caught him bang to rights.

Mr. Straw: The hon. Gentleman forgets the advice of Lord Healey, that "if you are in a hole, stop digging." My advice to him is not to wriggle but to sit there and take it. He had four months in which to consider the evidence.

Mr. Hawkins: I had not heard half the evidence.

Mr. Straw: The hon. Gentleman is being silly. If he felt that he had not heard the evidence, why on earth was he taking part in the Committee's proceedings? He should have absented himself altogether.

Mr. Robin Corbett (Birmingham, Erdington): As a member of the Home Affairs Committee at the time, I can

confirm that the hon. Member for Surrey Heath (Mr. Hawkins) was a member of the Committee and was present at the four meetings that my right hon. Friend mentioned. It does the hon. Gentleman no favours to say that, because he had not heard all the evidence, he could not vote against the report. He had not heard all the evidence, but he agreed the report with the rest of us. He cannot have it both ways.

Mr. Straw: In any event, just so that we are clear about this, Madam Speaker, the hon. Gentleman was appointed on 22 March and the main evidence was taken after he was appointed. On 21 April, evidence was taken from the inspector of probation and the National Association of Probation Officers. Home Office evidence from the now chief executive of the Prison Service and the Minister of State, my right hon. Friend the Member for Brent, South (Mr. Boateng), was given on 5 May, well after the time when the hon. Member for Surrey Heath was appointed.

Mr. Bercow: Will the Secretary of State give way?

Mr. Straw: Yes, and then I will get on.

Mr. Bercow: How does the right hon. Gentleman reconcile his statement on 29 November last year, at column 27 of *Hansard*, that he had no plans to provide for electronic tagging to facilitate the early release of serious, including sexual, offenders, with the response of the right hon. Member for Brent, South (Mr. Boateng) to a written answer, at columns 559-60W on 22 March this year, in which he stated that just such an extension could take place, thereby facilitating the early release of at least an extra 230 prisoners a year?

Mr. Straw: The hon. Gentleman anticipates me. I had the feeling that he might wish to be better informed about the matter, and I was about to come to it.

Electronic monitoring also has the potential to enhance the security of the public and the management of offenders who are released at due time on licence without HDC. What I am talking about now is different from the home detention curfew. The arrangements for release on licence currently apply to all adult offenders sentenced to 12 months or more, to young offenders aged 12 to 21 serving any period in custody, and to any prisoner released on temporary licence.

The Bill provides for electronic monitoring for such prisoners. It may be helpful if I explain to the House the arrangements for the release of both short-term and long-term offenders. Those who are sentenced to a year or less are released at the halfway point without licence. They are also eligible for HDC. Under the Criminal Justice Act 1991 offenders sentenced to between one and four years are released automatically at the halfway point of their sentence. Those sentenced to four years or more can be considered for parole at the halfway point, and must be released at the two-thirds point. In respect of both the shorter-term prisoners sentenced to between one and three years and the longer-term ones sentenced to four or more, the licence operates until the three-quarter point of the sentence.

Electronic monitoring, for which the Bill provides, will reinforce the licence conditions in a direct way and may provide significant improvements in the offender's resettlement, the better to protect the public.

I commend the hon. Member for Buckingham (Mr. Bercow) on his ability to remember column numbers, as some people remember train numbers. It is an entirely innocent habit. I am sure that there are worse things that could be said about the hon. Gentleman, but I will not mention them. As he said, on 29 November 1999—I think in the debate on the Loyal Address—I told the House:

> We have no plans or intention whatever to provide for electronic tagging to facilitate the early release of serious or sexual offenders.—[*Official Report*, 29 November 1999; Vol. 340, c. 27.]

I am happy to reiterate that undertaking.

The availability of electronic monitoring for sex and other high-risk offenders should not in itself influence the parole board when making decisions on their release, and I will be directing the board to that effect.

In answer to the parliamentary question to which the hon. Member for Buckingham referred, my right hon. Friend the Member for Brent, South stated that, in finely balanced cases, the availability of electronic monitoring as a condition of licence could be considered. That may be the case for certain offenders, such as those serving more than four years, who may need the punishment of a longer sentence but who pose no wider risk to the public. The existence of electronic monitoring will not be a consideration in decisions on parole for sex offenders or other high-risk offenders.

The new electronic monitoring provisions will be a valuable added protection for the public. Under the Crime and Disorder Act 1998, we gave the courts power to impose extended sentences—up to 10 years—in respect of serious sexual and violent offenders. The Bill will enhance that extended supervision by electronic monitoring.

The Bill also provides better protection for victims of domestic violence or stalking through the creation of a new exclusion order. It will use reverse tagging to deter an offender from approaching a certain place or places, such as the home of a spouse or partner against whom the offender has been convicted of violence. It will also be generally available as a licence condition.

There is the clearest evidence of a link between drug misuse and crime. In the drug testing of arrestees research programme, more than three out of five of those surveyed tested positive for an illegal drug. In some places, the total was nearly four out of five, with a third of them testing positive for heroin and more than a quarter positive for cocaine. We must do all we can to break the link between drug abuse and crime. To do that, we need a joined-up criminal justice system that deals with the problems posed by offenders at every stage. We believe that that can be done. Evidence from one study in the United States showed that prisoners who received treatment during sentence and on release were less likely to be arrested 12 months later than those who received treatment only in prison.

Conversely, recently published Home Office research on the effectiveness of care and resettlement work with drug-addicted offenders highlighted the need for enforcement agencies to work together. It concluded that unless there is an effective multi-agency approach to tackling offenders' drug misuse before, during and after custody, they are likely to relapse and reoffend. I am pleased to draw the House's attention to an announcement that I made yesterday in a written answer—that the new

[Mr. Straw]

money announced a week ago by my right hon. Friend the Chancellor of the Exchequer included, among other things, £5 million for post-release drug treatment hostels.

The Bill is intended both to deter drug abuse and to identify offenders who need treatment. From the successful introduction of mandatory drug testing in prison, which the previous Administration began, we know that the availability of testing can in itself help to reduce drug abuse. I accept that there are clear differences between the closed environment of a prison and the community, which, by definition, is open. However, there is no doubt that early identification of whether individuals are drug offenders, and appropriate use of that fact either in community punishments or in prison, can help to cut the link between drugs and crime.

Mr. Hilton Dawson (Lancaster and Wyre): In detailing the Bill's drug-testing provisions, will my right hon. Friend confirm that excellent drug arrest referral schemes, such as a pioneering scheme in Lancaster which has attracted a Queen's nursing award and in which nurses have been placed in police stations to work with people at the point of arrest, are entirely complementary to the provisions of the Bill?

Mr. Straw: I shall indeed confirm that. Under the Bill, police will be able to test at charge offenders who commit high-volume acquisitive crimes, such as burglary, and those whose drug habits are bound up in a criminal life style. Those arrangements will be piloted, and detailed guidance will be provided under clause 42 after consultation with the police service.

The Bill's powers will be complemented by a new drug abstinence order and by existing programmes such as the drug treatment and testing order currently being piloted in three areas. In addition, and this relates to my hon. Friend's point, we are providing an extra £20 million over three years for a roll-out of drug arrest referral schemes across the country. The Bill seeks to build on proven measures such as the Prison Service's programme of counselling, assessment and throughcare—CARATS—which links work done in prison to effective drug counselling and support on release into the community.

Mr. Simon Hughes: Will the Home Secretary comment on two matters? The Standing Conference on Drug Abuse, which is a reputable body, has been critical of the Bill's proposals; in general, it regards them as likely to be ineffective. More topically, this morning, the Runciman report pointed out that, nationally, 62 per cent. of the budget is spent on law enforcement on drugs, but only 13 per cent. on treatment. Is the Home Secretary minded to work across the Government to ensure that there is a significant increase in the resources for treatment for drugs, inside and outside prison? All the evidence appears to show that treatment is more effective than many of these new and somewhat untested criminal justice proposals.

Mr. Straw: I have great respect for the standing conference, but I do not accept its analysis. We intend to pilot the arrangements. The history of criminal justice measures under all Governments is that some people always criticise new proposals; they say that they will not work or are inappropriate. Some proposals do not work, but that is not a reason for not trying them. However, many do work.

I point out to the right hon. Member for Maidstone and The Weald that, in the late 1980s, when curfew arrangements were proposed, there was great scepticism about whether they would work effectively. That criticism was partly related to the then availability of the technology. However, those arrangements did work and have produced considerable benefits.

I do not accept the view of the hon. Member for Southwark, North and Bermondsey that treatment and enforcement are spending alternatives. I should prefer that those who become addicted to drugs stay out of crime and undergo treatment as quickly as possible. However, the reality is that a high proportion of addicts—especially those addicted to opiates and cocaine—get involved in crime to pay for their habit. We have to break that link. We are putting as much extra money as we can into treatment both inside and outside prisons. I am working closely with my right hon. Friend the Secretary of State for Health to ensure that there is better co-ordination of drug treatment in the health service for offenders and for non-offenders.

I shall deal briefly with some of the items in the Bill. Building on the provisions of the Protection of Children Act 1999, the Bill will make improvements in the protection of the most vulnerable in society. Those proposals form a vital part of the measures needed following the terrible abuses uncovered in children's homes and described in the recent report by Sir Ronald Waterhouse.

The measures will provide a comprehensive, integrated system to help stop unsuitable people working with children, and will make it a criminal offence for anyone so identified to apply for or to accept such work, or to offer services that involve it. In particular, we want to ensure that where someone is identified as a risk to children in one sector of work, he or she cannot move with impunity to another.

The Bill will also protect children through tough new measures to tackle truancy—part of our wider strategy for dealing with truancy and social exclusion, and with related juvenile delinquency. On any one day, about 50,000 pupils are off school without permission. As well as being a major contributor to youth offending, truancy can have a devastating impact on a child's later life and prospects.

The Bill challenges the culture that tolerates truancy, and targets the parents responsible for allowing it. The Bill will increase the penalty on parents for failing to ensure that a registered child attends school regularly. By making that failure an offence punishable by imprisonment, it will allow the courts to issue warrants for the arrest of offending parents, to ensure that they attend court. Neither I nor my right hon. Friend the Secretary of State for Education and Employment wants any parents to be jailed for their failure to ensure that their child attends school regularly, but under the current law, it is impossible to get four in five of the parents who are summonsed for their child's truancy even to appear in court. Four in five of those parents simply cock a snook at the system and fail to answer the summons. The main purpose of making the offence imprisonable is to ensure that it is possible to enforce the legal process.

Finally, to assist the police in tackling crime effectively, the Bill will enable them to gain bulk access to information about drivers from the Driver and Vehicle Licensing Agency rather than approaching it on a case-by-case basis, as at present.

Since the general election, recorded crime has fallen by 7 per cent., and the number of offenders brought to justice rose by 7 per cent. in 1998 to its highest for 20 years. We know that, under the previous Administration, crime doubled while the number of criminals brought to justice fell by a third.

Mr. Boateng: Those are the facts.

Mr. Straw: Those are indeed the facts. *[Interruption.]* I am not surprised that the right hon. Member for Maidstone and The Weald laughs. It is a record that she seeks to forget, but which everyone else remembers.

The Bill's financial effects are set out at the end of its financial and explanatory memorandum. We are also ensuring that the police and other criminal justice agencies are better resourced, so as to make best use of the measures in the Bill. One important aspect of that are the resources available to the police. Between 1993 and March 1998, under budgets set by the previous Administration, the number of police officers in England and Wales fell by about 1,400. That was despite a pledge to the House by the right hon. Lady that numbers would be increased by 5,000. Numbers have fallen under the first period of this Government under the spending plans regarded as reckless by the Opposition. We are now, however, putting in place a co-ordinated programme to boost recruitment to ensure that more officers are used in front-line operational duties and to bring about in two years the recruitment of the additional 5,000 officers that was originally planned for in three years.

Yesterday, I gave details of the £157 million investment under the capital modernisation fund for a range of new information technology systems and other measures to speed up justice and to reduce the unnecessary bureaucratic burdens on the police and others who work in the criminal justice system.

The Bill is a coherent package of measures that builds upon proven successes and harnesses new technology in the fight against crime. The restructuring of the probation service, the new enforcement regime for community sentences, and the enhanced role for electronic monitoring and drug testing will all promote an evidence-based approach to fighting crime. The enforcement regime, drug testing and electronic monitoring measures will also enable the courts and others to adopt a more targeted approach to offenders.

Together, the measures will promote a tough, effective and focused approach to reducing both crime and the fear of crime. I commend the Bill to the House.

4.27 pm

Miss Ann Widdecombe (Maidstone and The Weald): I could hardly believe the utter complacency of the right hon. Gentleman's peroration. Until then, this debate had been almost sensible, but, listening to him, one would not have thought that, for example, the steepest falls in crime since the second world war actually happened in the last three years of the previous Government. One would never have thought, from listening to him, that we now have the first rise in crime for six years and that he has presided over a fall of 2,300 in the number of police officers. However much he may seek to blame us, the fact remains that that has happened under his stewardship in the past three years. Listening to him, one would have thought that thousands of drug dealers, sex offenders and killers were not being let out of prison early.

I found entirely spurious the right hon. Gentleman's argument that the previous Government let mandatory prisoners out of prison early, because we never let out a single mandatory prisoner who had not completed his tariff. My objection is not that he is letting people out at the earliest point at which release is possible, but that, under his tagging rules, they are let out before that point. Enough of them are reoffending to cause a sane person serious concern, but not apparently the Home Secretary. If he believes that soundbites and smoke-and-mirrors tricks, such as his famous fiddle on police numbers, will cut the crime rate, he is even more out of touch than I thought.

Unlike the right hon. Gentleman and his friends when they were in opposition, we shall not oppose measures that aim to cut crime. Therefore, we will not divide the House on Second Reading. Although we support some measures in the Bill, others will need refining and will certainly need a more open-minded approach than the right hon. Gentleman demonstrated in his response to some of the interventions that he took. Other measures will need substantial scrutiny and major amendment. That is a responsible attitude, which is in complete contrast to his behaviour when he was in opposition.

The Home Secretary might like to recall that Lord McIntosh of Haringey, then the Labour party's Front-Bench home affairs spokesman in another place, described the mandatory sentences for drug dealers and burglars proposed by the previous Government as "nonsense" and "gesture politics". That was as late as 1996. I doubt whether the Home Secretary would repeat those words now that he has taken credit for rolling them out, as he likes to phrase it.

I had hoped that, when the Minister of State announced the U-turn on the name "community punishment and rehabilitation service" in response to the timely question of my hon. Friend the Member for Buckingham (Mr. Bercow) two weeks ago, the Government's fervour for mind-blowing political correctness had at last been extinguished. Unfortunately, my hope was short-lived. Having dropped the outlandish new name for the probation service, the Home Secretary has decided to press ahead with changing the names of probation, community service and combination orders. It is extraordinary that the right hon. Gentleman, having finally realised that his zeal for political correctness was a step too far, even for the hon. Members for Enfield, Southgate (Mr. Twigg) and for Leeds, Central (Mr. Benn), has decided to retain the probation service and to change the names of the orders instead. So we shall have a service with one name, but the measures that it enforces will have names that were not good enough, even in the Government's eyes, to be retained for the service as a whole. Perhaps the Bill's provisions show us all the true mess of the third way.

Under clause 10, the Home Secretary will have wide powers to take over the new local probation boards in almost any circumstances. Even at this stage, he has no faith in the way in which his new creations will work. All appointments to the boards will be made by the Home

[Miss Ann Widdecombe]

Secretary and the Lord Chancellor. There is no guidance in the Bill on who will be appointed. We know from last week's report by the Commissioner for Public Appointments that the Government have packed the national health service with their cronies. *[Interruption.]* It was an independent report.

We can only hope—*[Interruption.]* It was probably indignation at their iniquity. We can only hope this week that the Government will not end up packing the probation service. [HON. MEMBERS: "Do not be absurd."] But why is it so necessary to take control of every appointment? Why is it absurd to ask for assurance that there will be independent appointments?

If the Home Secretary had any concern for democracy and for the scrutiny that the House is supposed to give to Bills, he would want to answer my questions rather than sit on the Government Front Bench as if invalid questions are being asked. An independent report shows—the right hon. Gentleman did not heed it—that the Government packed the health service.

I welcomed the Minister of State's answer yesterday that the Government are working to ensure

> the highest standards of openness and transparency.—[*Official Report*, 27 March 2000; Vol. 3471, c. 13W.]

I am sure that the Government will wish to be judged on their record, which has not stood up to much scrutiny so far.

It is strange that the nationalisation and centralisation of the probation service has been undertaken by a Government who, when they were in opposition, attacked national control and centralised appointments. Has the Home Secretary forgotten his own attack on the Crown Prosecution Service's "monolithic nationalised system" in 1996? Does he not recall the right hon. Member for Cardiff, South and Penarth (Mr. Michael)—his deputy both in opposition and in government, before he went away to make a mess of Wales—attacking the concept of central appointments to police authorities as "highly damaging".

Does the Home Secretary not recall the early-day motion tabled by the right hon. Member for Cardiff, South and Penarth of 11 January 1993?

Mr. Straw: I have forgotten.

Miss Widdecombe: I understand that the Home Secretary's memory is short, so I shall refresh it. It was signed by the current Minister with responsibilities for the probation service, the right hon. Member for Brent, South (Mr. Boateng) and by other current Home Office and Cabinet Ministers. It stated that any attempt to introduce "nominated boards" of the Home Secretary's own choosing would do terrible damage to "accountability and public confidence".

Does the right hon. Gentleman remember the words of the then shadow Home Secretary, the right hon. Member for Sedgefield (Mr. Blair), who has since moved on? He said in a press release that the notion of central appointments was a disastrous proposal and stated:

> We need more, not less, local accountability on appointments. Perhaps the Home Secretary will enlighten the House about his party's change of mind.

The House will need to look in detail at how disqualification orders will work in practice. The Home Secretary did not devote much attention to those orders in his speech. I do not criticise him for that because he could not cover everything, but I want to raise one matter with him. I wish to make it clear that Conservative Members totally abhor those who abuse, or otherwise take advantage of, vulnerable children, whether physically or sexually. Those criminals are among the worst and should expect to face the full force of the law. However, the Bill contains several apparent loopholes that may need to be plugged. For example, the new disqualification order will apply only to those sentenced to 12 or more months' imprisonment.

I remind the Home Secretary of the case of Paul Gadd, who is perhaps better known as Gary Glitter. In November, he was rightly jailed for possessing indecent photographs of children that were described by the judge as filthy and revolting, but he got just four months in prison. The Bill would not automatically disqualify from working with children somebody committing a similar offence and receiving a similar sentence.

The list in schedule 4 of offences that will qualify offenders for disqualification orders does not include assault occasioning actual bodily harm. More alarmingly, it does not include the supply of controlled drugs. Is it the Government's view that drug dealers who sell to children should expect to face the severest punishment, including tough mandatory sentences, which is what we have proposed? It is strange that those who peddle drugs to children should not be subject to the new disqualification orders proposed by the Home Secretary.

As I said to the House in November, we welcome the introduction of drug testing for criminal suspects, but we have a number of concerns about the detail of the Bill. The Home Secretary has said that drug tests will be used to identify those who commit crimes to feed their habit, but is it not the case, as I asked him earlier, that those who use drugs commit sexual and violent crimes as well as acquisitive ones, and that there is often a direct link between their drug use and those crimes?

Last week, for example, Christopher Tilling, a heroin addict, was jailed for 12 years for manslaughter after he set fire to a house, killing a seven-year-old child, in return for £200 to feed his drug habit. If the Home Secretary is to break the link, as he puts it, between drug habits and crime—we do not dispute that aim—the provision should be extended to all serious crime, and not apply only to acquisitive crime. Tilling did not commit a property crime, so there would have been no mandatory testing under the Bill and no establishment of the link that the Home Secretary seeks to substantiate.

Mr. Bercow: Will my right hon. Friend confirm for my benefit and that of the House that a disqualification order could not have applied, for example, to the Bay City Rollers' drummer, who last week received a sentence of only 300 hours' community service for child pornography offences?

Miss Widdecombe: Yes, that is true. As in the Gary Glitter case, the sentence is substantially less than

12 months, so the disqualification order would not have applied, and indeed it would not have done so even if the sentence had been only fractionally less than 12 months.

Mr. Straw: I accept that this matter is complicated and that it needs to be examined carefully in Committee, but I may be able to reassure the right hon. Lady. Clause 48 says that testing can be done where

the person concerned has been charged with a trigger offence

and those offences are as she has described them. Testing can be done also where

the person concerned has been charged with an offence—

that is any offence—

and a police officer of at least the rank of inspector, who has reasonable grounds for suspecting that the misuse by that person of any specified Class A drug caused or contributed to the offence, has authorised the sample to be taken.

In most of the examples cited by the right hon. Lady, testing would have occurred under the second of those conditions.

Miss Widdecombe: I was dealing with disqualification orders. I think that the right hon. Gentleman has taken me a point back, but I shall now come on to discuss the clause from which he quoted.

The tests will be limited to class A drugs, such as heroin and cocaine. Does that not, whether intentionally or unintentionally, send out yet another message that the Government have given up the war against class B drugs, in particular cannabis? What will happen to those who test positive for heroin or cocaine, but against whom the main charges are subsequently dropped? What action, if any, will be taken against them to address their habit or to charge them in relation to their drugs offences? Is that not another potential loophole?

Jackie Ballard: Will the right hon. Lady explain to the House what offence would have been committed in those circumstances? As I understand the current law, it is not an offence to use heroin or cocaine.

Miss Widdecombe: That is quite true, but the presumption must be that if people are found to have consumed heroin or cocaine, investigations could be carried out to test for possession.

My point should be clear to the Secretary of State. If the charges relating to the actions in connection with which the person was arrested are dropped, what happens if he is then found to have heroin or cocaine in his system? The question arises with regard to the penalty, if possession is established—

Mr. Straw: I am grateful to the right hon. Lady. Part of the purpose of the measure is to ensure that drug abusers are identified at an early stage and put into drug arrest referral schemes. It happens that quite a number of people who are arrested are not subsequently charged. We are concerned that intervention should take place at an early stage. As we know, not least from experiments such as those that have been taking place in Lancaster and elsewhere, drug arrest referral schemes are working well and ensuring that people reduce their drug abuse, and they often get off drugs entirely, over time.

What would happen is that those people would go into treatment. They could not be forced into treatment, as they have not committed a criminal offence. On the right hon. Lady's other point, the consumption of any kind of drug is not an offence, and her Government never proposed to make it an offence. We do not have time to go into that, but there are substantial objections to making it an offence. The criminal law impacts on possession or dealing.

Miss Widdecombe: My point was that if a person was found to have consumed such material, it is possible that he would be in possession of it, and that a search of his lodgings or home would reveal that. I am trying to ascertain how far the matter will be taken seriously, particularly in cases—

Mr. Boateng: Very seriously.

Miss Widdecombe: I hope that the right hon. Gentleman is right. I am trying to point out that there are loopholes in the current provisions. We shall try to tighten them up in Committee. As the right hon. Gentleman says that the matter will be taken very seriously, I hope that he will consider equally seriously any amendments tabled in Committee.

Does the Minister agree that yet another clear and undesirable message would be sent out if the fact that a suspect tested positive for heroin or cocaine was not addressed, even by way of a caution or a fine to acknowledge the criminal offence of possessing those class A drugs? That is subject to the qualifications that I mentioned earlier.

How does that fit with the comments of the Minister of State, Home Office, the hon. Member for Norwich, South (Mr. Clarke), two days ago in a BBC interview, when he said that the Government had no plans to decriminalise drugs or to de-penalise drug possession?

Mr. Boateng: We have no such plans.

Miss Widdecombe: I am pleased to hear that there are no such plans, but why then limit the measure to class A drugs?

The Bill enables the Home Secretary to tag prisoners released on licence. The Opposition would not oppose such a move, which could provide an additional safeguard for the public, were it not for the fact that the Home Secretary intends to add it to the provisions of what can only be described as a revolving door prisons policy. That policy has already resulted in 18,000 convicted criminals being let out of jail early on tags, before the minimum point of their sentence. Indeed, under the Home Secretary's arrangements those sent down for six months could be out in as little as six weeks.

In November last year, in response to concerns raised by Opposition Front Benchers—in this case, my hon. Friend the Member for Aylesbury (Mr. Lidington)—the Home Secretary told the House:

We have no plans or intention whatever to provide for electronic tagging to facilitate the early release of serious or sexual offenders. Let me make that clear, with a full stop—none whatever.—[*Official Report*, 29 November 1999; Vol. 340, c.27.]

However, when I asked in a written question whether any prisoners would be let out earlier because of the

[Miss Widdecombe]

electronic-tagging provisions in the Bill, the Minister of State, Home Office, the right hon. Member for Brent, South replied:

> the wider availability of electronic monitoring may influence release decisions in a small number of cases involving prisoners serving determinate sentences of four years or more who are eligible for parole, and where the risk assessment is finely balanced. We currently estimate that the parole rate may rise by up to 4 per cent., which would represent approximately 230 prisoners granted parole per annum.—[*Official Report*, 22 March 2000; Vol. 346, c. 559-60W.]

The words

> the wider availability of electronic monitoring may influence release decisions

are crucial.

Earlier today, in response to interventions, the Home Secretary said that he would direct the parole board not to take into account the availability of electronic tagging when reaching decisions. That contradicts the answer given by the Minister of State. I am not making a political point; I am trying to introduce some order to the Bill. There is a contradiction between what was said by the Home Secretary and what was said by his right hon. Friend. I am therefore not willing to assume that the Home Secretary's good intentions will be honoured in a direction to the parole board, and I will seek to make it explicit in the Bill that these provisions will not apply to sexual or serious offenders. We shall pursue that aim, so that there is no reliance on a direction from this or any other Home Secretary.

Mr. Corbett: I, too, do not want to make party political points. However, the right hon. Lady may recall that, in its third report—on alternatives to prison sentences—the Home Affairs Committee noted, on the basis of the evidence, that there was little or no difference in the reoffending rate between those serving custodial sentences and those serving sentences in the community. The exceptions were cases in which special effort was put into rehabilitation before prisoners were released—as happens at Blantyre House in Kent—and targeted community sentences, in which offenders addressed offences such as aggression or arson. In those cases, the rates were lower.

Miss Widdecombe: What I conclude from that is that rehabilitation is imperative in our prisons. As the hon. Gentleman will know, that has been a consistent theme of the policy that I have recommended since taking my current role. I agree that that factor is crucial and needs to be expanded vastly. I am fully committed to expanding it when the happy day comes for me to swap places with the Home Secretary.

In his written answer, the right hon. Member for Brent, South referred to sentences of more than four years. To serve more than four years in jail, a person must have committed pretty serious offences, such as repeat burglary, rape, grievous bodily harm with intent, armed robbery or drug trafficking. Perhaps the Home Secretary can tell us what kind of offences that were not serious would attract four-year sentences, and what non-serious crimes will have been committed by the criminals who will be let out of jail earlier as a result of the Bill.

I shall not use a word like "misleading", Mr. Deputy Speaker, because you would not let me; but it seems to me that either the Home Secretary was not being entirely accurate when he told the House last November in categorical terms that he had no plans or intentions to facilitate the early release of serious or sexual offenders, or he has changed his policy between November and last week. I would like to know which is the case.

I also note with surprise the words of a Home Office spokesman, who, on Saturday night, was quoted as saying:

> There is absolutely no question of electronic monitoring for sex offenders and high-risk offenders.

Yet the Bill clearly provides for that. Perhaps the spin doctors do not realise that sex offenders, child abusers, convicted killers and more than 2,000 drug dealers have already been released early under the home detention curfew scheme. I have the written answers from the Minister of State, Home Office, the right hon. Member for Brent, South here. It will therefore do the Home Secretary no good to protest his ignorance.

Perhaps the same Home Office spokesman reassured the *Sunday Telegraph* in October, in the face of incontrovertible evidence from the Treasury letter, that there would be a net increase of 5,000 police numbers as a result of the Home Secretary's massaged conference pledge.

I want to consider the current scheme for early release on tagging. The right hon. Gentleman claimed that we were making mischief; I would say that we were expressing genuine anxiety. There is potential for mischief: six people who have been released early on tags were in prison for escaping lawful custody. The reward for escaping lawful custody is apparently to be let out early on tags. As I pointed out earlier, two people charged with a crime as serious as rape have been let out early. Among those who were let out early are five who have attempted murder. It must be reassuring for the public to know that such people are selected for early release.

Although the Home Secretary makes much of rolling out mandatory sentences for burglary, many burglars and several thousand drug dealers have also been let out under the scheme. Fifty people have disappeared—we do not know where they are or what they are doing; 852 people have been recalled for breaches of their licence; and 185 have been charged with offences, which, even if we leave rape aside, include serious matters, such as threats to kill, assault, wounding and burglary. In 20 cases, people originally imprisoned for burglary have been charged with committing burglary while out on tags.

The Home Secretary should take those figures seriously because every crime means the creation of a victim. Some are victims of serious crimes. They will undergo life sentences as a result of those crimes long after even the ordinary release date of those criminals. That level of reoffending is wrong. However successful the scheme is in other ways, the Home Secretary does it a disservice by belittling the serious nature of some of the crimes that have been committed. He must take responsibility, because if those prisoners had been in prison for the minimum length of time to which the judges had sentenced them, the victims would not have been created.

I do not wonder at the Home Secretary's spending £1 million of public money on 20 extra press officers and internal communications advisers. His spin doctors will

soon have their own spin doctors. It pains me to say it because I have a soft spot for the Home Office, but from the evidently ignorant comments emanating from it, its communications need some improvement.

If the Bill receives a Second Reading—we assume that it will—we will table an amendment tonight to make it clear that, to use the Home Secretary's words, the Bill's electronic monitoring provisions are not used to facilitate early release. I hope that the Home Secretary will accept the amendment and that the Bill will finally match his vigorous rhetoric. It has failed to do that hitherto.

Mr. Dawson: Perhaps the right hon. Lady can clarify her remarks. She seems to be denying that well-prepared planned releases involving all the technological surveillance that can be brought in and all the support that is necessary can help to protect the public and rehabilitate a person more effectively than simply remaining in prison until the end of the sentence.

Miss Widdecombe: No, quite the contrary. Planned release has an essential role to play. Provisions for post-release supervision are extremely poor and have been for a long time. The link between the work done by the prison and that which the ex-offender will receive in the community thereafter is often extremely weak. That is why I pay tribute to the drugs rehabilitation scheme at Lancaster prison, whose main strength is that it carries on that work after the prisoners have walked out of the gates.

Not only have I nothing whatever against proper plans for release, but I strongly support them as an integral part of preventing reoffending. However, there is a difference between planned release with proper arrangements for supervision and early release on a scheme that is producing reoffending. That is my problem. Whatever else my hon. Friend the Member for Surrey Heath (Mr. Hawkins) might or might not have supported when he was a member of the Select Committee, he would not have supported a scheme that released those categories of person to reoffend while still on tagging.

Mr. Straw: I am afraid that I do not follow the right hon. Lady. There is no difference in principle between release on HDC and release on licence before a determinate sentence is due to end, except that under HDC, as the figure shows, there is a much lower risk of the person reoffending. Is she seriously telling the House that she would remove any idea of an offender being released on licence before the automatic release date?

Miss Widdecombe: The automatic release dates and entitlement to parole occur at set and statutory points of a sentence. Judges know that when they pass sentence. Indeed, when we introduced "Honesty in Sentencing", we took into account the fact that, when judges pass sentence, they in turn take into account how much is likely to be served. My point is that, going against that judicial decision, releasing before that point people who have committed such a range of offences and who then reoffend, and brushing that aside as inconsequential is not how any of us who might have supported the scheme—I did not—would have envisaged its operating. Most people would have expected a very different application. If the Home Secretary is honest, and I am sure that he is, his answer to a rising prison population is 18,000 early releases.

Mr. Straw: May I press the right hon. Lady because, uncharacteristically, she has not answered the question? As an experienced prisons Minister, she well knows that under the Criminal Justice Act 1991, which was passed by a Conservative Administration, prisoners are routinely released early on licence—before their automatic release date—on the basis of a risk assessment. Some will reoffend. Such prisoners are not released automatically. Is she saying that, in government, she would abandon any early release of prisoners on licence?

Miss Widdecombe: I am obviously not making myself clear to the right hon. Gentleman. There is an earliest point at which somebody becomes eligible for parole. If parole is refused, there comes a point at which he is allowed automatic release, subject only to the requirement for good behaviour. As an experienced prisons Minister, I well know that I was always being told when that earliest point was. A judge passing sentence knows how long a person would serve as a minimum because that earliest point is worked out, but my point is that the Home Secretary has introduced another set of considerations that are not taken into account by the judge. That means that people can be released early and let out into the community on tagging.

I have explained the matter as simply as I can. If the Home Secretary still does not understand, I will ask some of my hon. Friends to try to reduce the language even more, so that he will perhaps be able to understand in Committee.

The Government have squandered the legacy of falling crime that they inherited. *[Interruption.]* They inherited three years of continual falls and they now have a rise in crime. They cannot deny that. They have failed the police, of whom there are 2,300 fewer than at the general election. The Government cannot deny that. They have created victims of crime by letting people out before the minimum point of the sentence that the judge expected them to serve is reached. They are not, apparently, apologetic towards those victims, even when the crimes are as serious as rape and assault.

The Government's record shows that there are serious flaws in the Home Secretary's approach, whatever soundbites or fiddled figures he tries to use to hoodwink the voters, who remain resolutely unhoodwinked because they can see what is going on around them. The Bill will not make up for any of that. It will not change the fact that the Government have squandered the legacy of crime reduction.

Mr. Dawson: Will the right hon. Lady give way?

Miss Widdecombe: No. I am going to finish my speech.

The Bill will not change the fact that thousands of drug dealers, burglars and convicted killers are being let out early. It will not change the fact that our response to a rising prison population was to supply more places, not to let 18,000 out early. We will not oppose the Bill, but the Home Secretary and the Prime Minister should be under no illusion that the effects of their policies—which

[Miss Widdecombe]

see crime rising, after the repeated and substantial falls that the Government inherited—will be felt throughout the country in the coming months and years.

I hope that, when we examine the Bill at further stages, it will not suffer the fate of previous Bills. We have stood here and said that we would not oppose the Bills in principle and would give them a fair wind, only to find that all the things that we considered merited at least some amendment and fair consideration had been brushed aside as inconsequential because the Government had such an enormous majority. I hope that there will be a responsible attitude towards this Bill—disqualification orders, getting the amendment about serious sex offenders into the Bill, extending the measure from class A to class B drugs and the other issues that I have raised—and that a serious approach will be taken. The Government's seriousness in tackling crime will be judged by the seriousness of their approach to this and similar Bills.

5.2 pm

Mr. Robin Corbett (Birmingham, Erdington): The right hon. Member for Maidstone and The Weald (Miss Widdecombe) will forgive me if I do not respond in detail to her main point, but the public outside must be bemused when they look into these debates and listen to our accusations about whether crime has gone up or down. Like all hon. Members, they have a great interest in seeing crime reductions—no Member wants more crime.

It is true that Bills brought before the House, whether under the right hon. Lady's regime or by my right hon. Friend the Home Secretary, do not always work out as intended, but, as my right hon. Friend said, that is not a reason for not introducing it, trying it and working harder to restore the peace and security that too many of our local communities have had stolen from them.

It does the right hon. Lady's case no service to get into a stupid Dutch auction about which party will promise to put more feet on the beat in terms of police officers. It was her Government—it is no good rewriting history—who gave responsibility—properly, in my view—for spending resources to chief constables. *[Interruption.]* It is no good her moaning about it—soundbite Sue, I have news for you! Her Government did that. In my judgment, they were right to give chief constables responsibility for allocating resources. Those chief constables can have a row with the Home Secretary of the day about the size of those resources, but, when they have them, they must, in proper partnership with police authorities—whose role, I say in passing, is grossly undervalued—work out how to spend those resources.

Let us see if the right hon. Member for Maidstone and The Weald and I can agree on this point. Although police numbers—the number of officers—are of course important, chief constables will have told her, as they have told my right hon. Friend the Home Secretary and other Labour Members, that success in combating crime hinges increasingly on much better and deeper responses to and co-operation with the public and on the increasing use of modern technology. This is not the day of Dick Barton; we have to use modern technology, just as criminals do.

Miss Widdecombe: In imposing one particular set of new technology on police—the public safety radio communications system, which may have great merit in its own right—but in not funding it, the Home Secretary has made it more, not less, likely that police will have to cut recruiting.

Mr. Corbett: The right hon. Lady does not even help her own case. An assiduous reader of *Hansard* will see, both in the statements that my right hon. Friend has made in the House and in his answers to parliamentary questions, his references to the great sums—he referred to them again today—that have been allocated to police for the long changeover period for the new communications system. I hope that the right hon. Lady will not say that that is not something that she would have done.

Miss Widdecombe: It is not being funded.

Mr. Corbett: It is being funded. If the right hon. Lady had been listening, she would know that more than £50 million is being made available. Quite clearly, there must be more to come.

On spending priorities, chief constables and assistant chief constables across the country have said to me, "We can always make the case for more officers, but we probably have enough if we use them more intelligently and effectively. What we need is to spend more money on modern technology." I hope that that is not a contentious issue.

If we need reminding of the price that our police services pay to ensure public protection, I invite the Home Secretary and every other hon. Member to send a get-well message to PC McCrocker—a 33-year-old west midlands police officer who, when trying to apprehend a suspected burglar, fell 30 ft from a wall and impaled himself through his stomach and his thigh. That is what we expect officers to do on our behalf to give protection to the public and to bring criminals to justice. I am glad to say that PC McCrocker is in a stable condition. Nevertheless, it reminds us of the price that police officers pay every day of the week for doing the job that we ask them to do. It also perhaps underlines the fact that they, too, must be baffled about some of the squabbles that go on in this place about how we should try better to get to grips with restoring safety and security to our communities.

I tell my right hon. Friend the Home Secretary that I am very pleased with the Government's actions and with the various measures—including this Bill—that they have introduced better to enable local communities to reclaim, with expert help from outside, the safety and security that too many of them have had stolen from them. I have said in the House before, but it bears repetition, that the biggest single issue raised by my constituents at the previous general election and since has been the very issue of anti-social behaviour shading into petty crime, and then growing into acts of violence.

All hon. Members have a duty, both in the House and in our constituencies, to help our constituents to get the courage and the confidence to stand up and win back safety and security for themselves, with the help that is available from the crime prevention strategy that my right hon. Friend has sensibly introduced. Birmingham has published its strategy for the first three years, and the first review of that is due this month.

We can all of us—because it is all around us—isolate some of the factors that lead to a loss of safety and security in many parts of our constituencies. It has much

to do with deprivation and poverty. It has much to do with the fact that a part of the so-called golden legacy left by the previous Government was that, in one in five households in which there were people of working age, no one had a job. However, when the current Government put their hands into the deep pockets of the former public utilities to extract billions for the new deal, they were opposed by the right hon. Member for Maidstone and The Weald and her colleagues—yet the new deal has made a huge impact in getting despairing, hopeless and jobless young people into jobs. *[Interruption.]* The hon. Member for Surrey Heath (Mr. Hawkins) must not provoke me. I do not care whether the number is this or that—every single person put in training or in a job would have been left on the scrapheap had his Government been returned to power. It is very important that people in our communities are encouraged to have connections and to believe that life can be better. There is no better way of demonstrating that than having a job or training.

Miss Widdecombe: They are not getting that from the new deal.

Mr. Corbett: The right hon. Lady scoffs. If she does not like the new deal, let her get up and tell the House how she would have got youth unemployment rates down without it.

Miss Widdecombe: If the hon. Gentleman consults the figures, he will find that youth unemployment was falling faster in this country when we were in power than in most other countries. I do not remember the hon. Gentleman supporting schemes that I proposed to get young people back into work—even when they were shown later to have been successful. All he did was pour scorn. He has one rule when his party is in government, and another rule when another party is in government. He would be more convincing had he supported our schemes, particularly those which were very successful.

Mr. Corbett: I am not interested in a trip down memory lane; I am talking about now. In my constituency, under the right hon. Lady's Government, unemployment among people of working age topped 30 per cent. That is no longer true. Many of those people who have found new jobs and training to divert them from the temptations of crime got those chances and opportunities under the new deal programme. The right hon. Lady can scoff as much she likes. I hope that the thousands in my constituency who now have the opportunities that her Government denied them will read how she has reacted to what I am saying in this Chamber.

Mr. Bercow: The hon. Gentleman is right to be angry about unemployment, but he is wrong to scoff at the significance of figures which contradict his own claims. How does he argue his case in the light of the factual, empirical evidence which shows that unemployment between April 1993 and May 1997 in this country fell at a faster rate than it is falling now? That is the evidence—what is his contradiction of it?

Mr. Corbett: I do not want to be rude about Buckingham, and the comparisons between Buckingham and Birmingham, but—

Miss Widdecombe: Answer the question.

Mr. Corbett: Hold on, I am getting there. For the last 30 years or so, unemployment levels in Birmingham have run at about twice the national average. I know from my own constituency, leaving aside the rest of the city, that the biggest reductions in youth unemployment have been since 1997 when the new deal came in.

Mr. Dawson: The right hon. Member for Maidstone and The Weald (Miss Widdecombe) was a valued and welcome visitor to my constituency on Saturday. When she stood at Lancaster prison, she was within half a mile of an area in my constituency where, during the years of Conservative Government, unemployment was at 24 per cent. and drug dealing and crime were rife and destroying a whole community. That community is being rehabilitated. Unemployment is falling dramatically, and single regeneration budget money is going into community development. I know young people who are benefiting from the new deal, and there is the prospect of further work to deal with crime fuelled by drug dealing. That is the evidence—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. That intervention was far too long. Perhaps I should say to the House that the debate is starting to spin away. No one denies that there is a connection between crime and unemployment that is to be argued, but perhaps we should concentrate on the main substance of the Bill.

Mr. Corbett: Than you for your guidance, Mr. Deputy Speaker. I am grateful to my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson). The right hon. Member for Maidstone and The Weald and some other Conservative Members—although not all of them—are in denial about what happened under the previous Government.

I turn now to the part of the Bill that threatens, at least, to get heavy with parents whose children truant, absent themselves from school or are expelled from school. My right hon. Friend the Home Secretary said that about 50,000 children are known to be truanting. If that is the official figure, my experience suggests that it is a gross underestimate. For a variety of reasons, schools are loth to declare suspensions or expulsions for fear of the financial consequences. Exam results can also be affected. I make no big deal about that, except to say that one of the priority aims in the Birmingham crime and disorder strategy is to achieve a sustained reduction in offending among young people. I do not doubt that other parts of the country have set the same goal, but Birmingham has made it clear that part of its strategy is to improve school attendance.

The improvement of school attendance is a worthy and vital objective in its own right. It is a tragedy when young people going through the education system these days discover only at the age of 16 or 17 the dreadful price that they will pay for not making the most of the opportunities available at school. I do not want to get into preaching mode about that because I know that some families have problems. I deliberately put the matter that way around, as I consider that usage to be more helpful than the phrase "problem families". The value of the orders will lie in the fact that they will enable schools, local education authorities and others to offer assistance to children and their families at an earlier stage than is currently possible.

It is unacceptable—although in part understandable—that four out of five parents involved do not turn up in court, as my right hon. Friend noted. I was going to say that they do not bother to turn up, but the problem may

[Mr. Corbett]

not be as simple as that—perhaps they do not see the importance of attendance. I do not want to make a party political point, but that is one of the arguments or battles that we must wage with the generation of low achievers for whom the giro coming through the door once a week or once a fortnight was all that mattered. Their society contained no effective role models, so it is perhaps not surprising that the children of that generation see the world in a different way. For them, school is a choice: they either go to school, or they do not, and they have too little understanding of the price that has to be paid for non-attendance.

I therefore welcome clause 55. As my right hon. Friend said, no one wants parents to go to jail. I agree with the organisation Liberty that sending one parent, or both, to jail carries little in the way of bonus for families. The clause's value is that it offers an extra tool of intervention that can be offered to families with problems.

The lower the educational achievements of today's children, the worse will be their chances of leading happy and fulfilling lives based around useful and interesting jobs. The days have gone when there was always an errand to be run or a floor to be swept. The jobs on offer now—the ones that will be available for children now at school—require brains more than brawn.

Some parents—sometimes they are single parents, but not always—find it difficult to exercise proper control. Mine cannot be the only constituency where children as young as five, six, seven or eight years of age roam the streets at midnight and at 1 or 2 o'clock in the morning. When I am in a good mood, I say that I did not know there were so many orphans knocking about. When I am not in a good mood, I get extremely upset at what I consider to be the gross irresponsibility of parents who enable or allow that to happen. Regardless of the effect that that has on their attendance at school, the huge risk that those children are subjected to either by older children or by adults—which is worse—cries out for attention. I hope that this clause is one measure by which we can start to address that problem and encourage parents with those difficulties to get the help that they need.

Miss Widdecombe: On a point of order, Mr. Deputy Speaker. I apologise to the hon. Gentleman for interrupting his flow—I tried to wait until what I thought was a natural break. However, I am anxious to raise this point of order while the Home Secretary is still in his place. There have been reports today about the absconding of six individuals from Oakington last night. Have you or Madam Speaker received any request for the Home Secretary to take advantage of his presence in the House to make a statement?

Mr. Deputy Speaker: Order. That is not a point of order for the Chair. The fact is that no such request has been received. I have no doubt that the Home Secretary has heard what the right hon. Lady has said, but I must say to her that there have to be other ways in which to pursue those matters.

Mr. Corbett: I hope that the powers in clause 55 will be used more as a way of offering advice and support than punishment. The power should be seen to divert rather than to punish.

Reference was made earlier to the third report of the Select Committee on Home Affairs, which I now have the privilege to Chair, on alternatives to prison, published in July 1998. The Committee called for a national probation service, and for it to be more rigorous in enforcing the community sentences. May I say in passing that we accused the sentencers and the media of not understanding enough about community sentences? When people receive a well-targeted community sentence, to say that they "walked free from court today" does nothing to help that understanding.

One Select Committee recommendation stated:

> Strict enforcement of community sentences is vital if they are to represent a credible alternative to prison and retain the confidence of sentencers and the public.

So I welcome the provision for a national service. I am pleased that the Association of Chief Officers of Probation welcomes it as well. However, the association fears—I think mistakenly—that the Government's power to intervene under clause 45, which provides for the functions of the local boards that will be appointed to oversee the delivery of the service in the 42 areas, may be used prematurely or inconsistently in the event of perceived failure. I think that the association has got this wrong. The local boards have the authority and the influence—the Home Secretary is there only as a longstop. If the public investment in a modern probation service is not getting the desired results, the Home Secretary will act on behalf of the taxpayer and the offender to see that the matter is put right. I see nothing wrong with that principle. My right hon. Friend has made extra resources available to the service.

The Association of Chief Officers of Probation is also concerned at the provisions on electronic monitoring. Our report rightly called for this to be extended. The House has already heard that the results of the first years of operation in the pilot areas has shown compliance with the tagging conditions to be an astonishing 95 per cent.

I want to tell the House about a visit that we made to a centre in Manchester, or Salford, that monitored people wearing tags. It had experience of offenders ringing up and saying, "We are so glad that we are tagged because it imposes a discipline on us that is not normally there." It had others applying to be tagged when they had not committed any offences. It is a generalisation, I know, but young people with offending behaviour often have a chaotic life style, and one of the benefits of tagging is to impose some order on that.

The centre feared—I think it was a misreading—that there would be a swipe-card approach to the monitoring of tagging—what I believe is called in the trade "drive by and wave." That would reduce the personal contact which is part of the order that surrounds the tagging device. I am sure that that is not the intention because the point of community orders is to establish regular contact with the probation service and others if need be, the better to ensure success and public protection, and to reduce the likelihood of reoffending.

I am not clear about the attitude of the Opposition to tagging. My right hon. Friend the Home Secretary made that point to the right hon. Member for Maidstone and The Weald. She and the whole House know that people are due to come out of prison at various stages and if someone is released slightly earlier than under the normal tariff with the assistance of a tag, it is because an

assessment has been made of the safety of the public and the likelihood of the prisoner obeying the terms of early release. We know that offenders can be recalled to prison if they reoffend.

Our report shows that there is little or no difference between reoffending rates of people sentenced to custodial sentences and people sentenced to non-custodial community sentences. That point is worth underlining. One of the advantages of community sentences is that they are cheaper than sending people to prison. I do not advocate non-custodial sentences only for that reason, but there is a benefit to the public in that less of our tax goes to keeping people locked up.

The exceptions are worth noting again. The Select Committee recently made an interesting visit to Her Majesty's Prison Blantyre in Kent. My right hon. Friend the Minister of State will know about it because I wrote him a letter. The prison takes about 20 life sentence prisoners about a year before the end of their sentence. They are simply told that they are going there, and that is what happens. The other prisoners are on shorter sentences. The prison is a model in what it achieves. Every prisoner is either in full-time education or working: most of those who work do so well outside the prison, including those who commute to and from London regularly. The right hon. Member for Maidstone and The Weald will like this—the regime is simple. The rules are "One breach and back to Maidstone you go. No ifs, no buts; that's it."

The thing that most impressed us during that visit was that four former prisoners, all with heavy sentences, who had completed their sentences and been released and were all working—one of them with the help of a very good voluntary body—gave up their time to come back and tell us what the regime at Blantyre House had meant for them and literally how it had changed their lives. The other thing that came out of our exchanges—I think that the right hon. Member for Maidstone and The Weald and I are at one on this—was the appalling picture that they painted of what goes on in the rest of the Prison Service. There is almost total absence of a coherent, positive approach to preparing prisoners in any true sense for release or rehabilitation. All of them to a man said, "Is it any wonder, with what goes on in our mainstream prisons, that too many prisoners come out with a warrant in their hand and are back inside in comparatively few months?" We will never break that cycle unless we have more regimes like that at Blantyre. Those who have proposed to my right hon. Friend the Minister of State that we should re-role—hateful phrase—Blantyre house should have their words stuffed down their throats, and should be told to think again. We must not risk destroying a regime that has demonstrated its success and that deserves to continue to do so. If anything, we want more places like it.

Miss Widdecombe: The hon. Gentleman made my point in his final words. There are too few resettlement prisons—Kirklevington and Blantyre, and pretty well no more. Instead of reducing the precious few facilities available, we should seek to expand them.

Mr. Corbett: I am grateful to the right hon. Lady. I am told that some in the Prison Service see what happens at Blantyre house as risky. I cannot believe that any governor in the Prison Service is not exposed to some risk. There are no guarantees for those who do that job. I hope that my right hon. Friend the Minister of State will not entertain for more than 10 seconds the idea of change at Blantyre House.

During the inquiry, we found that some tailor-made educational schemes for community orders were immensely successful in addressing the causes of offences. For example, we met a young man in Manchester who had burned down a school, causing around £750,000 damage. The fire service, to which I pay tribute, was working with him one to one to address his need for arson. Similar schemes were run on drugs and other offences, and such schemes were immensely successful in diverting people from reoffending, which cut reoffending rates dramatically. That is the direction in which we should go.

I welcome the Bill's aim better to protect the public. It will allow us to intervene earlier in various ways and to try to divert people from the approach road to youth offending. Local communities want the Bill, and it deserves to succeed.

5.33 pm

Sir Nicholas Lyell (North-East Bedfordshire): I shall be brief. Fundamentally, we support the Bill, but, as my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) said, we have some reservations and some detailed criticisms.

Any criminal justice Bill must be seen against the overall crime background, which immediately leads to arguments categorised as party political. I shall not dodge that point, but my remarks will be made in the context of Bedfordshire, which I represent. Use of that context will show the realities, and hon. Members may argue over whether my points are party political once they have heard what I have to say.

After nearly three years of the Labour Government, Bedfordshire is short of police. Our police number has dropped by 4.1 per cent., which represents about 61 officers—a serious change for a small force of around 1,100. That has practical effects, particularly on the rural community. Riseley police station was set up by the chief constable and was much appreciated by the parishes north of Bedford, but it is now manned for only a few hours because of pressure on police resources.

To the probation service, I pay a genuine compliment: I note with pleasure the sea change in the service during my 20 years as a Member of Parliament. Today, it is a service of which the country can be proud. That applies to the majority of probation officers. They do an extremely difficult job in a firm, effective and practical way, and deserve our thanks.

It is not always realised how tough the job of probation officer can be, nor what an important part probation officers play in the maintenance of law and order—especially in the monitoring and control in the community of often dangerous offenders. The job can range from dealing with tricky paedophiles, who can be a real danger if not properly monitored, to those on licence from a life sentence who need careful support and control. There is the problem of repeat burglars, multiple housebreakers and car crime offenders, all of whom need to be monitored back in the community. There is witness protection and even the monitoring of those with terrorist records or those who pose a potential terrorist danger. All that is part of the life of the modern probation officer.

[Sir Nicholas Lyell]

We support the fact that the service is to become a National Probation Service. It makes good sense that probation services, which operate countywide—as in my constituency—should be tied in with the police force and the Crown Prosecution Service. We welcome and encourage that move. It already happens to a significant degree in Bedfordshire; as it is a small county, many of the services were largely coterminous. We can see the wisdom of that for the rest of the country.

On the basis that the Government are the sinner who repenteth, they are right to have backed down on their inappropriate name for the probation service. To call it the National Probation Service is sensible. That was, at least, the result of consultation with the service, whose deep concerns were heard. The name is an improvement. However, unfortunately, according to the feedback I have received, the consultation on the naming of the penalties—probation orders, rehabilitation orders, community punishment and so on—has been less complete. Indeed, highly respected people in the service feel that the service was not consulted as much as it should have been.

As my right hon. Friend the Member for Maidstone and The Weald pointed out, the names are not yet right. I hope that the Government will not think it a point of honour not to change their mind. There is much to be said for referring to the sentences as community sentences—the heading for part III. The court will impose a community sentence; it will then add the appropriate number of tough conditions. The offender will be told: "You will receive a community sentence. It will include 200 hours of community service, mandatory drug testing and, for that reason, a period of electronic tagging and, for that reason, you will be subject to an exclusion order—excluded from certain parts of your town during certain times. That will be monitored. Go away and don't do it again." The message will get across.

However, there are dangers in naming sentences by acronyms that can be all too easily misunderstood. I do not wish to lower the tone of the debate, but the acronym of a community punishment and rehabilitation order is CPARO, and that can easily become CRAPO. If it does, that will not enhance the order's status. I do not want to spell out that point in too much of a soundbite, but I draw it to the Government's attention.

Mr. Hawkins: Will my right hon. and learned Friend give way?

Sir Nicholas Lyell: I shall not give way, because I do not want to over-emphasise this point. I know and respect my hon. Friend's point of view, but I wish to persuade the Government on this matter.

I come now to the issue of enforcement in cases of breach. I have read clause 46 carefully, but I have obviously not read it enough. It is quite difficult to tell exactly what it will mean in practice. I shall outline my concerns so that Ministers and those who handle the Bill's detail can think about them.

If the conditions placed on a community sentence are broken, it is entirely right that the offender should be breached, as it is known in the trade, and brought back to court, which should be able to give appropriate punishment. However, we must be careful to leave the court adequate flexibility because offenders vary greatly.

Too high a proportion of offenders commit deliberate offences—they know what they are doing and the risks that they are taking. Such offenders are out to make a living from crime and they deserve any punishment they get. Other offenders doubtless deserve punishment, but, for one reason or another, they are incapable of being responsible for themselves. Although that fact should not let them off, there should be no unexpected or unintentional results that would make them more of a burden on the community or the Prison Service.

I refer to the type of offender who, as the result of drug taking or drinking too much alcohol, or because he is feckless and of low intellect, finds it difficult to comply regularly with the precise terms of the community sentence that has rightly been imposed on him. The court must have a degree of flexibility or discretion. Otherwise, probation officers may be reluctant to return to court someone who has breached the terms of a probation order because they fear that that person will be put in prison automatically and that that will be counter-productive.

I am in favour of a firm and tough approach, but I have always been in favour of leaving a significant degree of flexibility to the courts. Although it is not the subject of the Bill, if I were asked why I supported mandatory sentences for three-time burglars, I would reply that I was satisfied that multiple burglars—they usually commit more than three offences—caused a huge amount of trouble to the community and that the average length of sentence that they received was simply too short. That legislation, which is a precursor to the Bill and the modern tough approach to crime that the Government purport to follow—I encourage them when they do—was right to tackle that issue. My plea is for a proper degree of flexibility for the courts so that the punishment for breach can be appropriate rather than suffering from a certain automaticity, which would cause it to be counter-productive.

The Bill provides for the advent of new technology, which can be beneficial. Now that electronic tagging has been proved to work, it is rightly being used much more widely. However, when we seek to enforce probation by methods such as the new swipe cards, let us be careful to ensure that they work properly and that they are capable of being properly monitored. For example, it has been suggested to me that to tell someone to report electronically by use of a swipe card may sound very nice, but the card could easily be given to someone else. That other person could swipe the relevant monitoring point for the offender. That system may not be effective. When handprints can be used—they cannot really be concealed—technology may meet the purpose for which it is applied. I am much in favour of new technology, but let it be used with common sense.

A portion of the Bill deals with court welfare officers and guardians ad litem, and the transfer of responsibility from the Home Office to the Lord Chancellor's Department. It has not taken up a great deal of time during the debate. However, it is an extraordinarily difficult matter for any Government. It is not party political.

There is quite a difference in culture at present between court welfare officers and guardians ad litem. Court welfare officers deal with day-to-day work for particular courts and undertake valuable work. They are full-time employees. Guardians ad litem are somewhat differently trained. They are estimable people who largely work free

lance. It is important that the Lord Chancellor's Department should be sensitive in moulding the two services together.

It should be realised that the Home Office was probably not wholly altruistic in passing responsibility to the Lord Chancellor's Department in these often extremely contentious matters. The whole issue of child care when dealt with in the courts, and of marriage breakdown, which is so often the background, is hugely contentious and is known to lead to many complaints. I see the Minister of State, Home Office, the right hon. Member for Brent, South (Mr. Boateng), looking characteristically and charmingly happy at the thought that the Parliamentary Secretary, Lord Chancellor's Department, the hon. Member for Wyre Forest (Mr. Lock), who is blissfully ignorant because he is not sitting in on the debate, will carry the burden in the future.

The Home Office is a rather large Department compared with the Lord Chancellor's Department. The Lord Chancellor may be pleased to be enlarging his empire, but let him ensure that the formidable reputation on which he relies is effective in the courts of the Chancellor of the Exchequer. Otherwise, he will not have the budget to do the job properly. I wish him well, not only for his sake but for that of those in the service, who will depend on his success if they are to be able to do a very difficult job effectively.

I wish the Bill well. I hope that the Government will listen to our constructive comments and make certain changes to the Bill, in which event we shall have acted together to produce improvements to the law.

5.49 pm

Mr. Hilton Dawson (Lancaster and Wyre): It is a great pleasure to speak in this debate, but it is sad that the House is comparatively empty for a debate on an important Bill. It was sad also to hear the earlier claims of golden legacies which are not borne out by my experience or that of many constituents. We can all hark back to the past but it is essential that we try to face the problems confronting people at the moment and deal with them sensibly.

Mr. Hawkins: If the hon. Gentleman thinks back a few minutes, he will realise that it was his colleague the hon. Member for Birmingham, Erdington (Mr. Corbett) who talked about golden legacies.

Mr. Dawson: We can argue about such particulars, but anyone who has sat in the Chamber for the past hour or so will recall the extraordinary claims being made by Conservative Members.

I welcome the Bill, which is immensely significant. Apart from the final remarks of the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell), the debate has largely concentrated on the probation measures. However, the Bill is crucial for the 13 million children in this country whose protection it will greatly enhance and improve. It is enormously significant for the thousands of children who are caught up in public legal proceedings, care proceedings and the private law relating to divorce and issues of residence and contact, which are dealt with under section 8 of the Children Act 1989.

The Bill is enormously significant also for the comparatively small group of children who are dealt with by the Official Solicitor, who has the often grave responsibility of resolving difficult moral, ethical and legal issues. Those children are sometimes caught up in the most extraordinary and damaging circumstances

The Bill is also excellent for the public, who need a coherent system that will protect them from serious offenders. In many cases, their best protection will be dedicated probation officers. I am glad, as I think everyone is, that they will still be called probation officers, rather than being known by the bizarre acronyms that might have been foisted on them.

As other hon. Members have said, probation officers work in the most difficult, and occasionally dangerous, circumstances. They will have the opportunity to work under the new structures that the Bill will develop within the community safety framework established by the Crime and Disorder Act 1998. The Bill will present them with new opportunities to tackle the profoundly important issues at the heart of so much offending in this country. Those issues damage people, wreck lives, take the heart out of whole communities and sap the confidence of many of the people whom we represent.

Above all, this is a serious Bill. The Government are certainly taking a firm approach to the protection of children and the public. They are also creating a tremendous opportunity to enhance children's rights, and I shall return to that point later.

I give an unequivocal welcome to part II, which deals with the protection of children. It is a measure of the seriousness with which the Government address these issues that the Bill goes further than previous reports have recommended by creating two new criminal offences of working with children while disqualified from doing so and of offering such work to someone who is disqualified.

It is exceptionally important that the Government have defined work with children so that the Bill encompasses not only paid work but voluntary work and the full range of activities and circumstances in which paedophiles and people intent on harm can gain access to children. Experience has surely shown us that those who want to exploit and abuse children are cunning, ruthless and devious, and the Government are demonstrating that in protecting children they are prepared to be vigilant, thorough and severe.

I welcome the establishment of the Children and Family Court Advisory and Support Service. I could not think up an unlikely name for it, and I do not entirely take on board some of the quibbles about names that we have had this afternoon. Bringing together the family court welfare service, the guardian ad litem and reporting officer service and the official solicitor is necessary and possibly overdue. It is a good first step.

I accept the point about the difficulties of trying to assimilate different services, and there are many anxieties, particularly among guardians ad litem, who have rightly operated as independent contractors and who have had an informal employment relationship when carrying out their crucial role. They are concerned about how that role will marry up with the welfare service when it is included in CAFCASS, and we will have to wait and see.

Obviously it makes good sense to unite all those who report to courts in private proceedings, care proceedings and adoptions, where crucial issues relative to the care of children need to be resolved. The right hon. and learned Member for North-East Bedfordshire thought that the Home Office had played a bit of a blinder by passing the

[Mr. Dawson]

service over to the Lord Chancellor's Department, and I am concerned about that transfer. I am concerned about any social workers being in the company of lawyers. I wonder how well a social work service will fit into the framework of the Lord Chancellor's Department.

CAFCASS, or whatever it will be called, needs to be a children's rights service. It needs to have an independent and powerful influence so that it can ensure that children's voices are clearly heard when courts are making crucial decisions about care, supervision, adoption, residence and contact. I am not sure that it is entirely appropriate to place that service within the Lord Chancellor's Department, where it will be subject to inspection by no doubt worthy officers of the magistrates court service.

A great deal of work will be needed to preserve the independence of that service and to ensure that it abides by fundamental social work principles and the basic principles of the Children Act. It must also be firmly grounded in the principles of the UN convention on the rights of the child.

The service must be able to carry out an important task that is in some ways delicate and in many other ways robust. That involves getting alongside children, sometimes in extraordinary situations, and understanding their wishes and feelings when they are caught up in a legal process. The service must be able to hear the very small voices of children in the often bewildering circumstances of divorce, parental antagonism, abuse and neglect.

For me, and for many other hon. Members, I imagine, the debate on the huge change to be introduced by the Bill properly raises questions about the necessity for a children's rights commissioner in this country, to attend to the basic rights of children and to ensure that systems always work in the interests of children. We must ensure that the voices of children are heard, and that Government agencies and Departments always work together in the interests of children who, by definition in this country, are powerless. They have no vote.

The message from all the child abuse inquiries and all the appalling cases about which we have heard is that as well as having no vote, children often have no voice. That is probably a debate for another day, but the service would sit more comfortably if such a commissioner were in place, and if the Government followed the logic of their tremendous commitment to children, to the United Nations convention on children's rights and to joined-up government.

The measure is a good step, but it raises further issues that remain unresolved because the Family Law Act 1996 has not been fully implemented. A significant section of the 1996 Act relates to the breakdown of marriage, mediation, and the services required in those circumstances. The new service will not be fully developed until we have a coherent framework for mediation and the resolution of problems before they get to court. Many hon. Members are lawyers, but I hope that we all recognise that courtrooms are often not the best place to resolve crucial issues pertaining to the upbringing of children and their future.

The principle of independent advocacy needs to be extended further. The guardian ad litem service in relation to children facing care proceedings, coupled with the independent representation of children in those proceedings, works. It ensures that the needs and circumstance of children are taken into account. Another unimplemented part of the Family Law Act 1996 deals with the independent representation of children in private law proceedings. I hope that that will be taken further, stimulated by the development of CAFCASS.

I have been in Parliament only a short while, but judging by my own experience I would be amazed if other hon. Members had not had parents, grandparents, and even children and young people coming to their surgeries to talk about the bad time they had had during the parents divorce. The children speak of their impression that they were not listened to by the judge, or by anyone who was part of those proceedings, about crucial issues such as where they would live for the rest of their childhood, and what contact they would have with their parents.

Until we address that fundamental issue, there will be continuing problems. For many children, childhood will be undermined, and they will not receive the attention and support that they palpably deserve. I hope that the new system will help us to put that right.

A tremendous training programme will be needed for the new advisory and support service, and its independence will have to be vigorously protected. People will be needed who can stand up for children and express children's needs in a courtroom setting that would daunt many adults.

A good management structure will be required for the new service, to ensure that the people carrying out the difficult task of listening to children and advocating their interests in a challenging setting are given the proper support, training and back-up. The social work service will operate in a legalistic milieu, and it is important that social workers have contact with other professionals working with children and families.

It is good that we will have a national probation service. I understand why some people are shy of the word "punishment", but I think they are wrong. The national probation service should take on board the fact that some orders contain an element of reparation, of making good and of service. That will be perceived as punishment by some people, but it is necessary, in addition to the advice, assistance and befriending which are the more traditional parts of the probation role.

It is essential that the programmes enjoy credibility with the public, the people carrying them out, and the people who are sentenced to them. The programmes must be seen as an effective way of making good with the community and moving on.

We have heard a lot of talk today about early releases, and what I considered inappropriate comments about reoffending. I hardly think that any of the victims of the crimes in question—some extremely serious—could feel happy about the fact that their horrendous experiences have been bandied around the Chamber. I do not believe that that had anything to do with concern for the needs of victims; I believe that it had a great deal to do with party political point-scoring, and I consider it deplorable.

If we are to move on, we must find a safe way of allowing serious offenders to return to the community, or to remain in the community. It must enable them to be monitored and to make good what they have done to society; above all, the public must be protected. But at the same time, it must enable offenders to be rehabilitated and

helped back into a more productive life. We cannot simply consign people to prison, let them rot there for years and then allow them back on the streets: that would be appalling and irresponsible. We must establish a policy which, while having community safety and public protection at its heart, will enable such people to become involved in programmes—my hon. Friend the Member for Birmingham, Erdington (Mr. Corbett) described some of them—that the Government are introducing to help people to emerge from social exclusion and gain a proper place in society through training, work and other opportunities.

It is commendable that the national probation service will be based on police boundaries: no sensible person could disagree with that. The introduction of exclusion orders, drug abstinence orders and curfew requirements in the case of community sentences is intrusive and demanding, but it is absolutely necessary if we are to establish an effective link between the Prison Service, the probation service and the police, and then enable them to use an intelligence-led approach to target serious criminals and reduce offending.

The Government's approach gives rise to great optimism. I shall be chided by my colleagues for mentioning the fine city of Lancaster yet again, but I must point out that it has experienced serious levels of crime. Unemployment, poverty and deprivation are by no means the sole causes of crime, but they are unquestionably at the heart of the decision of many young people to become criminals—or, perhaps, the lack of a decision: some people just fall into crime.

Lancaster has been given real opportunities by the new deal and the regeneration programmes—the single regeneration budget, objective 2 status and assisted area status. Those programmes are bringing new investment to communities containing vulnerable people, particularly vulnerable young men. However, the city will also be helped by the programmes that the probation service is being encouraged to adopt—programmes that clamp down on people's behaviour, while offering help at the same time.

I am thinking of, for instance, drug referral programmes for people who have been arrested, which attend to the most serious underlying problems experienced by those people at a crucial stage. They may be in a police cell, wondering where they go from there. It is important that nurses—referred to earlier—have been present in police stations. That must be a challenging experience for nurses who are used to working in hospital wards, but the results are extremely positive. People have responded tremendously well.

Serious drug abuse is clearly at the heart of much offending. Hon. Members have asked why the Government are concentrating on class A drugs; I think it obvious from my experience of my constituency—and I suspect the same is true of many others—that it is class A drugs that dominate people's lives, so that they must find money to fuel their serious drug habit.

I think that there is cause for considerable optimism. The extra powers and duties conferred on the probation service will help tremendously. There is a serious debate to be had, and we shall probably engage in it for the remainder of the Session, but it is a shame that serious, honest intentions have been subjected today to carping, moaning and belittling. This is a fine Bill, which has the potential to transform areas of policy that have been neglected for far too long. I look forward to its making real progress—and, most important, making a real difference.

6.18 pm

Mr. Simon Hughes (Southwark, North and Bermondsey): I am glad to have an opportunity, two and a half hours after the beginning of the debate, to present the Liberal Democrat view. I shall do so in respect of both the generality and the specifics.

According to a much misunderstood verse of the Bible, Jesus said that the poor were always with us. It is a much quoted fact that crime is always with us. That could well be true, but the challenge to politicians is how we can reduce the amount of crime and bring about a society in which all people can lead lives that are as law-abiding as possible.

As far as I can remember, we have dealt with a criminal justice Bill or a crime Bill, or both, every year since I became a Member of Parliament; but we clearly have not found all the answers yet. There are no easy answers, which is one reason why we keep returning to the subject. This is the first debate on these issues that I have led for my party, along with my hon. Friends the Members for Taunton (Jackie Ballard) and for Torridge and West Devon (Mr. Burnett). It is already a little tiring that some of the proposals that we are discussing appear not to have benefited from full and careful consideration, and also that we go around the same circuit every year without trying to ensure that we learn the lessons of the past while securing maximum agreement in the House. However, the Government have the right to introduce a Bill. They have done that and we must start from here.

Let us consider the big picture. There is a huge amount of crime and figures are rising. They had decreased, but they are rising again. It is paradoxical that, in one way, the increase in the figures may be good because it shows that we live in a society where more crime is reported and that people now speak out about crimes that they would not have reported some years ago. The large increase in violent crime is especially worrying. Reducing the amount of violent crime, much of which is alcohol or drug related or induced, is a challenge to us and our society.

On Sunday, I spent some time at a benefit event for a family whose husband and father of six children has disappeared and is believed to have been murdered. Some people have been arrested in relation to that. Wherever our constituencies are, we all live with recurrent, serious and searing crime. Much of it is ghastly and horrible, and undermines the core values of our society. We must try above all to deal with that. That sort of crime worries most the people whom we are sent here to represent.

The second current big issue is that people are exercised about whether there are enough people to undertake crime prevention and reduction. The debates about police numbers are therefore important. People notice when there are more or fewer police. We were glad about yesterday's announcement, in response to a parliamentary written question, that the money allocated to police authorities will be topped up yet again.

Until last summer, the Home Secretary claimed that police numbers were not up to him, yet since then he has twice announced more money for more police officers. Police numbers are therefore up to him to some extent—it is up to him to add to them, but never up to him to

[Mr. Simon Hughes]

reduce them. However, we welcome the increased resources for the police in the approaching financial year. Many of us have argued for that. The number of police at the end of the Parliament will still not match the number at the beginning. Those figures will not be achieved until well beyond the next election, if at all, but at least the Government have heard the public's message.

The third element in the big picture is that the number of people in prison has sadly and worryingly increased. The numbers will probably continue to rise, and the Government appear content about that; they accept it and are willing regularly to introduce measures that increase the numbers of people who are likely to go inside. It has been estimated that up to another 15,000 people who breach non-custodial orders might go to prison as a result of the Bill.

More people going to prison for longer does not constitute a solution to our problems. We cannot produce a better society by that method. There will always be people in prison and we must take away the liberty of those who cannot manage it properly; we have to punish. However, there is too great a temptation, in borderline cases, to put people inside rather than leaving them outside. More and more offences lead to mandatory prison sentences. We believe that the sentence should be left to the court; Parliament should not determine it.

On the other hand, the Government want to increase electronic tagging. Unlike the right hon. Member for Maidstone and The Weald (Miss Widdecombe), we welcome that. When the technology works, it is better that people who pass the risk assessment tests, and can be released safely, are outside at the end of their sentences rather than locked up.

Drugs constitute the fourth big issue. Viscountess Runciman and her eminent colleagues today produced a report, which has been published by the Police Foundation. We cannot have a royal commission, because the Government are apparently unwilling to establish a body that provides independent, objective advice on drugs, their misuse and reform of the relevant legislation. The Police Foundation has therefore acted as a substitute. We welcome the thorough report, which I have had the opportunity to glance through, as other hon. Members will have done. The public hope that the Government will respond positively to it. Early signs, as expected, are weak. The deputy head of the federal Bureau of Justice said, when he visited this country a year or two ago, that only a stubborn Government do not accept that the law on drugs may need to be reformed.

I hope that the Government are neither stubborn nor deaf on the issue of drugs, or on the recommendations of the Runciman report. I hope that they hear the clear message that, unless we distinguish between the severity and implications of different drugs, we cannot hope to reduce the number of people who are addicted or use drugs. An intelligent, considered response, drug by drug, to dealing with the user and the dealer is appropriate.

Lastly, the outgoing president of the Prison Governors Association told us today about the severe overcrowding in prisons and the difficulty that he and his colleagues now experience in doing their jobs. The criminal justice system is therefore in difficulties, and we must tackle that.

Like other hon. Members, I pay tribute to the Prison Service and its staff. I pay tribute, in particular, to the staff at Lancaster prison. The hon. Member for Lancaster and Wyre (Mr. Dawson) knows that I recently visited the prison. My visit was interesting, informative and helpful. I was extremely impressed by the drugs rehabilitation work that I asked to see. I was impressed not only by the staff, but by the prisoners, who were motivated and clear about the benefits of the work. The more such work is undertaken in all our penal institutions, the better. Simply preventing drugs from coming into prisons is no good if sufficient work is not done with prisoners to ensure that they do not reoffend through drugs when they leave.

I add my tribute to those of other hon. Members to the probation service. It is delighted that it will keep its name. It does a good job and we all owe it a debt of gratitude.

The Government must balance trying to meet the public demand, which is misplaced in some ways, to be tougher and to be seen to be constantly devising new initiatives, with getting the policy right. As with other matters, the Government introduce plenty of initiatives, but many appear to be kneejerk reactions and the result of ill-thought-out ideas. Two current ideas appear to have sprung from unprompted and unheralded suggestions by the Prime Minister. It sometimes seems that policies are not rationally considered and are led, if not developed, by spin doctors. That is especially unhelpful in penal and criminal justice policy.

It is all very well legislating through providing for a power here and another there, but sometimes those powers are inappropriate. We need fewer one-off initiatives and more considered policy. We need joined-up government. Yesterday, the Government announced that they wanted more joined-up thinking on the youth service and young people. That is welcome. It should apply across the board, including to the Prison Service and the criminal justice system.

We should allow time for changes to bed down. For example, a set of orders is already available to the courts. They relate to drugs and include drug testing and treatment orders, and they appear to work well. Many people argue that the Bill provides for further and unnecessary orders when existing orders work adequately.

The precondition to all this is that we need as much crime reduction and prevention as possible. People around the country are all agreed that practical measures such as crime partnerships work well to deliver local ideas—some are societal, some are practical, some are to do with the design of houses, some relate to where to put play areas and some deal with how to bring up children and what their education they should be—but I repeat that having enough police out there on the streets is a key part of that exercise. We need police in the community and we need the neighbourhood wardens, which the Government have now introduced. We have long argued that more community-based policing is needed and the neighbourhood warden idea has now arrived, and not before time. In due course, we shall put forward further ideas on developing the police service to ensure that there is more coherent neighbourhood policing. We think that that is what the public want.

I want to say a word about young people, some of whom all too easily become young offenders. The more we can do to prevent young people from becoming young offenders, the better our society will become, although

concentrating on prospective criminals of the future is not an excuse for not being equally attentive to the large number of people already in prison. There have been good initiatives and the Youth Justice Board is a good thing, but the reduction in the youth service around the country is a bad thing. The more constructive the activity young people undertake in and out of school, and the more they are educated for life through energetic pursuits that enable them to use their lives to the full, the less likely they are to be criminals.

The hon. Member for Birmingham, Erdington (Mr. Corbett), the Chairman of the Select Committee, was right: the more training and work that young people receive, the more likely they are to be full members of society, not criminals. It is more likely that there will be crime where there is less work and more unemployment and we have to reflect on the fact that many people at the bottom end of society, where there is still a large measure of social exclusion, are not doing well. Some people at the other end of society are doing very well indeed. The more unequal our society, the more likely it is that there will be crime among the have nots.

Dealing with truants is one of the crucial issues covered by the Bill. The proposal to move from a power to bring people before the authorities to a power to more than double fines on parents of truant children—and, prospectively, to send them to prison—does not seem to us to be a sensible answer. Although the Home Secretary says that the power is intended more as a threat than a reality, locking up the parents of truants is hardly likely to produce families that are more able to play a full and coherent part in society. Many things need to be done, and truancy is a big issue in constituencies such as mine, but locking up parents who have not fulfilled their parental responsibility to make sure that their children go to school is hardly likely to achieve improvements. Parents in prison often means children in local authority care. If children are in local authority or foster care, there is often a greater chance of them going into detention or prison in teenage and adult life. We must therefore be careful not to propose appealing but simplistic solutions to difficult problems.

Should people go to prison or should they not? The Bill's implication—by and large and in spite of the tagging option, which allows early release—is that prison numbers will go up.

Mr. Stephen Day (Cheadle): Although the hon. Gentleman's case may be welcomed by organisations such as the Howard League for Penal Reform, does he accept that the public—whether his view is right or wrong—feel safer when offenders are in prison? Rapists cannot rape and muggers cannot mug when they are off the streets. I understand many of his intellectual points, but he surely must accept that making people feel safe is a key element in providing law and order. To some extent, keeping people in prison provides that.

Mr. Hughes: The hon. Gentleman is half right. The facts, as well as people's feelings, are important. Some are interesting. In surveys, the public say that the courts do not give heavy enough sentences. If they are asked what sentences the courts give, they underestimate by about 50 per cent. They think that sentences ought to be tougher, but do not realise how tough they already are. If people are told that keeping 10 people in prison involves spending what it costs to employ eight police officers, they begin to realise that it may be better to reduce prison numbers so that we can have more police officers. I understand the hon. Gentleman's point, but the answers are not that simple.

The public want offenders to be punished, but in general nobody argues that we should keep the punished people—apart from those who have committed the most severe offences—in prison for the rest of their natural lives. The sooner we rehabilitate prisoners so that they can play a full part in society outside, the better. That would also be far cheaper for society, which pays for people to be locked up, where they make almost no contribution to society, pay no taxes and put nothing back in the kitty, never mind the cost to their families, who may depend on the state for as long as they are locked up.

After my visit to Lancaster prison, I went across the Pennines to Full Sutton prison outside York. Like my hon. Friends, I am making more regular prison visits. The big issue in the Prison Service is what to do when people are in prison. How can they all undertake productive activity? If we could massively increase education and training, provide apprenticeships and offer drugs rehabilitation—making sure that those measures did not stop or quickly fade away as people walked through the prison gates, but continued—we would have a chance to make an inroad. The figures are terrifying: about 75 per cent. of crimes are committed by those who have been inside—reoffenders stuck in what is known in shorthand as the revolving door.

I do not want to speak for too long and shall deal with the specifics. Part I creates the National Probation Service for England and Wales. We welcome that and the retention of the service's name, but we have a couple of questions. I put the first to the Home Secretary earlier: will he please give less power over appointments to himself and more to others? The point was rightly made from the Conservative Benches that a recent report criticised the current and the former Secretaries of State for Health for their patronage in health authority appointments. Many Labour people have been appointed. However wonderful the system may be in theory, we do not want the boys and girls known by Ministers to be appointed to chair the new probation committees. That ought to be done much more independently and I hope that there will be a move on that. The Home Secretary did not appear to be against it.

I raise a further small question. Given that the Bill deals with England and Wales, might not it be appropriate in this era of devolution to consider establishing separate services for them? Welsh colleagues may take that up elsewhere.

The probation service is happy to do its job, but it points out that its budget has been cut by about 25 per cent. in five years. If we are to ask people to be more effective in working in the community and preventing people from going to prison, they have to be given the resources—people and other things—to achieve that.

The Bill also deals with the important matter of children and family welfare, and the new structure is welcome. In a previous life, I did some work in that environment in the courts. We need a more integrated system and that is proposed, which is welcome. The Bill will move the system in England and Wales nearer to the Scottish system. The proposals to make sure that children are better protected from people who might be a risk to

[Mr. Hughes]

them are particularly welcome. The public are right to say that we need the most secure safeguards against the abuse and exploitation of children, whether physical or sexual. I have a couple of specific questions about that.

First, it appears that the Bill is flawed, as not only may some people be banned from working with children, but people who have been banned may never be able to have those bans lifted. In straightforward civil liberty terms, when it is clear that the risk has gone it must be right to lift a ban.

Secondly, in Committee, we need to look at the definition of "working with children". The Bill is fairly broad, but there are some practical questions. I am not saying that I have an answer, but, clearly, some people regularly employ young people: for example, to do a newspaper or milk round. There is no obvious reason why they should not be excluded from the protection provisions—the obligation provisions—any more than people in the youth club, the Church, the scout troop or anywhere else. We must have a common arrangement across the board.

Thirdly, clauses 26 and 30 contain the all-too-recurrent reverse burden of proof provision. We should put that in legislation only when we are all persuaded that there is no other way.

Fourthly, I have made the point about truanting. I simply observe that another piece of legislation that is going through the House says that, if people offend, they may lose benefits. I am not sure that social exclusion is reduced and that families at risk are helped greatly by a combination of legislation that might take parents away from a family where the children are not going to school, and might take benefits away where the adults are misbehaving. In both cases, that renders the children more vulnerable and more exposed, rather than less.

I have made clear our position on tagging; in principle, we support tagging, but the technology must exist. I gather that some of it is not yet up and running. The Home Secretary indicated that it will only be available in a couple of years. Clearly, we must ensure that tagging happens only at the end of the sentence, but I am satisfied that it is a good system.

What is a particularly good system, if we can get the technology to work, is tagging that prevents people from going somewhere, as well as tagging that watches them when they go away. Giving protection through tagging, particularly to women who have been victims of violence may be more effective than almost anything else in the system. Anyone who has been involved with those issues knows that guaranteeing security in any way is often very difficult.

The fifth big issue is drugs. I put it to the Home Secretary, and I repeat expressly: there is considerable scepticism about all the Bill's provisions on drugs and drug orders. One of the groups that put the scepticism most effectively is the Standing Conference on Drug Abuse—it happens to be based in my constituency but it is nationally recognised as competent, authoritative and well informed—which says that the Bill appears to introduce by the back door use of drugs as a criminal offence.

I hear what Ministers say, but the provision seems clearly different. In Britain, we have never before legislated for the use of drugs to be a criminal offence; it is possession, supply and making money out of them that is the offence. We will need to examine the matter very carefully to ensure that clause 48 does not change the law. Some of the advice that we have received says that it does. If it does, it should not. We must ensure that the Bill is made clearer.

Mr. Boateng: What advice?

Mr. Hughes: The advice came not least from the Standing Conference on Drug Abuse and others, including Liberty. It is a perfectly reasonable question and a perfectly reasonable answer. The National Association of Probation Officers has, I believe, expressed the same view. I may be wrong, but it is not a view that comes without those people having looked at the legislation.

There is scepticism about pre-sentence drug testing for adults receiving community sentences. There is the view that drug-testing adult arrestees is very expensive; it costs about £0.5 billion in a full year. It could undermine constructive arrest referral schemes and lead to the misuse of police discretion as to who not to test. It could, therefore, lead to inconsistency in the application of the law.

Mr. Boateng: Liberty again?

Mr. Hughes: Not Liberty again.

The right to bail and the ability to attach drug-related orders to that is fine in theory, but, without the treatment, all those powers are relatively worthless. In many ways, it is far better to use well-resourced, targeted, highly supervised and structured bail support packages—for example, drug-testing orders, which we already have—rather than something that does not have back-up to ensure that people are given the rehabilitation that they want.

It is right that we have mandatory drug testing in prison. It is right that people, on release, should be able to be tested before they go out and that it should be a condition of release, in some cases, that testing continues. However, unless we have the infrastructure to stop people getting back on to hard drugs, we will not deal with what is, for them, the drugs menace.

The real question—it is why I put the case; it came in the Runciman report today—is whether we spend more money on prevention and rehabilitation and less than we currently spend on drugs law enforcement, and whether we begin to reverse the figures. If about £6 out of every £10 is spent on law enforcement, and if just over £1 in £10 is spent on rehabilitation, some people believe that we should change that significantly.

The best time to test people for drugs is after conviction and before sentencing, so that they have the appropriate sentence. There should be drug testing where someone is charged with possession of drugs, where they are arrested on a drug-related offence, or where there is reasonable suspicion of that, just as we should be able to test someone who is driving allegedly under the influence of drugs, but there should not be the general power to test anyone and everyone if drugs are unrelated to the reason for arresting and holding the person. Equally, we must not forget alcohol and alcohol abuse.

We are all determined to reduce crime and reoffending. We are all, I hope, committed to the view that there should be serious and agreed solutions, rather than ideas that have

not been thought through and worked out. I hope that we can have the flexibility to enable us to have a criminal justice system that responds to the many and different needs, but that there will be no stubbornness or refusal to examine certain solutions or proposals that are crying out for a Government response.

There is an opportunity to get the Bill right. It will need much work in Committee, but we will support it as the beginning of good legislation, provided that there is a willingness throughout this place to ensure that it is amended, potentially significantly, in the weeks ahead, before it goes on to the statute book.

6.47 pm

Sir Peter Lloyd (Fareham): I agree with the point that was made by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) about drugs and drug testing.

First, let me declare an interest as the parliamentary adviser to the Police Federation.

This is an important Bill. Its importance is perhaps obscured somewhat by the thin attendance in the Chamber, but the Bill covers much ground. As my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) said, it will need detailed examination in Committee, which I hope it will get.

What I want to do now is make some brief points on just one theme which goes right through the Bill: the need for effective programmes to deal with offenders during their sentences in prison and in the community. The provision on drugs, for example, which the hon. Member for Southwark, North and Bermondsey raised with the Home Secretary in an intervention, is absolutely right. It would introduce a new drug abstinence order. I am not completely clear what such an order does over and above the powers that are currently available, but what is plain is that it is no good expanding the practice of testing for drugs—which I welcome—or making orders about abstinence, especially where addiction is the causal factor in the offence, unless there are good programmes of treatment and support for the drug-taking offender. Far too few such programmes are available and there are waiting lists for them. If the Government will the testing, they must be willing to deal effectively and swiftly with the individuals who fail the tests.

Unfortunately, drug treatment is not cheap, although in the long run, it is even more expensive to identify addicted criminals and then keep them untreated in prisons, or under some "order to abstain" in the community—which, without the prompt treatment that they need, will be generally ineffectual.

The same type of issue is raised by the restructuring of the probation service. It makes sense, when practical, to organise the different agencies in the criminal justice system so that the administrative units of police, probation and Crown Prosecution Service cover conterminous areas. That obviously facilitates co-operation. However, the probation and prison services have the most need for a structure providing for regular contact and joint action. I realise that such a structure is not easily achieved, partly because the Prison Service has a regional administration, and not least because prisoners are frequently held far from the areas to which they will go when they are released. It is consequently very difficult to organise direct contact with the local probation service while prisoners are held in prison.

I think that the Government's intention was to tackle that problem with their initial idea of merging the Prison Service with the probation service. I believe that, at this stage, that would have been a step too far. However, it is all the more reason to ask the Minister, in his reply, to explain how the reorganisation of probation will be used to fill the yawning gaps between prison and probation.

Currently, prisoners who start drug treatment in prison seldom find it possible to continue it outside. The same is true of other education or offending behaviour programmes. Surely it is just at that point—when they are re-entering society—that many prisoners most need the discipline, support and opportunity of such programmes if they are to remain outside prison and lead a law-abiding life. Such programmes are badly needed.

As the hon. Member for Southwark, North and Bermondsey said, the number of prisoners who are released but back in prison within two years is very high—for adults, the figure is more than 50 per cent; for young offenders, the figure is near to 80 per cent—showing that prisons are not working. However, the Bill provides a great opportunity, if money is put behind it, to make a large difference in the rate of reoffending. I hope that Ministers will seize the opportunity.

I am not saying that joint working does not happen; it happens very often, sometimes in very difficult conditions. Great effort is made by probation officers and by prison staff to ensure that it happens. Joint working has long been the objective of successive Governments. It was known as "through care" under the mild and gentle regime of the previous Home Secretary, my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard). Perhaps the current Home Secretary prefers to be a little more robust and call it "through punishment", or perhaps "joined-up punishment", but what we are taking about is seamless rehabilitation—which is a much clumsier title. Although I do not think that that title will catch on, I hope that the idea does, so that the positive work in prison may continue outside, where experience suggests that it can often be more effective.

I am glad that the Home Secretary finally decided not to rename the probation service in his efforts to bring it more firmly into the front line of the criminal justice system. Far from helping to achieve desirable change, that would have undermined morale and self-esteem within the service and made its ability and readiness to accept change less positive and less successful. Perhaps the Home Secretary could share that psychological insight with the Secretary of State for Northern Ireland, who has not yet grasped that changing the name of the Royal Ulster Constabulary is seen by its members as a vote of no confidence which will reduce morale and make constructive change on the essentials of policing in Northern Ireland harder to achieve.

I am glad to see that the Bill extends the use of tagging. I am sure that it is right to proceed by careful stages in the extension of tagging, to ensure that we do not move ahead of the reliability of the evolving technology, and to learn how it can best be used and with what result. However, although it looks as if tagging will have a very important role in dealing with offenders, it must not be used as a punishment on its own. The hon. Member for Birmingham, Erdington (Mr. Corbett), in his speech, made the point extremely well as he warned that tagging's contribution will be to provide, when it is needed, a

[Sir Peter Lloyd]

framework of discipline to community penalties, reinforcing sentences designed to keep the offender away from trouble and engaged in the programmes of work or education that have been designed specifically to counter the offender's criminal behaviour.

I believe that tagging will not work very effectively if it is not part of such programmes. It is not a cheap disciplinary alternative to such programmes, but a means by which they can be more effectively and safely delivered.

Eventually, tagging opens the way to the possibility of more flexible sentences, of which part may be spent in prison and part in the community, depending on the progress that the prisoner makes. That raises large questions on sentencing, however. Administrative action should not determine the proportion of a sentence spent in prison; the courts must do that.

My right hon. Friend the Member for Maidstone and The Weald is quite right in her concern. The courts should impose appropriate penalties that deliberately include the flexibility that is needed, and the management of sentences should be generally overseen by a judicial process. As that is not part of the Bill, I shall not deal with it more deeply now. However, the Bill is leading in that direction, and it would be helpful if—during the Bill's progress, if not in the Minister's reply—the Government could say in outline what they have in mind for the further evolution of their policy in that sphere.

Tagging should eventually have an impact on the way in which prison sentences are served in prison. There is a shortage of suitable courses and programmes in prison—courses that prepare prisoners for release and jobs outside. Prisoners have a variety of different needs, and they cannot all be effectively catered for inside. I doubt whether it will ever be possible to provide suitable courses for all prisoners, however liberal and generous the Treasury might become. Tagging should be used to enable suitable prisoners, at suitable times, to join appropriate educational and training schemes outside.

If there is no possibility under current law of using tagging in that way, I believe that the Bill should provide such a possibility. I hope that, in his reply, the Minister will tell us whether there is, or whether there will be, such a possibility. At any rate, I hope that he will tell us that that is a suggestion to which he is already giving positive thought—or that, if he is not, he will start doing so very soon after this debate.

6.59 pm

Mr. Gareth Thomas (Clwyd, West): I do not propose to detain the House for long, but simply wish to make a few general points.

I welcome the Bill. It is not surprising that it has received cross-party support, and that there will be no Division on Second Reading. It introduces various reforms which—I am sure many hon. Members will agree—are necessary to allow the Government to continue waging an effective war against crime, and particularly to deal with the very well established link between drug abuse and crime.

The Bill is a compendium of measures with no apparent overriding theme other than pragmatism. My right hon. Friend the Home Secretary clearly takes penological research to heart and has learned from it, but it is important that we listen to the communities that we represent as well as to the experts.

The Government's record on crime is good: recorded crime has fallen by 7 per cent. since the election, convictions have gone up and extra cash has been awarded to police forces to recruit extra officers. I welcome the emphasis on crime prevention, particularly the proposed new drug-testing powers. I endorse the comments of the right hon. Member for Fareham (Sir P. Lloyd) that such powers are essential to break the link between drug abuse and crime, but that we must have well-resourced and accessible programmes for the rehabilitation of offenders to get them off the drug habit. I shall be particularly interested in any assurances that my hon. Friend the Minister can give us on that pertinent issue.

The provision to allow criminal courts to make drug abstinence orders as a condition of community sentences is eminently sensible, as are the provisions on electronic monitoring or tagging, which should not be a punishment in its own right. I know that the Home Office does not always listen too attentively to lawyers at the moment, but I stress that I am speaking not in a trade union capacity, but simply as a barrister with some experience in defence and prosecution in criminal law. The Government must acknowledge the pace of technological progress and expand the electronic monitoring programme. Those who are released on licence must be monitored in appropriate circumstances.

My view is not specific to Wales, but, in view of the recent conclusion of the Waterhouse inquiry in north Wales, I was particularly heartened by the robust measures designed to increase the powers available to protect children. My constituents will be pleased that the Government have responded to the widespread concern—I acknowledge that the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) also made this point—about the infiltration of the system by those who want to prey on children. The Waterhouse inquiry is testament to that. We must have an integrated system for protecting children. I congratulate the Government on creating a new criminal offence of accepting or applying for work with children for those who have been disqualified by reasons of previous sexual offences.

I welcome the restructuring of the probation service. The hon. Member for Southwark, North and Bermondsey invited me, as the only Welsh Member present, to comment on the fact that the Bill will create only one National Probation Service for England and Wales, rather than two separate services. I have no strong views on the matter. Given that Home Office functions have not been devolved to the National Assembly for Wales, there is coherence in the Government's approach.

I pay tribute to the hard, demanding and valuable work that those in the probation service do. It has always struck me as odd that the probation service was linked with the family service. It is eminently reasonable to divide them and create a separate Children and Family Court Advisory and Support Service. That enables the two services to concentrate on their areas of expertise. It was an historical accident that their functions were originally combined.

My experience as a lawyer tells me that, unfortunately, the breaching of community sentences is widespread. The Government are right to take robust steps on enforcement to deter people from breaching community sentences. That is long overdue.

Mr. Hawkins: From his experience at the Bar, does the hon. Gentleman think that changing the name of the orders will do any good? Is that not simply costly tinkering to no good purpose?

Mr. Thomas: That leads to the need to consolidate the plethora of powers and orders available to the court. I should like to hear the Minister's comments on that. I do not agree with the hon. Gentleman. The Government's reforms are right.

I am a member of the all-party penal affairs group. Some Members present may recall that the eminent penologist and criminologist Dr. David Thomas QC addressed us not so long ago. As an expert, he had to acknowledge that the courts were having severe difficulty understanding the relationship between the various disposals available to them. I note that one of the House of Commons research papers describes the Powers of Criminal Courts (Sentencing) Bill—which this Bill refers to as an Act, assuming that it will get Royal Assent—as a consolidating Bill. I should like my hon. Friend the Minister to cast further light on the direction of Government policy on the codification or consolidation of the law, which is complex and unwieldy. In the view of many people it is high time that it was reformed and made more rational.

I welcome the Bill, which provides useful weapons to the Government in their fight against crime.

7.9 pm

Jackie Ballard (Taunton): Very little has been said so far in the debate about resources, but the Bill will have resource implications for the Home Office if, as it predicts, more people end up in prison and the treatment provided for those who test positive is not to result in those outside the criminal justice system having to wait even longer than they currently do for treatment, which in many parts of the country is far too long. The rehabilitation of offenders and community sentences are not cheap options. The probation service was originally set up for the welfare of offenders—to advise, assist and befriend. Punishment and the protection of society are important, but in the Bill those original aims seem to have disappeared from the aims of the new National Probation Service.

Concern for the welfare of offenders is not about being a soft, woolly liberal. It is the best way to prevent the creation of more victims. I have never considered properly resourced and supervised non-custodial sentences to be a soft option, and I do not think that many offenders do. In many cases, it is the best option, especially if it enables offenders to keep their homes, jobs and family contacts.

It does not need an Einstein to work out that if people retain a level of contact with their families, their jobs and their homes, they have more security and are less likely to reoffend than people who are discharged from prison with no home to go to—certainly no job and possibly with fractured family relationships.

I am concerned that the restructuring of the probation service and the reduction from 54 committees to 42 local areas, coterminous with police authority boundaries, may damage existing effective local structures. I concede that there are difficulties in shire counties such as mine, in finding an appropriate basis for coterminosity; if an area is coterminous with the police authority, it will not be coterminous with the social services authority or with different housing authorities. I recognise that there is not the same problem in metropolitan areas.

One worrying aspect is the Home Secretary's power to appoint board members. The Government have been accused, rightly, of stuffing NHS trust boards with political appointees—although it is rather rich for the Conservatives to comment on that, as they started the quangoisation of Britain and the habit of stuffing boards with their friends and cronies. This Government are continuing the trend started by their predecessors.

Miss Widdecombe: Nonsense.

Jackie Ballard: It palpably is not nonsense. The new Government have replaced Tory appointees with Labour appointees—*[Interruption.]*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. Life has been quiet in the Chamber since I took the Chair. Let us not disturb the peace.

Jackie Ballard: I am pleased to note that we may have woken up the audience, who have been so quiet for the last couple of hours.

Miss Widdecombe: At the risk of adding to the noise in the Chamber, what the hon. Lady has said is at complete variance with what the independent review says.

Jackie Ballard: I was particularly addressing recent times, but I do not think that the right hon. Lady can deny that her Government started the process of putting political appointees in place on many of these boards.

I wonder what the point is of having local boards if there is no system of local selection to them. There are close working relationships between the probation service and, for example, housing authorities, which I hope will not be weakened by these structural changes. I hope that the Home Secretary will have in mind the need to appoint people from such bodies.

Mr. Boateng *indicated assent.*

Jackie Ballard: The Minister is nodding, which I hope means that people from housing authorities, for example, will be on those boards so that the close work can continue.

The establishment of CAFCASS is to be welcomed. In a previous life, I worked as a social worker and attended courts with children and their families. Most people have recognised that the mixture of services available to children and their families, and the confusion that that has caused, has been a problem for many years. It seems a logical step for CAFCASS to assume the responsibility for the family court welfare system.

I chair the cross-party group campaigning for the registration of workers involved with young people and children, and I have taken a particular interest in methods

[Jackie Ballard]

of increasing the protection of children. The aim to safeguard and promote the welfare of children in court proceedings—including representing them, protecting their legal rights and providing support for them and their families—is laudable.

A comprehensive system properly to protect children is long overdue. I welcome many of the Government's initiatives in extending the protection of children. I welcome the statutory ban for those who come to notice as posing a threat to children. Clearly, there is a need to ensure that the appropriate authorities and employers are informed about individuals with criminal convictions for abusing children so that they are not able to get employment with access to children in future. I welcome the fact that employment is to be extended to include unpaid and voluntary work, as well as paid work. However, I am concerned that the Home Secretary is to have the power to extend the categories of those included on the list.

I served on the Committee scrutinising the Protection of Children Act 1999. We had a genuine debate—it was not a party political issue—about the level of proof needed to disqualify someone from working with children if that was his chosen career. However horrendous the idea of someone abusing children might be to us, that does not mean that we should take away all civil rights from people who have not been found guilty of an offence.

The appeals process needs to be addressed carefully, and politicians should not have a role in deciding the ability of someone to work in a certain field; that should be a matter for the judicial process. It is important that individuals who are banned are identified by a fair process and have the chance to appeal to clear their names if they have been wrongly accused. My hon. Friend the Member for Southwark, North and Bermondsey (Mr. Hughes) said earlier that the burden of proof test should protect children from real danger, but should not remove the basic human rights of an accused individual.

Community sentences are very important for rehabilitating offenders. I have long believed that far too little has been done in terms of rehabilitation, and that successive Governments have relied on tough talk, punishment and prison as some sort of panacea for crime—believing that if it keeps the *Daily Mail* happy, it must be good, regardless of how many people end up being imprisoned. The numbers going into prison increase every year, but the crime rates do not go down over a period—

Miss Widdecombe: Yes they do.

Jackie Ballard: Rates go up and down. The trend is generally up. If an offender continues to offend after release from prison, all we get are more victims.

Miss Widdecombe: Will the hon. Lady not admit that the steepest decline in crime since the war was exactly coincidental with the steepest rise in the prison population?

Jackie Ballard: I intend to refer later to links between drug use and crime.

Miss Widdecombe: What does that have to do with what I have just asked?

Jackie Ballard: If the right hon. Lady waits, I will answer her. One of the basic things I learned as an undergraduate, when statistics was part of my course, was that correlation does not imply causation. The fact that there may have been a glut of strawberries in a given year and the crime rate went down does not imply that one was the cause of the other, any more than an increase in the prison population and crime going down implies that one is the cause of the other.

Miss Widdecombe: Will the hon. Lady give way?

Jackie Ballard: No, I will not give way again. The right hon. Lady had plenty of time to speak earlier.

A recent Home Office press release said that victims' safety should be put first. I agree with that. That should apply also to potential victims of an unreformed offender, not just to past victims of a convicted person. We have a moral and practical duty not to treat prisoners so harshly in universities of crime that they come out as more hardened criminals—

Mr. Day: What about the victims?

Jackie Ballard: I am talking specifically about victims. Without offenders, there are no victims. If offenders are not treated in such a way that they are rehabilitated, there will be more victims. We must ensure that proper rehabilitation, including basic skills training, is provided so that we can break the cycle of harm. Community sentences and post-sentence supervision are keys to this process.

Electronic monitoring has a part to play in fighting crime and can make community sentences more effective. I understand that there are concerns over the technical feasibility of using electronic tagging as a means of exclusion—*[Interruption.]*

The Minister of State says not. If that is the case, I am pleased to hear it, but some people outside the House will need to be convinced that the technical problems have been resolved. However, if it is technically possible, I would especially welcome the use of electronic tagging to stop perpetrators approaching victims of domestic violence in their homes. That would be welcomed very widely, as restricting and monitoring the movements of offenders, especially in those circumstances, should provide greater protection for the public.

I come now to the subject of drug testing, about which my hon. Friend the Member for Southwark, North and Bermondsey spoke in some detail. We fully support attempts to make the criminal justice system more effective at tackling the causes of offending behaviour and at challenging the behaviour of offenders. It has been established that much criminality is related to drug misuse, and an effective response needs to be developed. As I said earlier, however, in statistical terms correlation does not prove—or even imply—causation. Many repeat offenders lead chaotic lives, as do many drug users. The chaotic life style may cause the crime, rather than the drug use per se.

It is essential that treatment plays a central role in our approach to testing. I would extend that to cover alcohol abuse, which is also linked to many crimes. Crudely speaking, illegal drug use is linked to acquisitive crimes, while alcohol is linked to driving offences and violent crimes. Crimes of violence constitute that element of the crime figures that has been rising most, and it continues

to rise. People fear being burgled and having their homes invaded. I know that they are very unpleasant experiences, but most people fear crimes of violence much more than acquisitive crimes. We should not be so obsessed with illegal drugs that we overlook the impact of alcohol on society.

As my hon. Friend the Member for Southwark, North and Bermondsey said, our primary concern with the Bill is that clause 48 is so broad that it could be construed as criminalising, for the first time, the use of drugs. I know that the Home Secretary disagrees with that interpretation, but his view is not shared by many other experts. The clause, as drafted, would create a new offence. I hope that it is not the Government's intention to do so, as existing provisions seem perfectly adequate to ensure that the possession, manufacture and trafficking of illicit substances are criminalised.

In principle, the proposal to create abstinence orders could be supported, but the orders will be counterproductive unless they are linked to drug treatment programmes. If they are not so linked, they will simply be a method of forcing drug users back into custody. If a person charged with an offence is found in possession of drugs, or if there is reasonable suspicion that that person was under the influence of drugs at the time of the offence, it would be acceptable to test for the use of drugs. Generally speaking, as my hon. Friend the Member for Southwark, North and Bermondsey noted, the critical point at which testing should take place is after conviction for an offence and before sentencing, not on arrest. Once guilt has been established, drug testing can help to identify the most appropriate sentence, not only in terms of punishment and deterrence, but in addressing the causes of criminal behaviour and reducing reoffending.

We oppose the Bill's provisions allowing the Home Secretary to extend, by order, drug testing to anyone who is arrested. I hope that the Minister will explain, when he responds to the debate, why the Prime Minister originally suggested—apparently off the cuff—that the Government's intention was to drug-test anyone taken into police custody. That has changed in the Bill, but it retains an order-making power allowing the Home Secretary to extend testing if he feels so inclined.

The law should distinguish between those who use drugs, and those who abuse them. Use of drugs in itself should not be criminalised, as that is not harmful to others.

Miss Widdecombe: Dear me.

Jackie Ballard: The right hon. Member for Maidstone and The Weald, from a sedentary position, says, "Dear me", but she did not criminalise the use of drugs when she was in government.

Mr. Deputy Speaker: Order. The right hon. Lady should not be saying "Dear me" from a sedentary position.

Jackie Ballard: Perhaps my ears are too good, Mr. Deputy Speaker. I have a blind side—if the right hon. Lady were sitting on my left, I would not be able to see her—but not a deaf side.

There is already plenty of legislation trying to prevent the use of illegal drugs. However, the resources devoted to the treatment of drug users are insufficient and not enough is being done to deal with the crimes that result from the use and abuse of alcohol. None of the provisions in the Bill will be effective without a real and substantial increase in resources for the treatment of people with a drug habit.

I believe that it would be irresponsible to identify drug users without providing treatment for them. The Bill is likely to waste resources on testing, which will prove nothing except that a person has used an illegal substance. Questions arise about the efficacy of the tests available, and whether they will always be 100 per cent. effective. The House will recall that a Conservative Member had occasion to realise that his use of a perfectly legal medicine could cause him to test positive, as happened when he attended a conference.

In itself, drug testing will not prove a link between a crime and drug use, and neither will it produce treatment for persistent drug users. Moreover, a human rights issue arises here. Before trial, everyone is presumed innocent, but, under the Bill, an innocent person refusing a drug test will have committed an imprisonable offence. The Minister will know that Liberty questions whether that is an infringement of rights granted under article 8 of the European convention on human rights.

Finally, I come to the proposals for the jailing of the parents of truants. Clause 55 provides for more serious sanctions than are in place already, including a level 4 fine of £2,500 and the possibility of a custodial sentence to ensure that a parent attends court. We share the Government's view that something must be done about the levels of truancy in our schools, but we cannot see how impoverishing a child's household, or jailing a child's parents, will improve matters.

What is needed is early intervention and more help for parents who feel unable to control their children, not new and ever more draconian punishments for people who already cannot cope. If the Government were deliberately setting out to create an underclass, I cannot think of a much better way for them to go about it. We shall seek to amend and overturn those provisions in Committee.

As I said at the beginning of my remarks, the Bill has cost implications that have not been touched on. Many of its provisions will lead to an uncosted rise in the prison population, and the Bill itself suggests that, assuming 50 per cent. compliance, an extra 3,000 prisoners will be created. The worst-case scenario therefore is that there will be an extra 6,000 prisoners. I doubt that the Home Secretary would consider it an effective indicator of his performance if the prison population continued to rise during his tenure.

We shall table a number of constructive amendments in Committee, and we shall reserve our view on Third Reading so that we can determine how open the Government are to improving the Bill during its passage through the House. I take comfort from the words of the Home Secretary, who said that this was not a perfect Bill.

7.27 pm

Mr. Nick Hawkins (Surrey Heath): I want to begin by injecting a little realism into the debate. There have been many serious speeches, full of good intentions, but we all know that the road to hell is paved with good intentions. That is particularly true of this Government. Interestingly, however, the Government today slipped out a written answer to a question tabled by my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) on one of the issues central to the Bill.

[Mr. Nick Hawkins]

My right hon. Friend had asked the Government to say how many offenders released under the home detention curfew scheme were convicted of each category of drug offence. We have heard a lot of soft stuff today about drugs matters, especially from Liberal Democrat Members, as so often. In his written answer, the Minister of State, Home Office, the right hon. Member for Brent, South (Mr. Boateng)—who sits spluttering on the Government Front Bench—reported figures relating to those prisoners released under the home detention curfew scheme up to 14 March this year. That is only two weeks ago today, and the figures show that no fewer than 2,931 released prisoners were convicted of drugs-related offences.

The Minister's reply sets out the numbers of prisoners convicted of each type of drugs offence. The answer shows that 103 were convicted of offences of production—in other words, that they were manufacturers of illegal drugs. A further 190 had been convicted of unlawful import or export—in other words, they were traffickers. Supply and intent to supply are among the most serious offences, and the written answer shows that 969 released prisoners had been convicted of supplying illegal drugs, and that no fewer than 1,238 had been convicted of possession with intent to supply. That means that more than 2,000 of those released were drug dealers.

After all the nonsense that we have heard from Labour Members about the home detention curfew scheme—I am particularly sorry that the hon. Member for Birmingham, Erdington (Mr. Corbett) is not in his place—it is clear from the written answer given today to my right hon. Friend that she was right to criticise the way in which the Government are using the scheme and the way in which they have, once again, systematically and deliberately broken their promises and undertakings that the scheme was never intended to be used for this kind of serious offender.

Let us get back to reality, so that when the Minister has to justify the real facts that he had to admit in his written answer. If it had not been for my right hon. Friend, we would never have known those details. We would never have known what the Government were up to, and the electorate would never have known that, once again, the Government have been soft on crime and soft on the causes of crime. As we have so often said, the most serious cause of crime is drugs.

The Home Secretary suggested that the Bill was part of the Government's attempts to become more effective and targeted. He also had to reveal that when it came to the powers that he was proposing to take, appointments to the probation service were once again a matter of central control. Many hon. Members, even Liberal Democrat Members, said that we were right to challenge the culture of cronyism.

Jackie Ballard: I would like to refresh the hon. Gentleman's memory. During the 18 years of Conservative Government, the main opposition to his party's habit of stuffing boards with their cronies came from those on the Liberal Democrat Benches, so it should come as no surprise that we are opposing this Government for doing the same thing.

Mr. Hawkins: As my right hon. Friend the Member for Maidstone and The Weald pointed out in her earlier intervention on the hon. Lady, that was not the case. As was made clear at Prime Minister's Question Time last week, the independent Commissioner for Public Appointments has said that she is concerned about political interference and cronyism since 1 May 1997. That is when the problem started.

I was interested in the Home Secretary's choice of phrase when he talked about these provisions. He said, very carefully, that the current proposal is for central control. I wondered whether this was yet another occasion on which the Home Secretary did not have his heart in his proposal. He said that Bills could be improved in Committee. I entirely agree with him, and hope that we will improve this Bill dramatically in Committee. However, I wondered whether the proposal was yet another imposed on him by No. 10 Downing street and not his own.

Then we came to electronic tagging. My right hon. Friend the Member for Maidstone and The Weald has elicited the true facts on how that is being used. We will examine very carefully in Committee whether those proposals can be changed pretty substantially, because we do not think that the Government are going about this the right way. My right hon. Friend dealt with those matters in detail in her response to the Home Secretary. In particular, she made it clear that she is concerned on behalf of victims about the crimes committed by those who are released early.

Some Labour Members later suggested that my right hon. Friend had been wrong to talk about specific cases. The hon. Member for Lancaster and Wyre (Mr. Dawson) who, I am glad to say, is in his place, suggested that my right hon. Friend was mistaken to draw these cases to the attention of the House; but if not here, where? Is not the whole purpose of our debates in this place to test Government proposals? Given that we have already seen that what the Government have introduced has led to those who had been convicted of very serious crimes committing further crimes, having been released earlier than they should have been, it is absolutely right for the House to debate the matter and for the Conservative party to draw attention to the concerns of victims.

I disagree fundamentally with the hon. Gentleman that the victims would not want us to refer to their cases. I think that the victims want us to debate these serious matters in Parliament. I worked for many years with organisations such as Victim Support, and I practised for many years at the criminal Bar. I have heard it said repeatedly that victims want their concerns ventilated, particularly when those who have been released from prison sentences earlier than the judge intended are involved. We should be debating that issue.

Mr. Dawson: I could not agree more with the hon. Gentleman. It is extremely important to look hard at the impact on victims of any of our policies. However, the references made earlier did not represent a serious debate on this matter. They represented the lowest form of party political point scoring, utilising people who had the most distressing experiences. I thought it extremely distasteful.

Mr. Hawkins: I could not disagree more with the hon. Gentleman. His constituents would be horrified at his suggestion that Parliament is in some way debarred from discussing these matters. My right hon. Friend was,

quite rightly, referring to a case in which the headline said, "Three Jailed for Arson Death of Girl, 7, in Criminals Feud". The details are horrendous, and my right hon. Friend was right to draw attention to the consequences of people being released earlier in such tragic cases.

Mr. Dawson: Will the hon. Gentleman give way?

Mr. Hawkins: No, I will not give way again. The hon. Gentleman has said that he does not agree with me. In these very serious cases, the public have a right to know if people are being released earlier than the judge intended.

I am delighted that the hon. Member for Erdington has returned. When he was talking about police numbers, he said something that sounded dangerously complacent. I greatly respect him as the Chairman of the Select Committee on Home Affairs, a role which I know he takes seriously. However, he sounded dangerously complacent when he said that we probably have enough police officers if they are used properly. He might wish to reflect further on that, because I doubt whether his constituents would agree with him.

The hon. Gentleman made some passionate points. As he knows, I practised at the Bar for a number of years, dealing with both criminal and family law cases in the Birmingham and west midlands area. He will recognise that I understand the importance of criminal cases and family cases involving his constituents. I take his views very seriously. However, his fears that, as part and parcel of this measure, probation officers might be driving by and waving—which reminded me of the poetic phrase "not waving but drowning"—and his concerns about many of the prisons, the fact that the Government have not improved them, and his praise for Blantyre amounted to quite savage criticisms addressed to those on his Front Bench. He was right to draw the Minister of State's attention to these serious points. My right hon. Friend the Member for Maidstone and The Weald made it clear that she agreed with what he said about Blantyre, and so do I. Another prison in which these matters are taken seriously is Coldingley, in my constituency.

Mr. Corbett: I apologise to the hon. Gentleman for not being here for the start of his speech. There is no demonstrable connection between the numbers of police officers and clear-up rates. That is far too simplistic.

Mr. Hawkins: The hon. Gentleman will have to justify his views to his constituents, but I do not think that many would agree with him. Another of his hon. Friends made a point later about perceptions. We must look not only at how crime is cleared up but at the significant factor of public perceptions. I am sure that he at least agrees with me about that. Our constituents all want to see more police on the beat.

The hon. Member for Erdington may perhaps want to consider whether, in relation to drugs, prison regimes ought to make far greater use of organisations such as Drug Abuse Resistance Education, or DARE. If he wants to intervene to praise its work at prisons such as Coldingley, I will give way, but he is nodding, so I take it that he agrees. There are issues on which there is no partisan divide, and the importance of drug treatment in prisons is one of them. I hope that we shall continue to deal with some of those issues without political partisanship.

As always, my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) made an extremely thoughtful speech. He brought his great experience—from the Bar, from Government as Solicitor-General and Attorney-General and, more recently, as shadow Attorney-General—to bear on the problems that we are discussing. He showed how much he will be missed. It will be known to hon. Members on both sides of the House that last weekend my right hon. and learned Friend said that he intended to retire at the next election. I take this opportunity to pay the first of what I am sure will be many tributes to the enormous contribution that he has made to debates over his many years in the House. Inevitably, what my right hon. and learned Friend says will be listened to with care by Members on the Treasury Bench. We may have an opportunity to put some of his points in Committee. I hope that the Government will take them seriously.

I am dealing with the speech of the hon. Member for Lancaster and Wyre a little out of turn because he made a point that related to the speech made by the hon. Member for Erdington. At the outset, I thought that the hon. Member for Lancaster and Wyre was setting out to make a constructive contribution. He referred to his experience as a social work manager. I disagreed with him when he suggested that the significant points that my right hon. and learned Friend the Member for North-East Bedfordshire and I made about nomenclature in the Bill were mere quibbles. He ought to recognise that when we talk about names of organisations and orders in the courts, nomenclature is important. These are not trivial matters or matters of soundbites, but matters that we will debate seriously in Committee. I hope that the hon. Gentleman will come to realise that we are not quibbling about them, but that we are making serious points.

We do not want the law to be mocked, and there is undoubtedly a danger of mockery with some of the titles that the Government have chosen. I am sure that the Government will listen seriously to the constructive proposals that we shall make in Committee about that.

The hon. Member for Lancaster and Wyre went on to attack his Government for passing the new service, currently rather inappropriately named the Child and Family Court Advisory and Support Service, to the Lord Chancellor's Department. He said that it was dangerous to put social workers with lawyers. The debate has been all about social workers or former social workers and lawyers, and the Committee may be full of both. If that is a danger for the Government, they may have to look carefully at how they construct their representation on the Committee.

The hon. Gentleman also talked about a children's rights service and a children's commissioner. There is a great danger of over-bureaucratising these matters. We shall certainly not want any more taxpayers' money spent on bureaucracy. I agree with him that it is essential that children are protected. If there was ever any doubt about that, the recent child abuse inquiry has made the situation clear. I know from my years of practice as a family law barrister that no issue is more important than the protection of children. He and I agree about that.

The slogans about social exclusion that the hon. Gentleman used, and which we are used to hearing from him and his hon. Friends, must not be used as a substitute for thought. He must be careful not to belittle the issues. I am sure that he did not intend to do so.

[Mr. Hawkins]

We then had an interesting contribution from the hon. Member for Southwark, North and Bermondsey (Mr. Hughes). He pointed out that crime was always with us. That sort of truism is something that we frequently hear from Liberal Democrats. He also talked about the crime figures. At least he finally admitted that crime came down under the stewardship of my right hon. Friend the Member for Maidstone and The Weald and my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard). For once, at least, the Liberal Democrats were more realistic about the figures than the Home Secretary was. *[Interruption.]* The Home Secretary is chuntering from a sedentary position. The problem is that he always wants to have it both ways. When he talks about police numbers, he talks about only the past two or three years, not the whole period of government. When he talks about crime, he wants to talk only about the whole period, not about the past two or three years. The Home Secretary and his Ministers really must learn to be consistent. They cannot have one without the other.

Mr. Straw: In the spirit of openness and frankness, would the hon. Gentleman now like to put it on the record that under the previous Administration, whom he supported, crime doubled between 1979 and 1997?

Mr. Hawkins: The Home Secretary is well aware that the steepest decline since the war took place in the last three years of the Conservative Government. The right hon. Gentleman wants to use his statistics selectively. He wants to use one period for one thing and another for another.

Mr. Straw: It is a simple question to answer. Does the hon. Gentleman agree that crime doubled between 1979 and 1997?

Mr. Hawkins: Will the Home Secretary agree that the police numbers have to be looked at over the whole period? That is the point that I am putting to him. He will not have one without the other—that reminds me of a song title.

The hon. Member for Southwark, North and Bermondsey today attacked Labour for its policies in the Bill. I appreciate that his attacks on the Government may have cost him the leadership of his party, but I wonder whether tomorrow we shall find that the hon. Gentleman and the hon. Member for Taunton (Jackie Ballard) support the Government on another Bill. We never know from day to day whether the hon. Gentleman and the hon. Lady will be consistent. We always get mixed messages. Certainly, the hon. Gentleman was right to draw attention to the remarks of the outgoing chairman of the Prison Governors Association. I wonder whether the Minister of State will be prepared to talk in his reply about not only the remarks of the outgoing chairman but the recent press coverage of the misuse of drugs within Strangeways prison.

The hon. Member for Erdington and I have talked about some of the better prisons. The Minister seems to think that drugs in prisons are funny—I certainly do not. If he is listening, I ask him to deal seriously with the issue of drugs within Strangeways. The press coverage reinforces some of the concerns of the outgoing chairman of the PGA.

The hon. Member for Southwark, North and Bermondsey rightly pointed out that, too often, we have from this Government legislation by spin and hype, with one-off press releases rather than thought. It is odd to have a Liberal Democrat spokesman talking about spin, hype and one-off press releases. That may be the pot calling the kettle black, but on this occasion at least the hon. Gentleman is right to attack the Government—if the cap fits, wear it.

The hon. Gentleman went on to talk about the lifting of bans on those working with children. He made an important point with which I want to deal specifically. It may have been based on the Liberty brief from which a number of his subsequent points came. He said that when the risk had gone, the ban should perhaps be lifted. When it comes to those who commit offences against children, one can never say that the risk has gone. The immediate danger that that person may once have posed to children may have gone, but I am not sure that parents of either the original or future victims would be prepared to accept that the risk had ever gone. We shall have to debate that issue seriously in Committee.

The hon. Gentleman certainly spoke from the Liberty brief when he discussed the reverse burden of proof. He also raised questions about technology for electronic tagging, and we shall wish in Committee to press the Government hard on whether it is up and running. Too often during their time in power, technology has not been ready—the chaos caused by the new computer system in the Passport Agency was but one example.

My right hon. Friend the Member for Fareham (Sir P. Lloyd) made a powerful contribution, based on his experience of criminal justice. He pointed out that the Government must be willing to deal with those who fail drug tests, and that they have not been terribly good at what they might call joined-up punishment.

The hon. Member for Clwyd, West (Mr. Thomas) made an interesting speech. Leaving aside his totally specious figures on crime and the police since the Government came to power, I thought that he seemed extremely hesitant when challenged on the value of tinkering with the names of orders. Is there any point in changing the name of a probation order when Harry Fletcher of the National Association of Probation Officers entirely rejects it? It is tinkering for no good purpose.

Mr. Gareth Thomas: The hon. Gentleman has accused me of using specious statistics, but will he confirm that crime doubled between 1979 and 1997?

Mr. Hawkins: If the hon. Gentleman and his hon. Friends accept that overall police numbers rose by 16,000 over the whole period, we can agree. They cannot have one without the other.

Mr. Straw: Will the hon. Gentleman give way?

Mr. Hawkins: I have given way twice already to the Home Secretary on this point, but will again.

Mr. Straw: I am happy to put on the record figures already in the public domain. Police numbers rose by 2,000 a year—by 10,000 in all—between 1974 and 1979 under Labour Governments. They rose by about 1,000 a year between 1979 and 1992, giving an increase of 16,000

under Conservative Governments. They fell considerably after that until 1997, and they have continued to fall since then, although I hope that they will turn round now. Having put all that information on the record, I ask the hon. Gentleman to answer our question. Does he accept that crime doubled between 1979 and 1997?

Mr. Hawkins: Yes, and the Home Secretary has finally accepted that we must consider police numbers over the whole period. The Home Secretary chose to talk about previous Labour Governments, but did not reveal that at the end of those Governments' period in office, police morale was so damaged that the police were threatening to strike. If police numbers are not turned round, he will again face real problems with morale.

Mr. Simon Hughes: May I ask a much simpler question? Does the hon. Gentleman accept that we clearly need a completely independent Office for National Statistics?

Mr. Hawkins: Members of Parliament have the advantage of being able to have our figures checked by the House of Commons Library, but it is extraordinary that the Government often will not accept independent Library figures.

I shall finish on a point on which we shall press the Government hard. I have talked about problems with resources and technology. However, there is further concern about provisions that the Government have already introduced. I recently received a letter from the chairman of a youth panel—a bench of magistrates—about the Crime and Disorder Act 1998, from which the Bill follows, as the Home Secretary has said. The chairman pointed out that the youth panel had not had the training it needed to implement what the Government have already put into law. I shall send the letter to the Home Secretary because it outlines serious concerns.

I hope that the Minister of State will undertake not to leave magistrates to find their own way. Whatever the Government do—probably after many amendments in Committee—they must ensure that those who operate the new arrangements are properly trained. Those on the Treasury Bench surely take as seriously as I do the fact that magistrates say that they have not had the training that they need to implement laws dating back to 1998.

7.54 pm

The Minister of State, Home Office (Mr. Paul Boateng): The Bill is about improving crime prevention and reduction and making it more effective. It is about reducing offending and improving public protection. It puts rehabilitation at the heart of the criminal justice system, and it protects children better. The Bill—improved, no doubt, in Committee—will ensure that the prison and probation services are able to work to reduce reoffending.

Our serious debate has been characterised by important speeches by my hon. Friends the Members for Birmingham, Erdington (Mr. Corbett), for Clwyd, West (Mr. Thomas) and for Lancaster and Wyre (Mr. Dawson), who demonstrated from differing perspectives the importance of what we seek to do. There were also important speeches by the right hon. Member for Fareham (Sir P. Lloyd), who brought his Home Office experience to bear, and the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell).

The right hon. Member for Fareham made an important speech, not least when contrasted with that of the right hon. Member for Maidstone and The Weald (Miss Widdecombe).

Miss Widdecombe: You surprise me.

Mr. Boateng: I should be failing in my duty if I did not seek to surprise the right hon. Lady. She failed to grasp the seriousness of the occasion. She fell into a trap later identified by the hon. Member for Surrey Heath (Mr. Hawkins), who castigated the Liberal Democrats for succumbing to the dangers of one-off press releases as a substitute for thought. The right hon. Lady's whole speech was a one-off press release. It focused on home detention curfews and the supposed failure of the scheme, despite a success rate in excess of 90 per cent. Better public protection is at the heart of the scheme, and the right hon. Lady's Front-Bench colleague, the hon. Member for Surrey Heath, signed up to it at every stage. He failed to introduce any note of dissent when he had the opportunity to do so.

The right hon. Member for Fareham recognised the importance of tagging and electronic monitoring for the improved protection of the public. *[Interruption.]* The right hon. Lady says from her sedentary position, "If used in the right way". We are using it in the right way, and the Bill contains the legal context that will enable us further to extend its use so that we can protect the public better and ensure a smoother transition from custody to the community for those sentenced by the courts. The Bill is all about ensuring better protection of the public.

Miss Widdecombe *rose—*

Mr. Boateng: I want to get on a bit before I allow the right hon. Lady to make her points. She raised some issues worthy of consideration.

Let me set the Bill in the wider context of all that the Government have done to reduce crime and protect the public better. In doing so, I can respond directly to the challenge made by the right hon. and learned Member for North-East Bedfordshire. I always enjoy his speeches, and he always stood up well for his county when I spoke on police matters. I happen to have the figures for current spending on policing in Bedfordshire. For 1999–2000, the amount was £61.4 million; for 2000–01, it was £64.1 million. His county has benefited by a total of £492,000 in crime reduction funding. That money is more than was expended when the Conservatives had stewardship of those matters. It would not have been spent had not a large number of people in his county and an even larger number of people throughout the country voted to return a Labour Government in order better to protect the public, and to address the doubling of crime that occurred while the Conservatives were in power—the latter point is an admission that my right hon. Friend finally managed to drag from the hon. Member for Surrey Heath.

Sir Nicholas Lyell: The Minister has given the latest figures; we were grateful for that modest turnaround in

[Sir Nicholas Lyell]

police moneys. However, does he realise that the amount is inadequate compared to that received during the first two years of the Labour Government? Will he confirm my figures on the percentage fall in the number of police officers and on the shortfall in that number since May 1997?

Mr. Boateng: I have no doubt that the right hon. and learned Gentleman's figures will be correct. Nor does he doubt for one moment the figures that I am sharing with the House; he is gracious enough to acknowledge them. It is a matter for his chief constable, in whom we both have the utmost confidence, to determine how that money is spent on police numbers on the ground.

The Bill must be seen in a context that includes the Crime and Disorder Act 1998, the Youth Justice and Criminal Evidence Act 1999 and all the other measures introduced by my right hon. Friend the Home Secretary. Furthermore, important measures have been implemented by my right hon. Friend the Chancellor—as my hon. Friend the Member for Erdington pointed out—and other right hon. Friends to tackle social exclusion and the causes of crime.

Miss Widdecombe *rose—*

Mr. Boateng: I shall not give way at the moment. The right hon. Lady will have her chance.

On electronic tagging, it is important to give the lie to the suggestion that the home detention curfew has been anything other than a success in its first year of operation. Of 16,000 offenders released to HDC, 95 per cent. successfully completed their curfew. Only 5 per cent. were recalled to prison; the most common reason for recall—for 68 per cent. of offenders—was the failure to comply with the curfew conditions. The rates of release for different types of prisoner show that the risk of reoffending is a key factor in the release decision. There were 45,000 prisoners who were assessed for risk and suitability; the release rate was 31 per cent. Great care is taken by the Prison Service before decisions are made on release.

It would be uncharacteristically dishonest of the right hon. Member for Maidstone and The Weald to deny that, when the Prison Service or any Government are administering a system for licences or for home detention curfews, there will regrettably be occasions when people who are released commit offences. To build a whole edifice of opposition around that fact is unprincipled; it is unworthy of the right hon. Lady.

Miss Widdecombe: I am grateful to the right hon. Gentleman for giving way at last. It is the right hon. Gentleman who underestimates the seriousness of the debate. If he had come to the Dispatch Box and said that he was concerned about the failures—especially about some of the more serious ones; that there were lessons to be learned; that he was asking the Prison Service and others how such lessons could be learned; and that he wanted to improve the system, rather than dismissing the 5 per cent. of failures and saying that there was a resounding success; and if he had at least attempted to express some sympathy with the victims of those whom he released before they had reached the minimum point of their sentence, things would have been different. [HON. MEMBERS: "Give way."] My intervention may have been long, but I waited a long time to make it.

Mr. Boateng: I am only too happy to respond to the right hon. Lady. Of course there are lessons to be learned. Of course risk assessment must be kept under constant review. Of course it is right, in cases of grave failure, to ask why. I shall write to her about one such case. As it is sub judice, she will understand why I do not mention it at the Dispatch Box.

I assure the right hon. Lady that we are asking those questions. I genuinely look forward to the Committee, because there are issues that we need to address. The value of the Bill is that it creates the legal framework that will enable us to pilot and develop the new technology so that the public will be better protected. We shall feed into that process the lessons we have learned from the operation of the HDC.

The right hon. Lady has made her point; it is a nakedly party political one. It falls into the trap of the one-off press release—such as the one I have in front of me—as a substitute for thought. Nevertheless, we must move on from that. We shall address those matters in Committee.

Mr. Simon Hughes *rose—*

Mr. Boateng: I shall give way in a moment. I want to respond to some of the other issues that were raised during the debate.

We must strengthen enforcement. It is vital that the probation service deliver to courts and to sentencers a sentence that is so administered as to command public support and confidence. In order to have credible community sentences, the present inconsistencies and failures in dealing with breaches must be addressed.

In relation to the points made by Liberal Democrat Members, those matters must be dealt with in the context of a clear understanding that some offenders have chaotic and disordered lives. However, those offenders must realise that that chaos cannot be allowed to continue—leading as it invariably does to increased and repeated offending in a vicious cycle. We need a clear and focused legal framework to restore order to that chaos. Order can be restored only when there is an understanding that breaches will lead to imprisonment. There are no two ways about it and there is no soft or easy answer. It must be understood that community sentences are not meant to be a soft option. When someone fails to take advantage of the opportunity that a community sentence offers, he will go to prison.

Mr. Hughes: The Minister talks tough again, but surely he understands that there is a world of difference between the sort of breach that results from someone just failing to turn up for an appointment and someone, when out on a conditional sentence, assaulting another person. We cannot have just one remedy—lock them up—no matter what a person has done wrong.

Mr. Boateng: The hon. Gentleman refers to someone just failing to turn up for an appointment. He must get real. It is just failing to turn up for an appointment that brings community sentences into disrepute, wastes the

probation service's time and money, makes it less likely that an offender will be able to hold down a job and puts the public at risk. As long as the hon. Gentleman takes that type of uncharacteristically weak-minded approach, Liberal Democrats will simply demonstrate that they have not grasped the plot.

I want to say a few words about the importance of multi-agency work. The issue was touched on by my hon. Friends the Members for Erdington, for Clwyd, West and for Lancaster and Wyre in particular. However, significantly, the issue was also mentioned by the right hon. Member for Fareham, based on his experience as a Minister. It is clear that prisons, the probation service and the voluntary sector need to work ever more closely together. We are looking to develop closer synchronisation of the work of the Prison Service and the probation service. Announcements will be made in the fulness of time about how a strategy to that effect might be best developed.

At present, we are ensuring that jointly accredited programmes between prisons and the probation service can be delivered in both a custodial and a community setting. They will have a capacity for follow-through and that is never more important than in relation to employment, which was mentioned by my hon. Friend the Member for Erdington and other Members in connection with drugs.

We need to ensure that agencies are not only provided with the necessary resources to work effectively together, but are provided with the structures that promote such work. The Bill does that. Yes, there are issues of resources and we have not ducked them. We have provided £217 million. That includes £57 million to support more sustained and better drug education and prevention work in schools and the community; £21 million for schools to support the training of teachers and the delivery of effective drug education programmes; £18 million for anti-drug publicity programmes; £18 million to set up the Home Office's drug prevention and advisory service; £60 million for the implementation of the drug treatment and testing order; and about £60 million for treatment in prison. A further £70.5 million has been allocated to drugs services in the community.

That is serious money and it has to be applied in ways that are evidence based. The evidence shows that there is a link between acquisitive crime and drug taking. Evidence shows that link for class A drugs, but we have not closed our minds about class B drugs. There is no question of our going soft on class B drugs, but the evidence is not there at the moment to justify the implementation of the provisions for such drugs. It is right that my right hon. Friend the Home Secretary should have available to him the capacity to extend the use of the powers, and no one can doubt that he will not hesitate to use those powers when the evidence suggests that it would be right to do so.

I want to say a word about the role of the new boards. It is important that the probation service be rooted in the community and that we build strong local coalitions of interests around the probation service and the reduction and prevention of crime. The new boards should have a status comparable with that of national health service trusts. It is important to ensure that talented and committed people from diverse walks of life are attracted to take up the challenge and the opportunity of joining the boards.

We make no apology for the fact that we believe that the best way of ensuring that aim is through appointment by the Home Secretary. Of course, such appointments will be transparent and accountable, as is expected by application of the Nolan principles. Would that Conservative Members had demonstrated the same commitment to transparency and accountability when they packed NHS trusts with all those Tory supporters who were invariably described as business consultants. When I became a Minister in the Department of Health, I did not know that business consultants had such an insight into the management of the health service. Business consultants and accountants were everywhere. Conservative Members complain when we take steps to ensure that local boards are genuinely representative. *[Interruption.]* To those who bay their protests from the Opposition Front Bench, I say that we shall take care to make sure that the new boards are genuinely representative of the whole community.

Mr. Hawkins: Let us wait and see.

Mr. Boateng: The hon. Gentleman can wait and see. The proof of the pudding will be in the eating; we will be judged by our success in achieving our aims. The serious point is that the voluntary and the business sectors have an enormously important role to play. It is vital that both sectors be represented on the boards. I assure the House that they will be.

I wholeheartedly agree with the hon. Member for Taunton (Jackie Ballard) about housing. The role of local authorities and local housing associations is vital in smoothing the transition from a life of crime to one of law-abiding and industrious activity.

Mr. Simon Hughes: Will the Minister give way?

Mr. Boateng: I do not think that necessary. *[Interruption.]* It is neither necessary nor desirable. But against my better judgment, I shall give way to the hon. Gentleman.

Mr. Hughes: The Minister has been unusually generous. Even if the Home Secretary will technically keep the power of appointment, will Ministers reflect on whether appointments can be made only if they have the agreement of the Conservative party and the Liberal Democrats?

Mr. Boateng: I think that that suggestion is highly unlikely to commend itself to the Committee considering the Bill. No doubt the hon. Gentleman will have the opportunity to make his point in Committee—and at length, if he keeps to his usual practice. We will then consider how best to take the message forward.

The message that the Bill sends out is clear: crime will not be tolerated. The criminal justice system will respond in a tough and unequivocal manner at every stage to fight crime and improve public protection. The Bill takes that agenda forward and I commend it to the House.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

CRIMINAL JUSTICE AND COURT SERVICES BILL [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),

That, for the purposes of any Act resulting from the Criminal Justice and Court Services Bill, it is expedient to authorise the payment out of money provided by Parliament of:

(a) any expenditure incurred by a Minister of the Crown by virtue of the Act;

(b) any increase attributable to the Act in the sums payable out of money so provided under any other enactment.—*[Mr. Mike Hall.]*

Question agreed to.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Mr. Michael J. Martin): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

RATING AND VALUATION

That the draft Water Undertakers (Rateable Values) (England) Order 2000, which was laid before this House on 29th February, be approved.

That the draft Railways (Rateable Values) (England) Order 2000, which was laid before this House on 29th February, be approved.

That the draft Non-Domestic Rating (Chargeable Amounts) (Amendment) (England) Regulations 2000, which were laid before this House on 29th February, be approved.

That the draft Gas Industry (Rateable Values) (England) Order 2000, which was laid before this House on 29th February, be approved.

That the draft Energy from Waste Plants (Rateable Values) (England) Order 2000, which was laid before this House on 29th February, be approved.

That the draft Docks and Harbours (Rateable Values) (England) Order 2000, which was laid before this House on 29th February, be approved.

That the draft Electricity Supply Industry (Rateable Values) (England) Order 2000, which was laid before this House on 2nd March, be approved.—*[Mr. Allen.]*

Question agreed to.

Television Licence Fees

8.20 pm

Mr. John Greenway (Ryedale): I beg to move,

That the Wireless Telegraphy (Television Licence Fees) (Amendment) Regulations 2000 (S.I., 2000, No. 630), dated 6th March 2000, a copy of which was laid before this House on 8th March, be annulled.

We have called the debate because we feel that the House should have the opportunity of debating a substantial increase in the BBC licence fee, particularly bearing in mind that the regulations substantially alter the arrangements that Parliament approved as recently as 1996. There was no way of achieving such a debate other than by an Opposition prayer. It is unfortunate that the Select Committee on Culture, Media and Sport is away on a foreign visit. I am sure that many members of that Committee would have wanted to contribute to the debate. We are grateful to them for their report on the funding of the BBC, which was published only three months ago.

We think that there is a need to reflect on the mismanagement of the issue by the Secretary of State and his Department. There are questions relating to the proposal for free television licences for pensioners aged 75 and older, which need to be put on the record.

We are disappointed that the Government have chosen to link an unjustified increase in the licence fee and the proposed free licences for pensioners over 75 in one set of regulations. Effectively, this has denied the House the opportunity of expressing a separate view on two fundamentally different elements. As the regulations cannot be amended, the package must be accepted or rejected as a whole. In effect, that guarantees that the Government will get their way on the licence fee increase, whatever the merits of the case.

I wish to make it clear that we support the BBC and its unique position within the United Kingdom and throughout the world. The BBC is a key part of our national life and has established a benchmark of quality of programmes to which many other broadcasters merely aspire. The output of the BBC World Service reaches billions of people throughout the globe, often circumventing state-imposed censorship of national news broadcasts. We should celebrate that.

Without question, the licence fee has played a crucial role in ensuring the continuation of the BBC's distinctive role and the high quality of its output. That should be retained, which means that we must be careful not to ask the viewing public to pay more than is reasonable. There is a limit, and that limit is bound to be influenced by people's viewing habits in a multi-channel age. With digital, satellite and cable delivery systems now sufficiently established for the Secretary of State to have announced a welcome target date for analogue switch-off, we think that the time has come for the BBC's role in that multi-channel environment to be reassessed and redefined.

In essence, we think that the Government are putting the cart before the horse in obliging the licence fee payer to stump up more money for the BBC in the absence of a clear and modern definition of the BBC's role. The areas to which this extra revenue is to be directed amount to little more than a wish list. They are not a coherent long-term strategy. Nor could they be, because a new director general has only just been appointed, with expectations of far-reaching reform. In what seems to us

an extraordinary omission, the question of the BBC's remit was not part of the Gavyn Davies inquiry, which led to the licence fee increase, albeit in a way not originally envisaged.

We would argue that the BBC's primary purpose should be to produce a quality and diversity of programmes that is not possible or sustainable by commercial television. The licence fee allows the BBC to take risks and to cater for minority interests, as well as providing a range of programmes of popular appeal that attract sufficient audiences to ensure that all licence fee payers find something that they want to watch at various times. In addition, BBC radio is one of the nation's most endearing institutions, and provides an unrivalled service, especially in news, current affairs and sport. Where would we be without the BBC telling us the football results at various times?

The new director general, Greg Dyke, has reaffirmed that the BBC's overriding priority must be to ensure that the maximum resource is put into programme making. We warmly welcome this approach and agree with the analysis that there remains too much bureaucracy and administration. It is a long overdue approach in the BBC.

Mr. Desmond Browne (Kilmarnock and Loudoun): I am glad that there is a consistency of approach between that taken by the hon. Member for East Surrey (Mr. Ainsworth) on 1 February and that taken by the hon. Gentleman this evening. Indeed, one speech could have done for both hon. Members in the presentation of the argument. The key to the argument appears to be the absence of a modern definition of the BBC's role. That is a phrase that both hon. Members have used. Is there any intention to give us the Opposition's definition of the BBC's modern role?

Mr. Greenway: It is—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. A narrow matter is before us. We are discussing the increase in the licence fee, and we must restrict ourselves to that and not debate the role of the BBC. Perhaps that issue can be discussed on another occasion.

Mr. Greenway: I am grateful for your protection, Mr. Deputy Speaker.

It is our view that there should have been a new approach and a redefinition of the BBC's role in a multi-channel environment before the licence fee increase was announced. I am grateful to the hon. Gentleman for his confirmation that my hon. Friend the Member for East Surrey (Mr. Ainsworth) and I are being consistent in our argument. I shall shortly draw on the recommendations of the Select Committee.

I was saying that the new director general has made it clear that he believes that there are significant cost savings to be made within the BBC. In its recent report, the Select Committee drew attention to earlier efficiency initiatives that delivered savings way beyond what was predicted. I know from over 10 years' experience of working with Yorkshire-Tyne Tees Television and the ITV network that ITV has undergone rigorous streamlining on more than one occasion.

The new director general's determination to expose the BBC organisation to the rigour of a similar approach, however, confirms our suspicion that the restructuring should have been allowed to run its course before any decision was made about the BBC's funding needs and any licence fee increase. That, in effect, was the Select Committee's general conclusion.

Such a fundamental shake-up as we are being lead to expect from Mr. Greg Dyke was not anticipated when the Davies inquiry was established. On the contrary, in evidence to the Select Committee, the former director general, Sir John Birt, said that there was no real scope for further efficiency savings. Yet, only weeks later, the new director general is putting out a different story, which I must say I welcome.

The Davies inquiry was predicated on the premise that the BBC needed more money, thus generating an expectation that an increase in the licence fee would be recommended and granted, notwithstanding the fact that throughout the entire inquiry no effective case for extra money was made. Indeed, when Gavyn Davies took representations, nobody knew how much the BBC itself thought it needed.

That view appears to have been shared by the Select Committee, which was robust in arguing that there should be no new money for the BBC until 2002, when the existing December 1996 agreement will lapse. By 2002, of course, the charter renewal due in 2003 will also be on the agenda, all of which adds weight to the argument that we should have examined what the BBC is for and how it should be supervised before entering into a new six-year inflation-busting licence fee agreement. It is remarkable that the Secretary of State himself appeared to agree that breaking that agreement was not justified when he set out the terms of reference for the Gavyn Davies inquiry, a matter that the Select Committee drew to our attention.

The worst feature of the Davies recommendations, which has thankfully been rejected, was the proposal for a digital licence supplement, and we agree with the Secretary of State that such a supplement would have been inappropriate. It would have undermined progress towards increased digital take-up, which will lead in time to the switch-off of analogue signals. Nevertheless, the proposal generated damaging uncertainty, for which the Secretary of State must shoulder some of the blame.

It is almost 18 months since the Davies inquiry started work. The inquiry took almost a year, and there was then further consultation on its findings. After weeks of rumour and counter-rumour, the Secretary of State appointed management consultants Pannell Kerr Forster to re-examine the issues. During that time, however, no effort was made to examine the BBC's future role, and the Secretary of State's stewardship throughout this period has been unimpressive.

We understand that a protocol to the Amsterdam treaty required such a review of the BBC's role. Why have not the Government undertaken that? The whole situation is absurd. Here was a golden opportunity to make an attempt to consider the BBC's future before announcing an increase in public subsidy, yet the Government sought to ignore it.

I have already highlighted a further concern that the existing agreement reached just three years ago has been breached. That agreement was seen as a breakthrough at the time, and was said to be sufficient to fund the BBC's digital requirements. It is clear that for the next two years we would have had a licence fee increase below the rate of inflation. Now we have the prospect of a real-terms

[Mr. Greenway]

increase for the next six years. What guarantee can the Minister give to the House that the agreement will not be breached again within that time, notwithstanding the benefits that might accrue from Greg Dyke's initiatives on cost and efficiency?

Another area for potential cost savings lies in reappraising the value of the peripheral parts of the BBC's empire and the expansion of BBC services, in particular News 24. The Secretary of State told the House on 21 February that a review of News 24 would be a priority, although we were not told when the review would take place or with what objective. I understand that on Friday the Secretary of State suggested that it would now be improper to review BBC News 24 in the run-up to a general election. That will not please the Select Committee, which criticised the high costs of News 24, which I gather has already cost the taxpayer over £130 million. Those high costs were never explained to the Select Committee.

Perhaps the Secretary of State has some inside knowledge about the election date. One wonders whether he is postponing the review in the belief that the general election will take place soon. More seriously, has he concluded that over the next couple of years, the BBC might seek to incorporate News 24 in its mainstream BBC 1 and BBC 2 television news programmes, thus rendering the review unnecessary? That might well be sensible, but why the secrecy?

The suggestion that a review now would be improper in the run-up to a general election has been greeted with incredulity. The only thing on which we can be clear is that the licence fee payers will foot the bill for however long it takes for a decision about the matter to be concluded.

The whole issue epitomises the absurdity of the Government's position in awarding the money ahead of determining the need. There can be no incentive for the BBC to reduce costs and take a more rigorous approach to efficiency if it thinks that a licence fee increase is there for the asking. Our view remains that the BBC should look to reduce its costs and, over time, its licence fee for everyone, not just pensioners over 75.

In his statement to the House on 21 February, the Secretary of State confirmed the intention to introduce the over-75s free TV licence, which had been announced by the Chancellor last year, with effect from 1 November. However, closer examination of his statement and of matters that have arisen subsequently highlights a number of anomalies and practical difficulties that the House needs to consider, now that the order has been laid.

The free television licence for the over-75s does not solve the accommodation for residential care concessionary scheme anomaly: a relatively small number of pensioners qualify, but the majority do not. All hon. Members present are aware of the resentment to which the scheme gives rise. However, the same sense of unfairness associated with that scheme might become—

Mr. David Winnick (Walsall, North): I am grateful to the hon. Gentleman for giving way. He refers to the accommodation anomaly, and I agree. One day it will have to be rectified. Is the hon. Gentleman aware, however, that on 12 July 1988, we tabled a prayer against the restrictions that led to such an anomaly, whereby one person who was in the accommodation before May 1988 would get the concession of £5, but another person would not? That all arises from what the Conservative Government did on 12 July 1988.

Mr. Greenway: The hon. Gentleman makes a fair point. Although I was in the House at the time, I cannot claim to remember that particular occasion, but I am aware that hon. Members on both sides, including many of us when we were in government, argued with Ministers that the matter needed to be resolved. My point is that the free licence for the over-75s solves nothing.

The same sense of unfairness will become even more keenly felt when the age-related free licence is introduced. The Minister has made it clear that in a pensioner couple household that benefited from a free TV licence because of the age of the older spouse, a widowed younger spouse below the age of 75 would have to purchase a licence all over again at the next renewal date.

One accepts, of course, that the anomaly will arise wherever the age qualification is drawn. The problem is that the surviving pensioner widow is often left with a much lower income, and may therefore be thought more worthy of help than the married couple pensioners, one of whom is over 75, who still benefit from the husband's full pension. I have no doubt that colleagues will raise other examples.

On the cost of implementing the scheme, we were told by the Chancellor last year that it would cost £300 million. The BBC now says that the cost may be anything from £320 million to £330 million. In the first year, there will be start-up costs of £22 million, and annual running costs of a further £10 million, all of which will be met by the Treasury. It will be helpful to us all to have these figures confirmed and on the record.

We understand that qualification will be determined and administered by the use of the pensioner's national insurance number. That raises other issues. Will primary legislation to amend the data protection legislation be required? If so, when will that be implemented and in what form?

The Minister for Tourism, Film and Broadcasting (Janet Anderson): I thank the hon. Gentleman for giving way. Will he tell the House whether he and his few colleagues on the Conservative Benches for this important debate support the Government's intention to grant free television licences to the over-75s?

Mr. Greenway: That is a bit like asking whether a donkey likes strawberries. The Government have made the announcement and we do not intend to oppose it, although I dare say we might have thought of a different way of spending the £300 million to help elderly pensioners.

I sat here last night and heard the Chief Secretary to the Treasury give a totally implausible explanation of why it was right to pay every pensioner household £100 this year in winter fuel allowance, and £150 following the Budget, rather than increasing the old age pension. Apparently, poorer pensioners would not be helped because of the thresholds relating to the withdrawal taper for benefits; but those thresholds could have been raised.

The announcement has been made, and we do not seek to oppose it. I am asking justifiable questions about how the scheme will work—and, if the Minister wishes to introduce a controversial element, let me add that all we have heard suggests that no aspect of it had been thought through before the Chancellor's statement.

If the BBC is to be given access to such sensitive information as national insurance records, we are surely justified in asking certain questions. Does the Minister accept that there will be widespread concern about the need for security in regard to such information? We hope that any tabloid headlines suggesting that Auntie had become Big Brother would be unfounded, but this is a genuine worry. Will the use of national insurance records catch everyone over the age of 75, or might there be a number of elderly people, perhaps immigrants, who have never had a national insurance reference?

Our principal concern, however, is that the main result of this initiative will be the state's paying directly to the BBC more than 13 per cent. of its income. I think we are right to ask the Minister to give a categorical assurance of the BBC's continuing independence of any governmental interference.

Does the Minister realise that if the scheme were extended to all pensioners over 65, at least a third of the BBC's income would come directly from the state? However popular such a decision might be with pensioners, if the Government took such a significant stake in the BBC, public concern would be raised about its continuing autonomy and impartiality. That has never happened before.

We urge the Government to keep firmly in mind the continuing acceptability of a publicly funded BBC in a multi-channel environment. Paradoxically—this is, in large measure, why we felt we should have this debate—the principle of the licence fee, which we want to continue, may be undermined by the scale of the increase for which the order provides. The sum is not insignificant: it is estimated that an extra £1.25 billion will be raised for the BBC over the next six years, and household growth may increase that figure. Many of the new homes will be for young people, and there is already demographic evidence to suggest that younger people who have access to, and have invested in, multi-channel television do not want to pay the licence fee at all, let alone the increased amount. That is why we believe that it was essential to make a case for the increase, and no such case has been made. There is a limit to what people will pay, and the tolerance of that limit may well be bridged as the year-on-year increases planned for the next six years unfold.

8.44 pm

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Janet Anderson): I shall try to respond to the points that the hon. Member for Ryedale (Mr. Greenway) made. There must be no mistake about the effect of the Opposition's prayer against the order: it would annul it. Yet the hon. Gentleman said that the Opposition simply wanted an opportunity to debate it. There was an opportunity to do that when my right hon. Friend the Secretary of State made his statement. If the Opposition truly wanted a debate, I am sorry that the hon. Gentleman could not persuade more of his colleagues to be present for what he regards as an important discussion.

Nobody enjoys paying the television licence fee. Any increase in that fee, especially above the rate of inflation, is therefore an emotive issue. I concede that that is the subject of our discussion. Unlike the hon. Member for Ryedale, I shall try to concentrate on the issues.

The BBC plays a central role in the cultural life of the United Kingdom. Consequently, it attracts a great deal of attention and scrutiny. Many people have strong views on the way in which the BBC should be funded, the services that it should provide, the standards that it should maintain and the value for money that it offers.

The Government are committed to the BBC's continued role as the United Kingdom's principal public service broadcaster, which provides a wide range of quality programmes on all its services, and offers something to all viewers and listeners. Free access to its public service channels is central to the BBC's role so that a high standard of news, education and current affairs programmes is available to all audiences—not only to those who can afford subscription or pay-per-view services. I am sure that the hon. Member for Ryedale would not wish services to be available only to the latter group.

The Government also believe that the BBC must embrace the technological developments that will revolutionise broadcasting in the next few years. Indeed, we believe that the corporation should drive the take-up of new digital and online services.

The television licence fee currently has distinct advantages over the other options for funding the corporation. At the outset of the BBC funding review, the Government made it clear that we considered the licence fee sustainable as the BBC's main source of funding, at least until the renewal of its royal charter at the end of 2006.

Against that background, an independent review panel chaired by Gavyn Davies was appointed at the beginning of 1999 to consider future funding of the corporation. The panel was asked to examine ways in which funding to promote public service output could be extended from other sources; to consider how to secure an appropriate balance between the BBC's public and commercial services; and to review the mechanisms for fair trading in relation to commercial services.

The panel's report was published last July. When reaching conclusions on the recommendations, the Government took account of more than 2,000 responses to the public consultation on that report and the report of the Select Committee on Culture, Media and Support on funding the BBC.

As the hon. Member for Ryedale mentioned, the Government also commissioned a review of the BBC's financial projections by independent consultants Pannell Kerr Forster to assist our decisions on finance, and an analysis by the chief economist of the Department for Culture, Media and Sport. We wanted to be in no doubt about the BBC's requirements for competing effectively in the digital age.

As my right hon. Friend the Secretary of State for Culture, Media and Sport announced on 21 February, although we have not adopted all the detailed solutions that the review panel proposed, we have accepted its general analysis of the current position. In particular, we accept that the Government's vision for the BBC cannot be realised in the existing funding framework. Much has changed in the world of broadcasting since the previous

[Janet Anderson]

Government announced their five-year licence fee settlement in December 1996. The hon. Member for Ryedale knows that well. He knows how fast changes occur in the sector that we are considering.

The Government accept the panel's recommendation that additional funding should come initially through self-help. We are therefore challenging the BBC to help itself by efficiency savings, partnerships, joint ventures, reductions in bureaucracy and other means, and very much welcome the steps that the new director general is taking in that direction. We have set the target of £490 million by 2006–07, over and above the £600 million that the BBC itself estimated. That target, which is more demanding than that set by the Davies panel, flows from the conclusions of the independent analysis of BBC finances commissioned by my Department. Thus, over the period of that settlement, the BBC will be required to generate more than £1 billion from self-help. It will be up to the BBC to decide how to meet that target, but we have made it clear that we expect it to be met.

Mr. Peter Bottomley (Worthing, West): Can the Minister help the debate by saying where the £490 million might come from?

Janet Anderson: I hope to deal with that, if the hon. Gentleman will be patient.

The second source of additional funding proposed by the review panel is the licence fee. The two alternatives identified in the Davies report were, first, a digital licence fee supplement set at £24 and payable only by digital services viewers, which would decline over a number of years to converge with the standard licence fee; and, secondly, an increase in the general licence fee payable by all. As the House knows, we have chosen the latter. Although unlikely to depress the take-up of digital television significantly, the introduction of a digital licence fee would have given the signal that digital television is something out of the ordinary. The Government's view is that it will soon be the norm. The benefits of the increased funding will be available to all licence fee payers through improvements in the BBC core services.

The Government have therefore decided to provide the additional licence fee funding required by the BBC via annual increases of 1.5 per cent. over the retail prices index from April this year through to 2006. That means that on 1 April the colour television licence fee will rise by £3 to £104 and the black and white licence fee will rise by £1 to £34.50. The regulations will bring those increases into effect.

As my right hon. Friend the Secretary of State announced, the Government have also accepted the general thrust of the review panel's recommendations in terms of transparency, fair trading and accountability. We shall institute new procedures for the introduction of new services, which will include an opportunity for public consultation before decisions on proposed new services are reached. There will also be a programme of reviews of all current BBC digital services—News 24, Choice, Knowledge and Parliament—to ensure that they are achieving their stated purpose. The Government have made it clear that they do not expect the licence fee to fund services such as dedicated film and sport channels when there is no distinct and separate public service remit.

Mr. Greenway: If I heard correctly, the Minister said that there will be a review of News 24. Can she confirm when that will take place?

Janet Anderson: I cannot give a precise date, but the hon. Gentleman will be aware that my right hon. Friend the Secretary of State has made it plain that we shall review the digital services because we want to ensure that the public get value for money. I hope that that helps to answer the question asked by the hon. Member for Worthing, West (Mr. Bottomley).

The Government will commission independent scrutinies of the BBC's fair trading policies and financial reporting and publish the resulting reports. The BBC will also be required to have its fair trading and financial audits carried out by different auditors. The fair trading auditor's full report on compliance and risk will in future be published by the BBC. Periodic examinations of the systems and controls in place to ensure fair trading and of the nature and extent of the financial systems will also be carried out by independent consultants. Those will of course be available to be considered and questioned by the Select Committee. Finally, I reassure the hon. Member for Ryedale that we shall also review the public service role and governance of the BBC in the forthcoming broadcasting and communications White Paper.

On concessions, we have already gone beyond the Davies panel's recommendation on assistance for pensioners with the announcement of free licences for the over-75s. The concession will start on 1 November, subject to parliamentary approval of the necessary legislation. The regulations provide that, from 1 April, those who will be 75 or over on 1 November, or who turn 75 after that date but before their licence would expire, will be able to buy a short-term licence lasting until 1 November. From 1 November, refunds will be available in respect of licences already paid for.

The hon. Member for Ryedale is, I am sure, aware that, in tabling a motion to annul the regulations, he is opposing the proposal to allow pensioners aged over 75 to purchase short-term licences. *[Interruption.]* That is the effect of the motion.

Mr. Greenway: How many times have Ministers in successive Governments said in Committee that a negative resolution with regard to statutory instruments provides the mechanism whereby Parliament can debate some important matters, of which this is one?

Janet Anderson: The hon. Gentleman should be clear about the effect of the motion. He wanted the regulations to be annulled. If he had been successful—of course he does not have the majority—*[Interruption.]*

Mr. Deputy Speaker (Mr. Michael Lord): Order. That is enough interruption from a sedentary position by hon. Members on both sides of the House.

Janet Anderson: Thank you, Mr. Deputy Speaker.

We have accepted the Davies panel's recommendation that registered blind people should be entitled to a 50 per cent. reduction in the television licence fee. That will come into force from 1 April via a separate determination by the Secretary of State.

We have also accepted the recommendation that subtitling of programmes for the deaf and hard of hearing be further developed, so that 50 per cent. of BBC digital programmes are subtitled within five years, and 100 per cent. within 10. The regulations provide that, as recommended by the review panel, the collection arrangements under the cash easy-entry easy-payment scheme are made more equitable.

The accommodation for residential care concessionary scheme is, as we all know, far from perfect. The majority of the current beneficiaries are over 75 and will receive free licences. About 130,000 younger pensioners and mentally and physically disabled people will be left in the scheme. Notwithstanding the drop in the number of people benefiting from the scheme, we propose to keep the arrangement for concessionary licences, but the regulations introduce a minor change to bring within the scope of the provision all retired persons aged 60 years or more, removing the current element of discrimination inherent in the reference to pensionable age. That provision will have the additional benefit of safeguarding the entitlement to the concession of residents in sheltered housing schemes with male residents aged between 60 and 64. I hope that that, too, will be supported by Conservative Members.

The hon. Member for Worthing, West asked where the efficiency savings of £490 million would come from. They will come from increased efficiency, reductions in bureaucracy and increased commercial revenue.

I was also asked what that would be spent on. Labour Members believe that the BBC has an important role in the digital age as a benchmark for quality. We do not believe that its role is simply to provide those services that will not be provided by commercial operators. We hope that the BBC's substantial efficiency savings—they are of a scale that was never demanded by the Conservative party when in government—in conjunction with the increase in the licence fee will enable the BBC to take its rightful place in the digital age.

8.59 pm

Mr. Steve Webb (Northavon): I will not detain the House for long, but it is important to put on the record the Liberal Democrats response to the statutory instrument. I welcome the fact that the regulations set out the practicalities of how constituents aged 75 or over will obtain their partial licences up to the point when the scheme comes in.

Some months ago, the issue was raised with me by constituents who heard the announcement and wondered what would happen from April. It is good that the regulations now clarify the position. It would have been even better if the original announcement had been accompanied by some explanation, as it has caused some anxiety. Occasionally, however, announcements are made rather hurriedly, as they need to be rushed through without the detail being thought through. Nevertheless, it is welcome that we now have the detail. I also welcome extension of the residential accommodation concession to men aged 60 to 64. There was an anomalous situation in which a woman over 60 might be covered by the concession, whereas a man over 60 might not be. Some levelling between those groups seems quite appropriate.

I have two reservations about the regulations. The first is that the concession for the over-75s reveals confusion in the Government's approach to supporting pensioners. Just a few months ago, the Government rejected an amendment that I moved to the Welfare Reform and Pensions Bill that would have provided for an across-the-board pensions rise for the over-75s. Ministers argued that such a provision would be poorly targeted. However—except in relation to one or two-pensioner households that do not have a television—a free concessionary television licence has exactly the same properties as the proposed provision.

Liberal Democrat Members have been arguing for months, if not years, that older pensioners are poorer pensioners, and that targeting by age is very effective. I am puzzled why it is right to target older pensioners in the regulations on television licences, but not right to do so for pension enhancements.

I cannot develop that point much further without straying from the regulations, but the point demonstrates both the Government's confusion and their convenience. When an action such as providing free television licences is politically attractive, arguments against targeting go out of the window, whereas our pension proposals could not be allowed—

Mr. Syd Rapson (Portsmouth, North): It must not have been a political decision, then.

Mr. Webb: It was a political decision.

On the "Today" programme, when discussing free television licences, a Minister was asked, "Why not just give them the £101?" There is really no answer to that question. If pensioners wanted to spend the money on the licence, they would; if not, they would not. They would have the choice. Nevertheless, we live in a political world, and we have to accept that a free television licence is the way in which the Government have chosen to help older pensioners. Given that we have long argued that older pensioners should be the priority, we welcome that decision.

Liberal Democrat Members are concerned about the increase in the licence fee from £101 to £104. Although £3 may not be a significant sum for hon. Members, for pensioners receiving 75p from the Government in April, it is a month's pension rise. Four weeks-worth of the pension rise will have to go on paying the television licence increase. Although older pensioners will receive the licence free, for those who are aged 65 to 74, a month's pension rise will be eaten up by the regulations. Although hon. Members talk about the percentage increase involved and about hundreds of millions of pounds, we should remember the context of this increase. For many pensioners, £3 is not a trivial sum, and we should not lightly pass the regulations.

I was interested in the point made by the hon. Member for Ryedale (Mr. Greenway) on the position of couples of different ages, when perhaps the older partner dies, leaving—typically—a widow to foot the bill. Do Ministers have any plans to deal with that problem? When a person becomes a widow, the last thing that they want is a television detector van coming round. Strictly speaking, that is what would happen, as the widow would

[Mr. Webb]

cease to be entitled to a free licence. The regulations do not make it clear that the free licence would continue to its expiry date.

Janet Anderson: The hon. Gentleman is quite correct in his assumption—the free licence would continue until its expiry date.

Mr. Webb: That is a welcome clarification. Obviously, the continuance could be anything from one day to 365 days. Therefore, it is possible to imagine circumstances in which, on the law of averages, a person dies towards the end of a licence, and within weeks or even days, a widow could find herself without, in strict legality, a valid television licence. That is the last thing that she is going to think about.

Mr. Peter Bottomley: I think that on probability, among all widows, there would be six months left on the licence. However, rather more seriously, does the hon. Gentleman agree that, in fact and in logic, the same problem applies to an elderly orphan who is left behind by a parent with whom they had been living? If, for example, someone is 65 and had been caring for a parent aged 90, the parent would have had the free television licence and the same situation would apply to him or her. Moreover, the income decrease is usually even greater for that person than for someone who becomes a widow or a widower.

Mr. Webb: The hon. Gentleman raises an interesting point. A significant number of carers are pensioners, in many cases caring for an elderly relative. The same issues arise for them. The median run-on will be six months, but there will be some whose licence runs out the next day or on the day of the funeral. It would be helpful for the Government to put it on the record that the authorities will show humanity in such circumstances.

Mr. Browne: Is the hon. Gentleman's argument predicated on the assumption that no licence renewal notice will be issued to those with free television licences?

Mr. Webb: No. I am saying that the last thing that someone is going to do immediately after their loved one has died is rummage through the paperwork for the television licence. It would be nice if the Minister said that some humanity will be shown, but the law is the law and it is not clear whether such a defence will be available if the authorities choose to pursue someone who does not have a valid licence. I hope that the Minister will at least acknowledge the issues and tell us that they may be addressed. I am glad to see her nodding.

My only other point is about the accountability of the BBC. The sum involved equates to a month's pension rise, so we have to be sure that our constituents' money is being wisely spent. Accountability has been addressed in other measures that the Government have introduced, but my hon. Friend the Member for Lewes (Mr. Baker), who speaks on these matters for my party, has raised the issue of accountability through the National Audit Office. There is a balance to be struck between unwanted parliamentary interference in the BBC in editorial and journalistic matters and the fact that taxpayers' money is being spent. The National Audit Office has an important tradition of supervising the spending of taxpayers' money. I hope that the Minister will at least keep open the option of involving not just an independent firm of accountants or auditors, who are not directly accountable to Parliament, but a body that exists to scrutinise the spending of public money. That would make us feel more confident that our constituents' hard-earned cash was being well spent.

With those reservations, we welcome the new concessions and recognise the BBC's need for additional funding, so we shall not oppose the regulations.

9.7 pm

Miss Anne Begg (Aberdeen, South): I am pleased to contribute to the debate. I am secretary of the all-party BBC group. I am pleased that the issue of BBC funding has at last been settled after some months. The uncertainty has caused a great deal of unease and disquiet in the BBC and among our constituents, who did not know what increase in the licence fee they were going to be expected to pay.

I wholeheartedly agree with my hon. Friend the Minister on the importance of the BBC driving forward the new digital age and being at the forefront of the new technologies. If the BBC is to survive in the 21st century with its integrity as a broadcaster of repute intact, it must be able to harness and advance new technology. We have seen that in the new digital services such as BBC Choice, as well as in BBC Online, which is perhaps the most popular of the corporation's new developments. BBC Online is as near as this country will get to having a national public service newspaper, because it presents the news for everyone to see without the bias or slant that we get in the print media. Its unbiased presentation of news is one of the great values of the BBC.

I am also glad to hear that the Opposition are in favour of the retention of the licence fee. It should continue to be the way in which we fund the BBC. When funding arrangements are announced, the cry usually goes up that the measures are too little, too late. The hon. Member for Ryedale (Mr. Greenway) seems to think that it is too much, too soon. The extra £3 a year is too much, according to him. In Aberdeen—which is not always noted for its generosity—the rumour went around that the television licence would be going up by £15, and the people were dismayed and angry. Then the rumour was that the licence would be going up by £12, and they were still dismayed. So when it came out that it was to go up by £3, they were delighted. My constituents believe that an extra £3 is not too much for the excellent service provided by the BBC.

Nor is it too soon. The basis of the argument of the hon. Member for Ryedale was that the new Director General of the BBC, Greg Dyke, will be reviewing the position and the future of the BBC, and therefore he should not know how much money he will have in the future. That seems daft to me. The Government have been right to specify what the funding will be over the next six years for the BBC, so Greg Dyke can ensure that what he wants will fit in with the amount of money that he has. Of course, he must try to find efficiency savings, and he should make sure that the BBC is slimmer and meaner and that it improves its quality. However, at least he will know how much money will go to him over the next six years.

When it was mooted that pensioners should get free television licences, I was not keen. I thought that the only way in which it could be done would be for the BBC to

lose the money—some £300 million. The other option was that everybody else would have to pay more for their licence, by up to £40 a year. I did not think that my constituents, particularly those on low incomes, would wear that.

I did not believe that the Treasury would be as generous as it has been. To use a good Scots word, I always thought that the Treasury was a bit grippit—in other words, it held on to its money and would not give any of it away. I thought that our prudent Chancellor would not be prepared to be as generous as he has been. I am delighted that the money is coming from the Treasury. I know that my mum and dad, who are both over 75, are delighted that they are getting a free television licence.

The hon. Member for Northavon (Mr. Webb) should remember that the television licence will be tax free, and that to give pensioners over 75 the money on their pension would result in better-off pensioners paying tax. However, the £104 will be tax free and therefore worth more to better-off pensioners. The start-up costs referred to by the hon. Member for Ryedale will be borne not by the BBC, but by the Treasury. If the Chancellor is being that generous, it would be churlish of us to refuse.

I am glad that the BBC's funding will be on a solid footing over the next six years. The increase of £3 is enough—it is above inflation and it will allow the BBC to continue to play its part in the digital age. I am delighted that Britain's pensioners aged over 75 will have a free television licence.

9.14 pm

Mr. Peter Bottomley (Worthing, West): It has been a pleasure to listen to the debate. The hon. Member for Aberdeen, South (Miss Begg) was right to point out that the gift of a television licence worth £104 was worth more to pensioners over 75 paying income tax, and even more to those paying higher rates of tax. I declare that, were I a widower over 75, I would have to pay the higher rate of tax, as I would have my own pension and part of my wife's. I do not see why better-off pensioners should get a great deal more.

People have argued that giving pensioners the money would not help those on income support. That argument used to be trotted out against increasing child benefit. In practice, ensuring that an increase in child benefit is of help to the poorest merely means that the levels of income support also have to be raised. There is therefore no particular problem in that regard.

What happened is that the Government found themselves in a hole, with bad headlines on some other issue coming up, and someone had a bright idea for a lollipop. When she winds up the debate, will the Minister say whether she consulted the BBC before making the announcement? I do not think that she did. Did she consult anyone? Was a White Paper produced? Was Parliament consulted? Was Age Concern consulted, or pensioner groups, or Jack Jones, a well-known voice for pensioners and a former general secretary of my trade union? I do not think so.

If we are to accept that it would be very nice if people over 75 did not have to buy a television licence, or if they could be given an equivalent sum, we must consider whether the Government's approach is the most effective way to proceed. I suspect that it is not, although I know that what has happened is typical of the way in which Governments act, and that future Governments may be no different. However, the proposal is slightly illogical and seems to have been thought up in a rush. On the whole, I think that the Treasury could do better.

Miss Begg: I am sure that, like me, the hon. Gentleman has spoken to many pensioner groups and many individual pensioners. I was constantly asked why pensioners could not receive free TV licences, as happens in other countries. The genuine desire articulated by pensioners was for free licences.

Mr. Bottomley: I do not want to come across as the only hon. Member who wants to spoil the party, but those who will decide what to do with television licences in future may read this debate, and they ought to be made aware of some of the points that the Minister would no doubt have made if Liberal Democrat or Conservative Members had come up with the idea of free television licences for people over 75.

The points that I want to make would have cropped up in consultation. The process of consultation, involving working parties and taskforces, is used in almost every aspect of Government these days. That did not happen in this case, and the result is a scheme that is not as good as it could have been.

Janet Anderson: Does the hon. Gentleman support the Government's proposal to give free television licences to the over-75s, or not?

Mr. Bottomley: It ought to be clear that I do not oppose the proposal, but that I am trying to talk through the logic behind it. I am not setting myself up as an Enoch Powell, for whom only logic worked. However, I think that it would have been better to present a scheme that provided benefit worth £104, so that people paying tax might find that they had to contribute a little more, while those who do not pay tax would not. Such a scheme would also ensure that people paying at the higher rate of tax would not get a greater benefit.

My reason for arguing against child tax allowances is that they give no help to those below the tax threshold; that they give the greatest help to those paying the highest rates of tax, and that they do not make much difference to those on ordinary levels of income. The same argument applies to pensioner households over 75 years of age.

It is not sensible to give free television licences to all pensioners because many people in work who have children face far more difficult budgeting problems than they do when they retire. Forty years ago, it used to be the case that people were most hard up when they retired, but nowadays it is when they have their first child, when they often go from having two incomes and two mouths to feed to having one income and three mouths to feed at a time when housing costs are at their greatest.

My starting point is that we should not give unalloyed praise to the scheme. Consultation would have helped and would have caused the Government to propose a modified scheme that would have had roughly the same effect, without some of the unfairnesses that I have illustrated.

I accept that many people over 75 years of age now are vulnerable, but I suspect that many people who turn 75 in 20 or 30 years' time will not feel anything like the same squeeze on their financial resources. If 75 per cent. of

[Mr. Bottomley]

35-year-olds are paying for their own homes and will have paid off their housing costs by the time they retire, they will be in a very different financial situation from today's over-75s, who do not necessarily have second pensions, extra savings, and their housing costs paid. The arguments for free television licences for those over 75 in the year 2000 will not be the same as they will be in 2020.

Mr. Webb: One might assume that, but the projections of the Department of Social Security and other research evidence show that, if anything, older pensioners will be getting further and further behind the rest of the pensioner population. One reason is that they tend to be women, who always tend to be further behind, but there are many other reasons as well. It is not obvious that targeting by age is a policy that is right for now but not necessarily right in the future.

Mr. Bottomley: I was making a rather more narrow point. People who will be 75 in 40 years' time are now 35. A lot of 35-year-olds are buying their own homes, and I suspect that that will continue. If the average rate of owner-occupation in this country is getting on for 70 per cent., and if a relatively low proportion of people between the ages of 60 and 85 own their own homes, it must be that successive cohorts will be moving through.

Mr. Webb: That is wealth, not income.

Mr. Bottomley: It is wealth, and savings and second pensions will increase that. Again, that argument can be made for income, taxation and benefit policies. I am trying to establish that what appears to be right now is not necessarily the fairest, most equitable way of providing quality television and reasonable equality in paying for it, which is what we are after.

We have three public service television channels—BBC 1, BBC 2 and Channel 4. Channel 4 is not funded by the licence, but it is public sector broadcasting. In another debate, it would be interesting to hear whether the Government plan to privatise Channel 4 and take the money. I hope that they do not. There are good arguments for Channel 4 to remain in its slightly anomalous situation. Incidentally, anomalies on the licence and in the regulations have been mentioned. Willie Whitelaw, when Home Secretary, was asked whether he understood that there were anomalies, and whether he could search for alternatives. He stood up and, with a straight face, said that he would be perfectly happy to search for alternative anomalies. Almost any way of solving anomalies creates others, at least at the borderline.

I declare that the BBC has given me some hospitality over the years, often at BBC events. I have tried to turn up at the events that do not offer more than a cup of coffee when the BBC is talking about its great work on the World Service and other areas that are not funded by the licence fee. The licence fee basically pays for BBC 1 and BBC 2.

I repeat my question to the Minister, in the hope that she can give a broader answer when she winds up the debate. If not, perhaps she could write to me and put a copy of her reply in the Library. Roughly what are the sources of the extra £490 million that she, her Department or the Treasury believe can be produced from within the BBC, over and above the BBC's estimate of £600 million? Is it just a difference between what John Birt thought he could produce and what Greg Dyke thinks he can produce, or is it something different? If it is a ministerial estimate, let us be told. If the figure comes from the BBC, it would be helpful to know.

Janet Anderson: Let me reassure the hon. Gentleman that the £490 million is not a figure that we have simply plucked out of the air. It was based on the scrutiny of the BBC's finances by the Pannell Kerr Forster report. I repeat that the money will come from increased efficiency savings, reductions in bureaucracy and increased commercial revenues.

Mr. Bottomley: I am grateful for that reply, but I thought that that was where the first £600 million was coming from. If we can raise that figure by an extra 40 per cent., perhaps those accountants would be rather useful in other Departments as well. I shall not pursue that, however. Presumably, Ministers will make available more detailed information if they have it and, if they do not have it, they will say so and it will be just one of those things.

In the regulations, we want to ensure that, reasonably fairly, we protect and enhance public service broadcasting. I want to quote from the McKinsey report from January 1999 on public service broadcasters around the world. It concluded:

> Public service broadcasters have a significant responsibility within their markets. As the pacesetters, it is the public service broadcasters who set a tone for broadcasting. Healthy public service broadcasters can potentially greatly enrich their broadcasting cultures and by extension the cultures of their nations. It is in the interests of all audiences to see that they continue to do so, and keep broadcasting the broad-ranging, stimulating, unifying social force it has been for much of the last century.

I hope that the settlement for the BBC—a fairly minor increase, although I accept that it makes up about 8 per cent. of the increase in the basic state pension—will manage to achieve that, not only in national broadcasting but in broadcasting within the nations of this country.

I fear that if we keep the BBC too strapped for cash, we will not be able to allow the development of broadcasting in Scotland, Wales and Northern Ireland and, for that matter, England. England is not quite so critical because English culture spreads out and becomes almost British culture in significant part.

I hope that, in time, Ministers will find it possible to use one of the three public service broadcasters as national broadcasters for Scotland, Wales and Northern Ireland. Sometimes, we have broadcasting too tightly controlled at the centre. I know that the BBC has done quite a lot to devolve editorial control of programme making to Scotland and, no doubt, to Wales. There has also been discussion about the fourth channel in Wales, but that may be a debate for another day. The question is whether the settlement will be sufficient for the BBC as it is at present.

I should have preferred the increases to be larger. I represent a constituency with the highest proportion of people above retirement age—55 per cent. are below retirement age and 45 per cent. are above it. I suspect that many of my constituents would agree with the 89-year-old widow who wrote to me in connection with an audiology test saying that the only enjoyment that

she had left in her life was listening to the radio and television. The trouble was that, as she did not have a hearing aid, her neighbours heard more of it than she did.

Many elderly people find the BBC and the other broadcasters a lifeline. They keep people in touch with what is going on, they provide entertainment and education and they are informative. They are good value. If one takes the cost of the licence fee as providing BBC services alone, it is well justified, given the broad reach of the BBC. I am becoming more and more confident that it will be justified when the charter comes up for renewal the next time. I know that there were doubts in the last decade about whether the licence fee system could last. I want to make a suggestion about how we could do it next time.

Virtually everyone pays their licence fee out of taxed income. Those who do not, because they are below the tax threshold, deserve special consideration in any case. So I would move to a system in which the taxpayer—the Government, the Chancellor—started to build on to the licence fee the imputed tax that people had paid on the money that they used to pay their licence fee. That would be a way of providing extra funds without losing the independence that the BBC system provides.

I hope that the House will approve the packages that the Government propose, which are basically the transitional ones, and that when the Government come forward with the precise way in which they will legislate to pay for licences for the over-75s—not just the transitional element, which the orders deal with, but the next legislation—they will answer the question that my hon. Friend the Member for Ryedale (Mr. Greenway) asked about data protection. What will be the system for checking? Does it require a change to the registration system using national insurance numbers or taxation numbers? Can we be assured that we will not get Big Brother going along with Auntie BBC?

9.29 pm

Mr. David Winnick (Walsall, North): I can agree with at least some of the remarks made by the hon. Member for Worthing, West (Mr. Bottomley) about the importance of the BBC. The hon. Member for Ryedale (Mr. Greenway) started on the right note—he recognised the importance of the BBC and was in favour of it—but I am afraid that for the rest of his speech he took a carping, criticising tone.

Mr. Greenway: I was referring to the report.

Mr. Winnick: Be that as it may, the hon. Gentleman was criticising every aspect of the BBC and clearly did not agree with the increase. It is interesting that, knowing what the order would be about, the Opposition put down the prayer, but then the hon. Gentleman was frank in saying that they did not intend to vote against the order. It may seem okay to oppose the increase, but the Tories do not want the country to see them oppose the free television licence for the over-75s.

Mr. Greenway: Had we not tabled a prayer against the order, the hon. Gentleman would not have had an opportunity to make his remarks.

Mr. Winnick: Somehow, I do not believe that the prayer was tabled in order to let me make a speech. I may be wrong. Perhaps my wishes are considered by the shadow Cabinet, but I doubt it.

Like the hon. Gentleman, the hon. Member for Worthing, West, my hon. Friend the Member for Aberdeen, South (Miss Begg) and the Minister, I believe that the BBC is in Britain's interests. We need a public service broadcasting organisation. If we appreciate it and recognise its role, we must realise that increases are necessary. The increase amounts to 6p a week. I do not deny that some will find it difficult, but it is extremely modest and I see no reason why we should not agree to it.

Sometimes, Conservative Back Benchers—although not the hon. Member for Worthing, West—give the impression that they would like the BBC to be privatised or semi-privatised. They sometimes seem to want advertisements. I do not believe that the Opposition's enthusiasm for the BBC comes close to ours.

I am glad that the Minister has explained the position relating to the administrative arrangements being made for those approaching 75. I have had queries in writing and at my surgeries about licence renewal from those who are or soon will be 75. I shall be better able to explain those matters to my constituents in future.

My principal reason for speaking is my view that the free television licence is absolutely justified. With others, I have campaigned for that for a long time. I must say that the hon. Member for Worthing, West has been consistent. I have re-read the voting list on my private Member's Bill on 16 January 1987, and his name was among those who opposed the Bill. It is difficult to get colleagues into the House on a Friday, but I managed to have quite a number here that day, only to lose by 21 votes.

Some argue that the free licence is not necessary because some pensioners aged 75 or more are well off, but we do not have means tests for the bus pass, which goes to all. No one, including any Conservative Member, has argued that free bus passes should go or be means-tested. The same applies to prescription charges. Men and women over 60 do not pay for prescriptions—for men that is a result of European Union rulings. No one says that that is wrong, or that richer people over 60 should pay.

The same should apply to the television licence. As people grow older, they watch more television. For the elderly and those who find it difficult to get out in the winter, television is a means of communication with the outside world—that is certainly true of those with few close relatives. Television is important to them.

Some argue that the free licence should be extended to all pensioners. That was the purpose of my private Member's Bill in 1987. However, I believe that the Government can justify their position. They are being criticised already over the money involved—£300 million or more, according to the hon. Member for Ryedale. As a first step, there is every justification for starting with people aged over 75, even if there will be complaints from those under that age.

Like my hon. Friend the Minister, I am not quite sure what the attitude of Conservative Members is towards free television licences for the over-75s. During the Budget debates, the measure was described by Opposition Front-Bench Members as a hollow gimmick. Is it a hollow gimmick? If it is, why will they not vote against the regulations?

When my Bill was debated in 1987, David Mellor, then the Minister of State, Home Office, argued strongly against it on behalf of the Conservative Government.

[Mr. Winnick]

He said that if pensioners had free television licences, those who had black and white sets would want colour sets. He argued that pensioners who had evaded the licence fee—although, in the main, it is not pensioners who do not pay the fee—would receive a free licence. He said that, if my measure became law—horror of horrors—those who had no television set would want one after all.

As for the cost, Mr. Mellor argued, in his sarcastic, mocking tones, against all that Labour MPs were trying to do. He said:

> Opposition Members say that all we have to do is to dig into the money mine beneath this Chamber and Parliament will provide the £400 million.—[*Official Report*, 16 January 1987; Vol. 108, c. 528.]

That was his estimate of the cost.

Time and again, during all the years when we were trying to obtain that elementary justice for pensioners, Members of the previous Conservative Government—with the full support of their Back Benchers—voted against us. They made it quite clear that such a measure would not be introduced.

Mr. Peter Bottomley: When the hon. Gentleman made that proposal in 1987, he was about the same age as I am now—in his mid-50s. Why should the general taxpayer pay for my free television licence if I was a Member of Parliament aged more than 60 or 65? On pay of £49,000 a year, we do not need one.

Mr. Winnick: If the hon. Gentleman is having a little dig at me, I point out that I had not reached the age of 54 when I introduced my Bill, so I could not have been acting out of self-interest. No Conservative Member has yet accused me of acting out of self-interest. I am pleased to say that it will be some years before I qualify for a free television licence. I hope that that satisfies the hon. Gentleman.

I conclude by quoting myself—if I may do so on just one occasion—during the debate on my Bill. I said:

> What I am advocating is fair and justified. If I am defeated in a Tory-dominated House of Commons on a whipped vote of Cabinet Ministers, I shall carry on the campaign with my right hon. and hon. Friends. We shall not give up, because we believe that we are right. If we do not get this concession for pensioners from a Tory Government, we shall ensure that it comes from a Labour Government.—[*Official Report*, 16 January 1987; Vol. 108 , c. 511.]

It is done. There was no election promise—nothing in the manifesto—but many of us were determined that if we could persuade our ministerial colleagues, especially the Chancellor, to introduce the measure, we would do so. I am extremely grateful that the Chancellor has taken that action. I am also grateful to the Minister, who has campaigned ardently in ministerial circles for this concession to pensioners. Once again, that demonstrates the difference between a Tory and a Labour Government.

9.34 pm

Mr. Desmond Browne (Kilmarnock and Loudoun): I am grateful for the opportunity to speak in the debate. My brief contribution will be restricted to the increase in the licence fee.

It is a pleasure to follow my hon. Friends the Members for Walsall, North (Mr. Winnick) and for Aberdeen, South (Miss Begg), the hon. Member for Worthing, West (Mr. Bottomley) and others who, like myself, are all friends of the BBC. Those who normally take part in these debates and contribute in a slightly different tone have absented themselves from the Chamber tonight. It is pleasant to be in the company of those who appreciate the value of the great institution that is the BBC.

I will resist the temptation to quote myself, even though my hon. Friend the Member for Walsall, North did just that. That might become a habit in the House, and it is not one to be encouraged. As I said in the broadcasting debate, I am against a digital licence fee. I argued for a licence fee that is set against an independent assessment of the financial needs of the BBC. As I understand it, that is the approach of my right hon. Friend the Secretary of State for Culture, Media and Sport. I welcome that and I welcome the increase in the licence fee for a number of reasons. I shall come to them shortly.

I wish to deal with a fairly narrow point. I want to explore and test the core argument put forward by the hon. Member for Ryedale (Mr. Greenway) in opposing the increase. In response to my right hon. Friend the Secretary of State's announcement on the licence fee on 21 February, the hon. Member for East Surrey (Mr. Ainsworth) recognised the achievements of the BBC

> in setting a benchmark of quality in national and international broadcasting.—[*Official Report*, 21 February 2000; Vol. 344, c. 1243.]

To that extent, the official Opposition recognise what many Labour Members recognise: the BBC is what my right hon. Friend the Secretary of State rightly described as

> the UK's most important cultural institution.—[*Official Report*, 21 February 2000; Vol. 344, c. 1239.]

In fact almost the whole House, with one or two notable exceptions, recognises the importance and role of the BBC.

The hon. Members for East Surrey and for Ryedale have not argued that the BBC should not be funded by a licence fee. On the contrary, they have sought to argue that that is how it should be funded, but within the five-year settlement agreed by the previous Government and the BBC in 1996. They have argued that despite the fact that the broadcasting world is changing rapidly, with what the hon. Member for East Surrey has described as an explosion that has arisen from the rapid increase in access to multi-channel digital television—an explosion that

> raises fundamental questions about the current and future role of the BBC.

Although the circumstances surrounding the BBC have changed rapidly and exploded around it in the past five years, the Opposition have argued that the deal that was struck in 1996 should be adhered to.

The Opposition have opposed the proposal to increase the licence fee by a modest 1p or less per day, which I accept for some people is a significant increase. However, they are prepared to join us in celebrating the achievements of the BBC and to argue in favour of retaining its funding mechanism. I exclude the hon. Member for Worthing, West from those comments because, for the first time, I heard him expound an alternative method for funding the BBC. I am far from satisfied that funding the BBC out of any form of taxation would not directly threaten its independence, but I shall read his words in *Hansard* tomorrow and consider his proposal carefully.

What is the difference between the Government and the Opposition on the increase in the licence fee? The hon. Member for Ryedale has expressed a view similar to that of the hon. Member for East Surrey, who said:

It is simply not good enough that he—

that is the Secretary of State—

should oblige the licence fee payer to stump up more money for the BBC in the absence of a clear and modern definition of the BBC's role.—[*Official Report*, 21 February 2000; Vol. 344, c. 1243.]

The hon. Member for Ryedale used similar words tonight.

If such a modern definition is provided, the Opposition should rethink their approach to the issue. The hon. Member for Ryedale implied in answer to my intervention that such a definition might be forthcoming, but said so obliquely by referring to the report of the Select Committee. However, as a redefinition was not forthcoming, I shall endeavour to provide one to see whether the Opposition can be persuaded to come on board, there being a modern definition of the role of the BBC at the turn of the century.

Mr. Greenway: I know that we are running out of time, but before the hon. Gentleman provides a modern definition, and given that he seems to be suggesting that there is an argument purely between the Conservative party and the Government, may I remind him that the Select Committee on Culture, Media and Sport, chaired by the right hon. Member for Manchester, Gorton (Mr. Kaufman), expressly stated that there was no justification for breaking the five-year formula? Does the hon. Gentleman agree with the recommendation that the BBC should

cut its coat according to the cloth?

That report is only three months old.

Mr. Browne: However old an illogical argument is, it is an illogical argument. My response to the hon. Gentleman's intervention was in my introductory remarks. The BBC is living in a more rapidly changing environment than it has recognised. Yet there are certain forces that still argue for whatever reason—including Opposition spokesmen and the Select Committee—that we should stick to the funding formula that was agreed six years ago, despite the fact that the world is changing around them.

I return to my core theme: what is a modern role for the BBC at the turn of the century? A vigorous media are essential to hold government, institutions and individuals to account. Broadcasting is unique in doing that, unlike the print medium, because it gives access to what politicians say and do, and to what is said and done by professionals and other individuals.

Secondly, broadcasting has a role in promoting personal responsibility. That role is well known in combating crime and increasing awareness of health issues.

Thirdly, broadcasting—uniquely—can facilitate the acquisition of basic skills in literacy and numeracy all the way through to further education at the Open university.

Fourthly, broadcasting has the unique ability to allow many people to share information and to tackle social exclusion. Given the way the BBC is funded through the licence fee, and because of its charter, it can do that without the pressures that any other form of funding would bring.

The licence fee settlement will enable the BBC to meet challenges in the digital broadcasting arena and will provide a clear role for the BBC at the turn of the century. I ask the Opposition to review their stance following that simple explanation.

9.48 pm

Mr. John Grogan (Selby): In the two or three minutes that are left for the debate, I shall deal with a couple of arguments advanced by the hon. Member for Ryedale (Mr. Greenway). He seemed to suggest that unless there is a precise definition of what public sector broadcasting will be, it is not possible to commit any more resources to the BBC. That is a misunderstanding of the changing broadcasting world. No one can say precisely what public sector broadcasting will be like in 10 years' time. No one can say whether there will be television channels in the conventional sense by then.

If, in the 1950s, a committee of Members or others had been formed to draw up the future for radio, it would not have identified Radio 1. In the 1980s, it would not have been possible to define Radio 5 Live by means of a committee. Public sector broadcasting is a creative and dynamic force, and as a nation we must commit ourselves to the principles that have served us well in the past.

In the 1990s, the private sector was increasing its revenues in broadcasting by 5 per cent. in real terms per annum. That was not envisaged at the time of the earlier review, and neither was the digital expansion.

It is suggested, particularly among those who now have cable or satellite television, that there is a disinclination to pay the licence fee. There is no evidence of a revolt against the licence fee. Collection rates are increasing. When the BBC took over collection of the licence fee in the early part of the last decade, the evasion rate was 10 ten cent; it is now down to about 5 per cent. Pannell Kerr Forster, the consultants to whom my hon. Friend the Minister referred, suggest that the overall cost of collection and evasion will be down to 9 per cent. by 2006-07, compared with 13.2 per cent. in 1995. The licence fee is a small sum compared with the £300 that the average digital or satellite subscriber pays for what are essentially sports and movies.

I want quickly to say—

It being one and a half hours after the commencement of proceedings on the motion, MR. DEPUTY SPEAKER *put the Question, pursuant to Standing Order No. 16(1).*

Question negatived.

Senior Practice Nurses

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

9.50 pm

Mr. John Healey (Wentworth): I am grateful for this chance to raise the issue of discretionary pay points for practice nurses. The matter was raised with me by four local practice nurses, who skipped lunch to see me at my constituency office a month ago.

These are senior nurses at the top of their profession. They manage their own case load, run clinics and lead service delivery teams on family planning, women's health, asthma and chronic obstructive pulmonary disease, which is a legacy of the coal mines that is only too common in south Yorkshire. They are responsible for health promotion, Medical Research Council-sponsored research and the training and professional development of other primary care staff.

Practice nurses are developing new quality standards, audit work and clinical governance systems. They are, to all intents and purposes, making prescription decisions, although of course because they are not health visitors or district nurses, despite the fact that they have the same qualifications, those prescriptions are still countersigned by GPs. In other words, practice nurses see and manage patients who would previously have been seen and managed by GPs.

That part of the nursing profession is the backbone of the GP service at present and the base on which we will build a better, more multidisciplinary primary care service in the future. Ministers have therefore rightly given strong support to the expansion of practice nurse numbers and roles.

The nurses who came to see me are highly experienced and have been at the top of their pay scale for many years. Their annual salary is between £18,000 and £19,000 for a full 34-hour week, although, as many surveys confirm, practice nurses, like other nurses, often work extra hours unpaid. They are also very committed to their work. Care of their patients is their first, second and third priority. They are the last people to make complaints on their own behalf, but they have been driven to do so, first, by the mishandling of their position by Rotherham health authority and, secondly, by the muddle over their position generally as nurses employed by GPs, who are independent small business people.

In 1998, the Nurses and Midwives Pay Review Body recognised a serious problem of career progression for such senior nurses. Three quarters of nursing staff in G, H, and I grades were at their grade maximum, and the pay review body stated that there was

> little, if any, scope to reward the taking on of extra responsibilities or the acquisition of new skills. We were also aware of the deleterious effect that limitations on career progression could have on recruitment and retention.

Nurses, including practice nurses, at the top of their grade were getting extra responsibility without extra reward or recognition.

The 1998 pay review body report, therefore, introduced the concept of a discretionary points system to allow the most senior nurses with the greatest responsibilities to apply for up to three additional increments, each worth between £375 and £400. As the pay review body made clear, those were introduced as an interim solution, and not a long-term answer to the problems.

National agreement was reached between the parties in September 1998 on implementing the discretionary points. The NHS executive issued an advance notice on 11 September 1998, and the Nursing and Midwifery Staffs Negotiating Council was charged with agreeing criteria for the operation of the system, which it published in November of that year.

The review body expressed the firm expectation that, to quote the NMNC guidance,

> initial awards of discretionary points locally will have been achieved by the end of December 1998, backdated to 11 September 1998.

In Rotherham, our General Hospitals NHS trust set up and operated such a scheme, as required, from September 1998. To date, 126 midwives and nurses—none of them practice nurses, of course—have applied and been assessed for discretionary points, and 111 such points have been awarded.

Our Priority Health Services NHS trust employs two practice nurses, although other nurses and health visitors have used the scheme set up by that trust in November 1998. Under that scheme, 64 discretionary points have been awarded.

By the early summer of 1999, Rotherham health authority had set up arrangements to deal with applications from practice nurses employed by GPs. During the summer, a number of nurses went through lengthy efforts to prepare applications, which were assessed by the health authority's panel.

Eleven nurses were awarded discretionary points. In August or September, they received confirmation of their awards in writing from the health authority's professional nurse adviser, who, quite reasonably, had been co-ordinating the assessment system. In the letter, the nurses were informed that a report would

> now go to the Executive Team who will need to approve the awards. Any money approved will be backdated to September 1998.

In November, out of the blue, the nurses received a letter from the health authority chief executive, Mr. John Hinchcliffe, which stated that since the time that the practice nurses received the letter about discretionary points from the health authority,

> we have been considering how to proceed and seeking advice from the Department of Health. We have come to the view that the process that was used to award the points did not follow nationally-agreed guidelines and we have therefore decided that we need to rectify this situation. To do this, we will, in fact, need to run through the process again. I do apologise for this but it is important that this system operates properly and that it is seen to be fair and equitable for all involved.

The letter continued:

> We will put in place the appropriate procedure as soon as we can and any awards made under the new procedure will be backdated to the date of your original application.

Understandably, the practice nurses were extremely disappointed, demoralised and demotivated, but they are determined professionals, and they pressed Mr. Hinchcliffe for the reasons why he thought that the process introduced by the health authority had been flawed. Mr. Hinchcliffe explained that

> GPs need to be involved in the process not least because they will be required to part-fund any awards.

According to Mr. Hinchcliffe, the authority's arrangements had not followed national guidelines in four areas. He stated that

> GPs have not ratified applications; staff representatives have not been involved in developing the local procedure; the executive team—

of the health authority—

> was not clear what decision-making process had been used; there is no clear indication of how any appeal should be handled.

I met Mr. Hinchcliffe 10 days ago to discuss the problem, and I made it clear to him that I did not accept his arguments that the process was unsound, or that it needed to be redesigned and rerun from scratch.

I shall deal with Mr. Hinchcliffe's points one by one. First, practice nurses had to raise the question of their application with their GP employer before it was submitted. Certainly in the cases that I have examined, the GP either endorsed the application, or at least confirmed the accuracy of the description of the practice nurse's role contained in—

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mrs. McGuire.]*

Mr. Healey: I was not quite prepared for that, Mr. Deputy Speaker, but I am grateful for the opportunity to continue.

Secondly, Mr. Glen Turk of the Royal College of Nursing, representing staff, was involved in the arrangements, and was a member of the assessment panel. Thirdly, I have not asked to examine the paperwork records of the panel process, but the criteria for the process were clearly set out in the NHS Executive's advance letter of 11 September, then exemplified in the guidance of the Nursing and Midwifery Staffs Negotiating Council. I therefore simply cannot accept that the executive team could have failed to grasp what was involved in the decision-making process if it had taken the trouble to check, either during or after the process.

In any event, the Office of Manpower Economics survey conducted in autumn 1999 on behalf of the pay review body to monitor the progress of the scheme made it clear that trusts were interpreting the guidance flexibly. Fifteen of the 74 trusts that had agreed a scheme had departed from national guidelines, and half the 26 that were still negotiating their schemes were thinking of doing the same. There is clearly considerable scope for local variation and discretion within the guidance, and within the discretionary points system.

Fourthly, the official guidance gives, in fact, little guidance on appeals, beyond a reference to local grievance procedures. If that was not made clear to applicants at the start, there may be an argument for refining the scheme in the future, but it is hardly a sufficient argument to justify re-establishing and rerunning the whole process.

I fear that our practice nurses have fallen victim to some senior management wrangle. Such treatment of nurses by the health authority does it no credit; they deserve better. I have some sympathy for the authority, however, and suspect that others around the country are in a similar position. Paymaster but not employer of our practice nurses, the health authority stepped in last year to try to fill a void. Individual general practices can hardly be expected to set up their own process for determining discretionary points; primary care groups were still finding their feet, and, in any case, they are not employers of practice nurses. Moreover, no guidance has been issued on how practice nurses should be handled, given their special employment status in relation to GPs as independent contractors to the NHS.

I shall say more about that shortly, but, before dealing with national issues raised by the constituency case, let me ask my hon. Friend the Minister some questions. Will he consider investigating the situation in Rotherham? In particular, can he offer Rotherham health authority a second opinion—perhaps from the Nursing and Midwifery Staffs Negotiating Council, or the NHS Executive—on whether the scheme seriously breaks the national guidelines, and is therefore fundamentally flawed?

If we can avoid the waste of time, effort and cost for all involved, I believe that we should do so. That would deal with the frustration and demoralisation of 11 practice nurses who, understandably, are fed up with the way in which they have been treated.

The position of practice nurses in Rotherham highlights two wider national problems. First, I gather from our experience in Rotherham, and from further research that I have undertaken, that practice nurses are vulnerable to GPs' veto on their participation in the process. One local practice nurse reports that her GP said "no way" to discretionary pay points unless the health authority footed the entire bill.

In practice, GPs can first discourage practice nurses from participating, and also discourage applications. Secondly, they can resist confirming the responsibilities that practice nurses have to set out in their applications. Thirdly, they can refuse to pay any increment that a practice nurse may be awarded.

The Royal College of Nursing believes that GPs who pay for the discretionary points are the exception, not the rule. That means that hundreds of practice nurses are likely to be losing out on the opportunity for career progression and recognition. That is unacceptable.

Let us consider the second wider national problem. Although practice nurses are professionally qualified and indisputably covered by the pay review body, GPs—their employers—are not. As independent contractors to the NHS, they are not bound in the same way as trusts or health authorities to pay review body settlements. That means that practice nurses are left in limbo on discretionary points.

That is not surprising because practice nurses are not mentioned in the pay review body reports on discretionary points, the NHS Executive's advance letter, the Nursing and Midwifery Staffs Negotiating Council's guidance or the Office of Manpower Economics survey, which covered 106 trusts and no GPs.

The hard question for Ministers is whether the Government want practice nurses in or out of the discretionary points system. If the Government believe, as I do, that the pay review body is right to say that the problems are of practice rather than principle, and that the system should continue, they should consider issuing guidance, albeit non-binding. It should include advice on arrangements that mention GPs and make clear the position of practice nurses. Will the Minister consider clarifying the position in that way?

[Mr. Healey]

The imperative to do that will increase in four days' time when the first of the 23 primary care trusts comes into operation. The new trusts will include community nurses, health visitors, district nurses, midwives and practice nurses working alongside each other. They will be encouraged to work together in teams. If Ministers do not move to ensure that the problem is solved, the fact that practice nurses currently lose out will become increasingly clear.

10.8 pm

The Minister of State, Department of Health (Mr. John Denham): I congratulate my hon. Friend the Member for Wentworth (Mr. Healey) on securing the debate on access to discretionary pay increments for nurses in general practice. By pursuing a constituency case, he has aired some important wider issues.

I recognise from my hon. Friend's comments that some of the nurses involved—probably all of them—have had their expectations raised and then dashed in a most unfortunate way. I cannot promise to provide a ready-made solution this evening. The issues involved are complex and, as with so much personnel and employment practice in the national health service, there have been some arcane custom and practice, rules and regulations and professional demarcation. We must change some of those matters in future. However, there are not always easy solutions to the immediate problems.

There should be no doubt that nurses have a vital role to play in the modernised and revitalised national health service: in hospitals, in community health services and in general practice. That role will become more important as the NHS breaks down some of the artificial professional barriers and begins to build a service that uses all the talents of its staff.

That is why the Government attach such a high priority to ensuring that we make nursing an attractive and fulfilling career. We have put doctors and nurses, as well as other health professionals, in the driving seat on primary care groups, for example, and nurses in leading roles in NHS Direct—the nurse-led helpline—and in our new walk-in centres. In all those roles, new and traditional, fair pay and conditions of service are important. Our strategy for nursing is paying off: a 25 per cent. increase in the number of people registering for nurse training this year is only one example of that.

Modernised primary care is at the heart of a modernised NHS. That depends on the people working in primary care—not only the doctors, but, crucially, a properly rewarded, fairly paid, motivated and well-trained nursing work force who have access to high-quality continuing professional development and family-friendly terms and conditions of employment that allow them to give of their best.

On pay in the wider sense, we have set out a strategy to modernise the NHS pay system so that it is fit for the 21st century. We have to undertake a root-and-branch modernisation of complex pay systems that have grown up over 50 years. The negotiations are going well, but they will take time, which is why a system of discretionary points was introduced for some senior nurses in 1998 as an interim measure. My hon. Friend referred to that. The agreement on discretionary points was made in the Nursing and Midwifery Staffs Negotiating Council and applies to all staff working in the NHS on national Whitley contracts. Essentially, it provides for three discretionary points at each grade, valued at about £400 at scale F and £435 at scale I. They are, in turn, subject to recommendations made by the nurses pay review body.

As with all such agreements, the recommendations do not apply automatically to staff employed under locally negotiated terms and conditions, including nurses employed by GPs. Although my hon. Friend suggested that practice nurses, by definition, are covered by the pay review body and that agreement, that is not the case because GPs are self-employed contractors to the NHS. There are about 29,000 GPs in England who comprise some 9,000 separate, independent practices ranging from single-handed to large multi-partner practices. Each is responsible for employing its own suitably qualified staff, including practice nurses.

Although many GPs base their employment contracts on national agreements and the recommendations of the nurses pay review body, they are not obliged to do so. With 9,000 practices operating in different circumstances and with different case loads and case mixes, variations in terms and conditions of employment are inevitable. That is reflected in pay levels. If GPs do not pay an appropriate salary, there are likely to be implications for the retention and recruitment of practice nurses at local level. I would hope that individual practices carry out their employer functions responsibly and with regard to the position of all in the primary health care team.

Most GPs, as independent contractors, operate under cost-plus arrangements for general medical services. Under those arrangements, the NHS guarantees to return to the profession all expenses incurred in delivering patient services. About two thirds of total expenses are directly reimbursed to the practice that incurs them. The remaining third are reimbursed at the average for the profession as a whole through capitation and other fees and allowances.

That mixed economy of direct reimbursement of all or some of a particular expense and the indirect reimbursement of the remainder on an averaged basis has been developed over many years in consultation with the profession. It recognises that GPs are independent contractors with responsibilities for ordering their own businesses, settling their own bills and hiring the staff they need to support them and also helps to ensure good value for the taxpayer by giving the individual practice some incentive to exercise due economy in the use of NHS resources. In fact, most of the cost of staff salaries is paid directly to the practice that incurs the expense—typically, about 70 per cent. The individual employer will then have to meet any balance from the amounts built into NHS fees and allowances.

There is an element of discretion for health authorities, primary care groups—and, in future, primary care trusts—in how much they use the funds centrally available to them to support the primary care improvement plan; how much to support premises improvements; and how much to develop and to expand primary care teams. The Government have agreed that the amount of the unified budget spent on practice infrastructure in 1998 must be increased year on year in line with inflation.

Wages and salaries are a substantial cost to practices. Health authorities receive a unified budget annually, which includes an element for GP practice staff. The health authority can reimburse a GP up to 100 per cent.

of any proportion of the various elements that go towards the costs of employing staff: salaries, national insurance and pension contributions, staff training, including course fees, and so forth.

As I understand the position in Rotherham, the health authority convened a process to assess the suitability of practice nurses for discretionary points—even though, as I have explained, the arrangements do not automatically translate to them. Unfortunately, the nurses were informed that they had been successful—or unsuccessful—in advance of discussion with their GP employers, who would have been liable for part of the cost of any such awards.

My understanding is that, although there may have been proper discussions on the merits of individual claims for discretionary awards, the health authority had not discussed whether, and how, the GPs as employers would fund any increases in pay. It is perhaps surprising that the authority did not address funding as part of any discussions. It was at the point at which nurses were informed whether they had been successful that the health authority suspended the process, to avoid putting practice nurses into a situation where they were in conflict with their employers.

The current position is that one of the health authority directors is working with one of the PCG chief executives to design a clear and robust process to address the issue. The health authority has asked the three local PCG boards to persuade local GPs to support their nurses' applications for discretionary points. Some GPs have already indicated that they are willing to contribute to the pay uplift. In those cases, the application will be fast tracked.

My hon. Friend asked me to investigate the situation in Rotherham and to express an opinion as to whether the health authority scheme falls in line with national guidance on discretionary points. I am willing to look again at my hon. Friend's excellent speech and to find out whether there are any issues in it that I have not been able to address this evening. I will happily pursue those with the health authority. However, it follows from what I have said—and from the nature of GPs as independent contractors—that the notion of a scheme that is purely a health authority scheme and does not engage with the GPs as employers is perhaps not sensible and may not stand up.

I believe that Rotherham, working with primary care groups, is seeking to resolve the matter. I hope that the nurses whom my hon. Friend has represented so well will soon be able to put their disappointment behind them. I will take a close interest, as my hon. Friend asked me to, in the way in which the situation in Rotherham develops.

It would be appropriate to say a few words about some of the new developments in primary care. Although they cannot be enforced on individual practices, they may provide alternative ways in which to address the employment of practice nurses and to resolve some of the issues that we have discussed.

New ways of delivering primary care allow primary care practitioners to respond flexibly to patient needs and to service delivery. Known as personal medical services pilots, those arrangements are individually negotiated, rather than developed at the centre. They allow practitioners, doctors and nurses to develop new models of employment that are as flexible as the service delivery arrangements.

In personal medical services pilots, one of the most popular options—popular with doctors and with other members of the primary care team—is the practice-based contract. In the traditional general medical service model, the contract is between the NHS and the individual GP. Additionally, as I said, the members of the team are employees of the GP. However, practice-based contracts can involve all the players, with nurses and doctors being equal signatories to the contract. There is also a small number of nurse-led pilots, in which we have seen perhaps a total transformation of the relationship between doctors, nurses and the NHS.

Such arrangements have the scope to change radically the roles of the individuals involved and to develop true partnerships of equals—each bringing their own skills to bear in serving the needs of their patients. In doing so, they move beyond the so-called red book governing how practices are usually remunerated. Instead, it is possible for pilots and health authorities to negotiate directly on a total package of health care services for patients and on what is a fair price to all concerned to deliver that total integrated package.

My hon. Friend quite rightly asked about the future. In partnership with the professions, we are examining the role that primary care trusts should have in the development of practice staff. Clearly, PCTs will continue the functions of primary care groups in developing primary care investment plans, but they are new bodies with new powers and new opportunities. I hope that one of the opportunities that PCTs will seize is that of helping their constituent practices to develop more integrated human resource policies.

One of the spheres in which PCTs may develop is to employ staff with particular skills. It might be possible, for example, for PCTs to employ a bank of nurses for an area, establishing a skills pool so that nurses with different specialist knowledge and experience could be available to all patients in the PCT area, rather than just in their employer's own practice. Staff employed by a PCT will be directly employed by an NHS body, because that is what a PCT is. They will therefore be integrated into the wider NHS human resources framework, while all the time being essentially practice nurses at the front line of patient care in GP surgeries.

Those developments may well occur in the future. Although they are not being imposed on practices, some PCTs are certainly keen to develop them.

As I said at the beginning of my speech, I cannot produce a ready-made answer. I hope that I have been able to assure my hon. Friend that practice nurses have a very important role to play in the modernisation of the national health service. Some flexibilities are already available in the system that could help to address the issues that he raised. Moreover, in the way in which the NHS is moving forward, there are certainly opportunities for the development of different models of employment of nurses.

As I said, I shall take a close interest in what happens to my hon. Friend's constituents, and I shall look carefully at the report of the debate to ensure that all the issues that he has raised are properly addressed.

Question put and agreed to.

Adjourned accordingly at twenty-three minutes past Ten o'clock.

House of Commons

Wednesday 29 March 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF LONDON (WARD ELECTIONS) BILL *(BY ORDER)*

Order for further consideration, as amended, read.

To be further considered on Wednesday 5 April.

Oral Answers to Questions

INTERNATIONAL DEVELOPMENT

The Secretary of State was asked—

Eastern Europe

1. **Mr. Nigel Evans** (Ribble Valley): What financial and technical assistance she gives eastern European Governments to develop their economies. [115429]

The Parliamentary Under-Secretary of State for International Development (Mr. George Foulkes): Over the past five years, bilateral financial and technical assistance to eastern Europe has averaged around £80 million a year. It is channelled not only directly to central Governments, but to local governments and to non-governmental and civil society organisations. In addition however, the UK has provided assistance through our contributions to multilateral institutions, including our share of EC commitments, which averaged around £200 million a year.

Mr. Evans: I am grateful for that response, and it seems that Britain is doing its bit at least. However, Britain is not alone in suffering from the growing influx of economic migrants from eastern Europe, especially from Romania. I understand that Holland, Belgium and a number of other European Union countries are suffering in the same way. What meetings has the Minister had with European Union colleagues to try to persuade them to ensure that the money that we put in is being spent effectively, economically and technically, to ensure that those countries' economies can improve? That improvement would help them, but it would also help other countries that want to stem the economic tide.

Mr. Foulkes: Not only have we discussed the matter with our European partners, but I had the opportunity to discuss it with a Romanian Minister who visited us two weeks ago. I discussed with the Romas the type of help that we are giving to improve the position in that country. That help makes it less likely that they will seek to go elsewhere.

Mr. Gordon Marsden (Blackpool, South): Does my hon. Friend share my experience, gained from being co-chair of the Future of Europe Trust, that one of the most urgent priorities for eastern Europe is the extension of civil rights and the rebuilding of civil society? May I urge his Department to give special priority to strengthening non-governmental organisations and other bodies in those countries?

Mr. Foulkes: I agree with my hon. Friend. The Future of Europe Trust is doing a good job, as is the Westminster Foundation and a number of other organisations. Many of our resources are channelled into the sort of work that my hon. Friend has suggested. However, we will certainly consider any further assistance that we can give in that direction.

AIDS (Africa)

2. **Mr. Andrew Robathan** (Blaby): What assessment she has made of the extent of the AIDS epidemic in sub-Saharan Africa. [115430]

The Secretary of State for International Development (Clare Short): AIDS is now the biggest killer in Africa: 14 million Africans have died as a result of the infection, and nearly 4 million died last year alone. In the worst-affected countries, one in four adults is infected. The impacts are reversing development gains made over the past 30 years. Life expectancy is dropping. Gains in child survival are being reversed, and the limited pool of skilled workers is being decimated. By the end of this year, 10.4 million African children will have lost their mothers, or both parents, to AIDS.

The Government are committed to intensifying our work, alongside UNAIDS in Africa. We are spending £20 million a year, and our commitment will grow.

Mr. Robathan: I pay tribute to the Department's work in this matter. The world focused on the tragic floods in Mozambique, which killed some 5,000 people, but over the next five years some 4 million Mozambicans will die from AIDS, as that is the approximate number of people there who are infected with HIV. The problem is so enormous that it dwarfs all the others facing sub-Saharan Africa. Unless the HIV-AIDS problem is sorted out, there can be no further development in the area, so will the Secretary of State review her priorities for aid there?

Clare Short: The hon. Gentleman is right, but the problem is worse than he described, as 4 million people died of AIDS in Africa last year. This is an incredible crisis and a major priority for the Department. The good news is that such Governments as those in Senegal and Uganda, who have given it priority and who have mounted really honest and open campaigns, have stemmed the tide when it comes to the growth of the infection. We must get other countries to adopt the same courageous leadership, backed up by the international community. Half the cases of new infection involved young people, and more than half of those were young

women, many of whom did not consent to sexual relations. They must be given the strength to be able to refuse and protect themselves.

Mr. Neil Gerrard (Walthamstow): Does my right hon. Friend share my concerns about some recent statements by South Africa's President Mbeki and the impact that they might have on prevention work and on people's access to treatments in that country? Will she take every opportunity to raise the matter with the Government of South Africa?

Will my right hon. Friend also try to persuade the pharmaceutical companies that they should do what they can to ensure that treatments are available that are within the budgets of South Africa and other African countries? Last year, the companies tried to prevent the manufacture of generic drugs, which gave the impression that they were worried only about profit and certainly contributed to the suspicions aired by President Mbeki.

Clare Short: I have read the reports of what President Mbeki is supposed to have said, and they are rather worrying. However, I met the South African Health Minister last week in The Hague, and she said that the reports did not accurately portray her Government's position. As my hon. Friend will know, the infection is growing and spreading in South Africa very seriously indeed. We are doing all that we can to work with the South African Government and to ensure that action is taken to prevent the spread of the disease.

President Mbeki is right: HIV-AIDS spreads where there is untreated sexually transmitted disease, so it tends to spread more rapidly among poor people. They need other treatment to help them prevent the spread.

As my hon. Friend knows, we are helping to fund research into injections to vaccinate people against HIV. Anti-retro viral treatment is much more difficult—it is so expensive that if 25 per cent. of the people in Malawi had it, that would cost nearly 100 per cent. of the gross domestic product. Therefore, such treatment is not practical for most of Africa. However, better treatment for tuberculosis is available, and that will give a lot of comfort and help.

Mr. Bowen Wells (Hertford and Stortford): Does the Secretary of State agree that it is the duty and responsibility of employers in the public and private sectors—particularly the private sector—to take measures to educate their work force on how to manage the problem of HIV-AIDS and the associated illnesses? Is that not the way to begin to reduce the number infected?

Clare Short: The hon. Gentleman is right. The more forward-looking employers are doing that. Something like one third of teachers have the infection in many countries that have a grave shortage of teachers. It is also spread by the armed forces, which tend to move around with the infection. There must be more education in schools. We must protect young people so that the next generation does not become infected. Everyone, including the armed forces and employers, must take the problem more seriously.

Mr. Gary Streeter (South-West Devon): The Secretary of State shares everyone's concerns about the terrifying scale of HIV-AIDS in Africa in general, but in Zimbabwe in particular. One in four adults in Zimbabwe has the virus, 1,000 die every week from an AIDS-related illness and perhaps the greatest tragedy of all is that 14 per cent. of all children aged four and under are HIV positive through no fault of their own.

Of the British aid package for the Government of Zimbabwe—roughly £67 million—what percentage is spent on HIV-AIDS? What percentage of that programme does the Secretary of State estimate disappears into pockets of corruption and never gets to the people who so desperately need it?

Clare Short: I cannot tell the hon. Gentleman without notice what proportion of our programme in Zimbabwe is focused on HIV-AIDS. However, I can assure him that we are working on that problem in Zimbabwe. We have had difficulties dealing with this problem, as we have in other matters, because of the lack of political leadership. We share the hon. Gentleman's concern about the situation in Zimbabwe, but we do not believe that it is right simply to cancel the whole of Britain's assistance to Zimbabwe as some of his hon. Friends have requested—*[Interruption.]* Some have, although perhaps not the hon. Member for Chesham and Amersham (Mrs. Gillan). The poor of Zimbabwe suffer most from the terrible economic crisis, and we want to stay engaged where we can be useful, without giving any support to some of the actions of Zimbabwe's Government that are so destructive for its people and its economy.

Mr. Streeter: I am certainly not looking to pick a fight with the Secretary of State on this issue, because it is so important. No one wants the people of Zimbabwe to suffer because of the withdrawal of our aid programme, but would it not be more effective to stop channelling the money into the Government of Zimbabwe and redirect it through the charities, non-governmental organisations and churches in that country which are doing a terrific job, particularly for HIV-AIDS victims? Would that not be a better way of ensuring that more money gets through to the people who need it? It would also send a clear signal to the Government of Zimbabwe that their actions are intolerable and we will not support them.

Clare Short: Although the substantive question was not on Zimbabwe, let me point out that President Mugabe has made it clear that he had a much closer, better, friendlier and warmer relationship with the previous Administration in the United Kingdom than he has with this Government, so I do not think that we will be taking any lessons from the hon. Gentleman and his party on how to deal with the situation in Zimbabwe.

The situation is terribly serious. We must try to preserve good institutions in Zimbabwe that will function well and care for the people but give the Government no comfort. That is what we are trying to do, and I am sure that it is right.

Third-world Debt

4. **Mr. Chris Pond** (Gravesham): What recent progress has been made on debt relief for the poorest countries; and if she will make a statement. [115432]

The Secretary of State for International Development (Clare Short): Debt relief under the enhanced heavily indebted poor countries—HIPC—initiative has been agreed for the first three countries, with Mozambique, Senegal and Tanzania being assessed next. Under the new framework, countries are required to develop poverty reduction strategies, which are published, to qualify for debt relief. In that way, we shall ensure that debt relief will help the poor. We are concerned that progress in finalising enhanced debt relief is slower than was originally promised and agreed.

Mr. Pond: I thank my right hon. Friend for that answer. She will be aware of the Jubilee 2000 claim that 19,000 children die every day as a result of debt. Although I recognise and welcome the progress made under her leadership by the UK Government on this issue, will she do everything that she can to instil a sense of urgency in some other countries in order to reach the commitment made at Cologne that, by the end of this year, 25 countries will be brought to decision point? Time is running out for those countries, and time is running out for those children.

Clare Short: My hon. Friend is right. The promise that three quarters of the eligible heavily indebted poor countries would have received their enhanced debt relief by the end of 2000 is slipping; it is in danger of not being met. The Government are doing all in our power to exert pressure in Washington to achieve speedier processing of applications. We could do with the support of all Members of Parliament and, indeed, the Jubilee 2000 coalition to put pressure on all the Governments involved as well as the International Monetary Fund and the World Bank so that the promises are kept.

Mr. Gerald Howarth (Aldershot): Does the Secretary of State agree that, if she were to continue with the debt relief package to Zimbabwe, that would send the most appalling message to other countries that, however badly they behaved, they could nevertheless be the beneficiary of debt relief? Will she and the Government take action to deal with the appalling situation in which the only productive element in the economy—that of the white farmers—is being destroyed in an otherwise bankrupt system? May we please have some action from the Government—at least by having Zimbabwe suspended from the Commonwealth?

Clare Short: This substantive question is not on Zimbabwe either. Zimbabwe is not a highly indebted poor country, nor is it eligible for debt relief. I agree with the hon. Gentleman that the situation in that country is extremely serious; the whole economy, including farming, is in trouble. No fuel is available; the economy is grinding to a halt, and the situation is desperately serious for all concerned. We must do everything that we can to get Zimbabwe back on track for the sake of all its people—black and white.

Mr. Desmond Browne (Kilmarnock and Loudoun): In answer to my hon. Friend the Member for Gravesham (Mr. Pond), my right hon. Friend expressed her dissatisfaction with the rate of progress in the delivery of relief to heavily indebted poor countries. Could she tell the House about the administration blockage in that process and what steps can be taken to clear it?

Clare Short: I am grateful to my hon. Friend for that question. Behind closed doors in Washington, in the processes of the World Bank and the IMF, countries are able to take up positions that are not the same as those that they take in public. Some countries have not yet found the resources that they owe to the HIPC trust fund in order to carry through the process. However, we have all agreed that countries that establish broad poverty reduction strategies should be able to get on track. They can then refine the programme and receive complete debt relief later. Some countries in the IMF and World Bank put down so many conditions that it takes much time to get countries moving. The whole international community needs to exert pressure over that matter.

Mozambique

5. **Mr. Simon Burns** (West Chelmsford): If she will make a statement on progress in the supply of aid to Mozambique. [115433]

The Secretary of State for International Development (Clare Short): The search and rescue phase of the emergency in Mozambique is over. Relief operations continue to progress as access improves. The priority remains to stabilise the conditions of the flood-affected population by providing sufficient shelter, food, water, sanitation and health care, both in accommodation centres and to those able to return home. We are also committed to refocusing and driving forward our growing development programme. Mozambique remains one of the poorest countries on earth—between 30 and 40 per cent. of its children are severely malnourished even when there are no floods. The recent crisis must not be allowed to derail Mozambique's recent progress in economic reform and poverty reduction.

Mr. Burns: I am grateful to the right hon. Lady for that answer. Will she confirm that one by-product of the recent flooding and disasters in Mozambique has been the shifting by floodwater of huge numbers of land mines, which are left over from the civil wars and represent a lethal threat to the population? Does any of the relief that she is giving that country include either financial or practical aid to help deal with the on-going land mine problem resulting from the floods? Will she confirm that the strong and good work that she and the Government have been doing with the Halo Trust will continue and that there might be additional funding to deal with the new threat?

Clare Short: I can confirm that, in the Zambezia province, which was not affected by the flooding but was a centre of the civil war, and where the United Kingdom has been asked to lead, we have been working, through the Halo Trust, to clear mines, and that province has been cleared. A very small team of workers is left there because mines are occasionally found in bushes and so on. The suggestion that, in the flooded area, land mines have moved and become dangerous is being taken seriously.

There is a United Nations expert team there, but I do not know the outcome of the review that it is conducting. I shall find out and let the hon. Gentleman know.

Mrs. Maria Fyfe (Glasgow, Maryhill): Does my right hon. Friend agree that, quite apart from the problem of land mines, there may be great problems in the supply of suitable land for planting once the flood waters have receded? What efforts are being made to identify suitable land and to provide seeds to grow food for the future in Mozambique?

Clare Short: Many people have lost absolutely everything—their homes, crops, seeds and tools. What we must do—we have learned this—is not just feed those people, because they then become endlessly dependent, but help them to get home, and provide materials so that they can build their own houses, as most African people do, and seeds and tools so that they can plant. However, they need to be fed until crops grow, and that is what we are doing.

Dr. Jenny Tonge (Richmond Park): Does the Secretary of State agree that the lack of heavy-lift equipment in the United Kingdom and, indeed, in Europe hampers our response to natural disasters such as the one that has just been experienced in Mozambique? What talks or discussions has she had with the Ministry of Defence and other such Departments in Europe in order to rectify the matter and make a rapid response force a reality?

Clare Short: I do not agree with the hon. Lady that we should buy military equipment in the UK in order to respond to natural disasters across the world. That is just not the most efficient way of spending money or of getting assistance to people rapidly. If there is a military case for more heavy-lift equipment for MOD forces, it should be made in those terms. Our Department and all those who help in emergencies must always commission the best equipment that can be moved the fastest and is the most effective use of aid resources. As the hon. Lady knows, in the case of Mozambique that meant, first, helicopters from southern Africa and then those from the MOD once the price that it charged was reduced. I do not think that spending money on the MOD for heavy-lift equipment for aid is the right way of going about such matters.

Mr. Steve McCabe (Birmingham, Hall Green): As well as the legacy of land mines, the civil war left huge gaps in Mozambique's road, rail and communications network. Before the flood, the Government and the authorities were developing a careful, rational plan for improvement, which has obviously now suffered a severe setback. What role will the Department play in helping the longer-term reconstruction of Mozambique?

Clare Short: My hon. Friend is right; Mozambique is a large country, with good land but few roads. The main north-south road has been breached and needs repairing. There are plans for a link to South Africa, which would help develop the economy. In Zambezia province, we have been helping to find local contractors to build rural roads, which will increase production of crops, because farmers can get to market, and enable more children to attend school and more people to access health care. Mozambique needs much of that assistance right across the country in order to develop its economy.

Mrs. Cheryl Gillan (Chesham and Amersham): I am sure that the Secretary of State agrees that we should all learn from our experiences, however painful. Since haggling with the Ministry of Defence over the cost of hiring helicopters, what changes has she made in departmental procedures?

Clare Short: I am sorry that those who speak for the Conservative party cannot seem to understand rationality and facts. It has been made absolutely clear in four presentations to the Select Committee that it is the duty and the job of my Department always to commission equipment that can get as rapidly as possible to people affected by disasters. When the Ministry of Defence first made an offer, the price was very high and the time that it would have taken to get its helicopters to Mozambique was greater than it took to commission other helicopters elsewhere. Therefore, we did not commission the Ministry of Defence's helicopters; we commissioned others. There was thus no delay in getting help to Mozambique.

Later, the Ministry of Defence cuts its price. There was no haggling; it cut its price and it has said so on the record. Therefore, it was worthwhile commissioning its helicopters. That is how we shall always proceed. The Ministry of Defence has made it clear that it will set its price depending on whether the exercise has training value. That is a matter for that Department.

Chechnya

6. **Mr. Harry Cohen** (Leyton and Wanstead): What assistance Her Majesty's Government are providing to assist rebuilding in Chechnya. [115435]

The Parliamentary Under-Secretary of State for International Development (Mr. George Foulkes): Our assistance to the north Caucasus is focused on meeting emergency humanitarian needs. We have already contributed £1.4 million to the United Nations and to the International Committee of the Red Cross, and about 800,000 euros through our share of the assistance provided by ECHO, the European Commission Humanitarian Office. I am now able to announce an initial UK contribution of $500,000—which is about a third of a million pounds—in response to the latest UN appeal. We stand ready to consider any further requests for assistance.

Mr. Cohen: I welcome that answer, but the international community did precious little as civilians in Chechnya were rendered homeless and destitute and made refugees in neighbouring republics and states. I know that it was a dangerous situation, but not upsetting the Russians also seemed to inform western policy. Now that the war is over, will the Government offer direct aid to the Chechens and, together with other nations, lean on the Russians to restore Chechnya and say to them, "We know that you can destroy, but can you rebuild?"

Mr. Foulkes: Both Britain and our European partners condemned the use of indiscriminate force in Chechnya and called for a political process to end the conflict. We have also called for a full and transparent

investigation into the allegations of human rights abuses. My right hon. Friend the Prime Minister made that clear to President Putin when he met him in St. Petersburg, and my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs made that clear to the Russian Foreign Minister. Our concern is humanitarian assistance, and we shall deal with that as sympathetically as possible. My hon. Friend is quite right about reconstruction—the principal responsibility rests with Russia.

Mr. David Atkinson (Bournemouth, East): Given that the Putin Government now appear to be committed to the reconstruction of Chechnya, will the Government, together with the European Union, offer assistance and humanitarian aid for the restoration of the Chechen economy and infrastructure?

Mr. Foulkes: It is clearly far too early to assess what will be needed and how it will be paid for. That is something that we shall have to consider. At the moment, our first priority is to deal with the 180,000 internally displaced people in Ingushetia and those who are suffering in other parts of the north Caucasus. We have a strong and important job to do in that connection. That is our immediate concern.

Ann Clwyd (Cynon Valley): Is my hon. Friend aware of the appalling reports received by Amnesty International about the so-called filtration camps where Chechen refugees are held by the Russians and where torture and rape are said to be prevalent? Will he ask the Russian Government to make sure that those appalling human rights abuses come to an end? Will he request that the humanitarian agencies of the International Committee of the Red Cross and medical assistance are allowed into those camps immediately?

Mr. Foulkes: We are deeply concerned about the reports of human rights abuses. My right hon. Friend the Foreign Secretary telephoned the Russian Foreign Minister to ask directly for an investigation into the allegations of human rights abuses in Chechnya. I will investigate the particular instances that my hon. Friend has mentioned and write to her about them.

Sir Sydney Chapman (Chipping Barnet): Have the Government been told or have they made any estimate of the number of civilians killed in the Chechen conflict?

Mr. Foulkes: I am not able to answer the hon. Gentleman's question; it is not a matter for the Department for International Development.

Dakar Education Summit

7. **Fiona Mactaggart** (Slough): What progress she expects to be made at the education summit in Dakar; and if she will make a statement. [115436]

The Secretary of State for International Development (Clare Short): The world education forum in Dakar in Senegal will take place at the end of April. I will lead the UK delegation. Our objective is to obtain a strengthened commitment from developing country Governments and international agencies to achieve effective primary education for all children by 2015. That is an achievable objective, and there is clear evidence that getting a generation of children educated, including the girls, is the single most powerful development intervention that a country can make.

Fiona Mactaggart: I thank my right hon. Friend for that reply. May I take advantage of the fact that my right hon. Friend the Prime Minister is sitting next to her to ask her whether she can make Britain the champion of universal primary education? We have a Government who were elected on a platform of education, education, education, yet around the world the numbers of children in primary education and of literate people are falling. Can we lead a worldwide campaign to ensure that by 2015 everyone in the world learns to read and write?

Clare Short: As a Government, we are attempting to do that very thing. My right hon. Friend the Prime Minister has this week given a commitment to try to lead a campaign to make sure that Africa is not bypassed by information technology, and he has made a link with an appropriate company to try to ensure that such technology is brought to Africa and used more effectively in teacher training. There is a danger that information technology will bypass Africa—we need to train more teachers to deliver education in Africa, so my right hon. Friend has made that very commitment.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [115459] **Mr. Geoffrey Clifton-Brown** (Cotswold): If he will list his official engagements for Wednesday 29 March.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I will have further such meetings later today.

Mr. Clifton-Brown: In his Budget, the Chancellor announced an extra 10,000 nurses. The following day, the Prime Minister himself announced an extra increase in resources for the national health service up to 7.6 per cent. Both major announcements had to be withdrawn and corrected. Will the Prime Minister promise straightforwardness and honesty in future health announcements?

The Prime Minister: I can indeed confirm that in addition to the 4,500 nurses already in the health service under this Government, there will be another 10,000. I am most grateful to the hon. Gentleman for giving me the chance to make that clear. The 7.6 per cent. increase is referable to the 8 per cent. target, and we will meet the 7.6 per cent. target too.

Q2. [115460] **Mr. Robin Corbett** (Birmingham, Erdington): I thank the Prime Minister for sharing the anger of all at Rover Longbridge, the components suppliers and all those who work in the dealerships at the bombshell dropped by BMW in its disposal of Rover.

[Interruption.] I am sorry that the Opposition find this funny. Will my right hon. Friend send a message to the many thousands who will march through the city this Saturday to demonstrate the importance of manufacturing and the car industry to our city, our region and our nation?

The Prime Minister: First of all, I know how desperately serious the situation is, and I fully understand and share the deep concerns that the march demonstrates. I can tell my hon. Friend that we will carry on doing everything that we possibly can. Our action includes the £129 million that we have already allocated to support Rover Longbridge investment and to make sure that people who will lose their job will have the chance, through that investment, to gain another job.

The taskforce is now up and working. My right hon. Friend the Secretary of State for Trade and Industry is at a meeting with BMW, and is working with the company to protect the jobs that can be protected and to make sure that BMW fulfils its proper responsibilities. This is a deeply serious situation; we are aware of its seriousness, and that is why I am sure that many of my hon. Friends will be on that march, making these points, on Saturday.

Mr. William Hague (Richmond, Yorks): We agree with the Prime Minister about the level of public concern and we support the work of the taskforce, but is he aware that, this morning, the chief executive of BMW UK told the Select Committee that, last year, the losses at Rover were such that the whole BMW group was at risk? There are reports today that, on 20 December, the chairman of BMW as a whole told the Secretary of State for Trade and Industry:

> We may have to reconsider our whole investment in Britain altogether.

Can the Prime Minister confirm that?

The Prime Minister: No, my right hon. Friend the Secretary of State for Trade and Industry has made it clear that the conversation, which, if I recall rightly, took place on 22 December, was about the need to speed up the application to the European Commission for aid funding. As a result of that conversation, my right hon. Friend got in touch with the Commission, which agreed to fast-track the application. It is incorrect to say that BMW's chairman informed him that the company was about to close Longbridge.

Mr. Hague: The precise words in question are:

> We may have to reconsider our whole investment in Britain altogether.

BMW did not walk in with a "For Sale" sign, but those words appear to provide a pretty important clue. It is reported that the chairman of BMW says that the Secretary of State for Trade and Industry

> knew before Christmas how serious the position was. The message was crystal clear, even at this . . . stage.

That contrasts with the statement the Government made two weeks ago, that they did not know what was going on and they had not been told anything at all.

Are there not only two possibilities: first, that the Secretary of State for Trade and Industry was warned of the seriousness of the situation and did insufficient about it; and, secondly, that he should have known, but knew nothing, despite the fact that it now turns out that Rover had been offered for sale to General Motors and Ford? When £150 million of taxpayers' money is involved in the securing of tens of thousands of jobs, is it not his business to know such things? Is that not what he is for?

The Prime Minister: I am sorry that the right hon. Gentleman tries to make political capital of the situation—I really am. I have already explained the conversation that took place with the chairman of BMW. The claim made at the time was in respect of the European Commission aid application; we did everything we could to accelerate its progress, and we succeeded in fast-tracking the application. However, that was not the issue that determined BMW's ultimate decision. That decision having been made, we can do only one thing: work night and day, as we will, both to put in the money necessary for reinvestment and to ensure that those who are displaced and lose their jobs find other jobs. The truth is, the right hon. Gentleman has no alternative policy to offer.

Mr. Hague: When the Secretary of State for Trade and Industry presides over a mess of such magnitude, he is meant to be held to account in the House of Commons. That is one of the things for which the House exists, but we have to ask the Prime Minister because the Secretary of State for Trade and Industry has made only rare appearances in the House in the past two weeks.

Does the Prime Minister not find it disturbing that his right hon. Friend provides a classic example of this all mouth, no delivery Government? He announces the Government grant with great fanfare at the time, but fails to secure its delivery and allows it to become bogged down in European Union bureaucracy. Despite clear messages from BMW, he fails to understand the seriousness of the situation and then denies having been told anything of any significance. He is seen everywhere when the jobs seem secure, but is nowhere to be seen when they are at risk. Finally, the best defence he can muster is that, as the UK's Secretary of State for Trade and Industry, he knew nothing about the likely fate of tens of thousands of jobs and £150 million of public money. Does the Prime Minister still have confidence in the Secretary of State for Trade and Industry?

The Prime Minister: I think that some of those who work at Longbridge will remember who sold off Longbridge. As for saying that my right hon. Friend the Secretary of State for Trade and Industry has never gone near Longbridge, he went there immediately after the announcement was made. My right hon. Friend the Minister for Employment, Welfare to Work and Equal Opportunities is there today.

As has been made clear by everyone, the reason for BMW's decision had nothing to do with the European Commission application. We have done everything that we possibly can. The only intelligent way forward is to make sure that we make the investment in the future for Longbridge that can be preserved, and help those who will lose their jobs to find others. The worst thing that we could do for the midlands and the car industry is return to the disastrous policies pursued by the Conservatives when they were in office. In case people have forgotten, let me remind the Leader of the Opposition that, when he was a member of the last Conservative Government, I

million manufacturing jobs were lost in this country. The one group of people from whom the Longbridge workers will take no lessons is the Conservative party.

Q3. [115461] **Mr. Gordon Marsden** (Blackpool, South): It must be progress for a Lancashire Member to be able to praise an initiative from Yorkshire. Will my right hon. Friend the Prime Minister join me in welcoming the Yorkshire building society's campaign against excessive cash machine charges? It has produced a petition with more than 100,000 names, which was presented to my right hon. Friend the Secretary of State for Trade and Industry on Monday. Does my right hon. Friend agree—*[Interruption.]* Yes, he was on the job.

Madam Speaker: Order. Come along, Mr. Marsden.

Mr. Marsden: Does the Prime Minister agree that the efforts of banks such as Barclays and others in this direction, and in the closure programme of branches that goes with it, threaten to undermine everything that the Government are doing for rural areas to tackle social exclusion and help pensioners? Will he use all the powers at his disposal to cap cash machine charges and to address the issues?

The Prime Minister: My hon. Friend will be aware that yesterday the banks and building societies ruled out the possibility that consumers could be charged twice for one cash withdrawal. That is a step in the right direction. However, the banks and building societies need to go further if they are to meet the concerns of their customers. I know that some banks and building societies have already indicated that they do not propose to impose any cash machine charges, and we welcome that. We shall continue to make sure that they live up to their responsibilities properly.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): On Northern Ireland, does the Prime Minister concur with the views that were expressed to me repeatedly by all parties in recent days in both Belfast and Dublin that, given the suspension of the Assembly, the big worry is that a political vacuum will now develop? What priorities are the Government and the Prime Minister pursuing to try to ensure that such a vacuum does not develop?

The Prime Minister: It is very important that a political vacuum does not develop. That would be dangerous for Northern Ireland. We will do everything we can, both working with the Irish Government and with the parties in Northern Ireland, to make sure that that does not happen. Rounds of discussions have been taking place already between my right hon. Friend the Secretary of State and the parties in Northern Ireland, and we will carry on these discussions in the next few weeks to make sure that we can put the institutions back up again. That is the best security for people in Northern Ireland.

It is a frustrating process. Every major question has been resolved by the Good Friday agreement. Every major point of principle can be resolved. It would be a tragedy if we lost this chance for peace. I believe that there still exists the residual will in Northern Ireland to find a way through.

Mr. Kennedy: I am sure that the whole House will wish to support the Prime Minister in those sentiments. Does the right hon. Gentleman recognise that as long as the Assembly is suspended—let us hope that it can be restored as soon as is politically possible—the Council of the Isles stands suspended as well?

There is deep concern in Belfast and Dublin, as well as in our country, about Sellafield, an issue that could properly be discussed and considered in the context of the Council of the Isles. Given that that option is not available, and given also the grave concerns about Sellafield on both sides of the Irish sea, what steps are the Government taking on this issue?

The Prime Minister: Ministers have made it clear to the chairman of BNFL that we want to see big changes in the way that it is run and managed. The chairman is due to report back to Department of Trade and Industry Ministers by early April on the plans for that. New senior management is now in place. It is important to emphasise that the Health and Safety Executive has given a safety clearance to reprocessing. The work force is immensely dedicated, talented and skilled. I am sure that with that dedication and talent, the clearance from the HSE and the new plan that will be submitted, BNFL can go back on a sound and secure footing for the future.

Q4. [115462] **Mr. Steve McCabe** (Birmingham, Hall Green): My right hon. Friend has no doubt seen the recent Audit Commission report, with its damning criticisms of the inadequate help and the poor provision of essential equipment, aids and adaptations for elderly people and people with disabilities. Surely that state of affairs in modern Britain is totally unacceptable. What does he intend to do about it?

The Prime Minister: We have, of course, seen the Audit Commission report. We agree that its findings of poor performance in many areas over some time are unacceptable. This morning I discussed that and other health service issues with the heads of the Audit Commission, the Commission for Health Improvement and the social services inspectorate, together with a number of key doctors, nurses and managers who are driving through change in the national health service. I was deeply impressed both by their commitment and by the recognition right across the service that there are many examples of excellent practice, and also many examples in which practice is falling far short of what is acceptable.

I have no doubt that now that the issue of resources in the NHS has been resolved, at least for the foreseeable future, the health service has the chance to put in place the changes and reforms necessary to deliver tip-top service for the patients. It is heartening that the people working in the health service are, in my view, fully up for the change that needs to take place.

Q5. [115463] **Mr. Simon Thomas** (Ceredigion): I am sure that the Prime Minister is aware of the widespread support in the House for his Government's proposals on climate change and renewable energy. Is he aware, however, that applications for large-scale wind farm

development in mid-Wales and Ceredigion are not decided by local authorities or by the National Assembly for Wales, but are still decided by the Department of Trade and Industry? Will he undertake to use his influence to review that legislative oversight and, in the mean time, will he give an undertaking to my constituents that his Government will not seek to push through a planning application in the face of local authority or National Assembly opposition?

The Prime Minister: I cannot promise any legislative changes to the relationship between the Welsh Assembly and this Parliament, but I heard what the hon. Gentleman said. If he will allow me to do so, I shall write to him.

Q6. [115464] **Mrs. Linda Gilroy** (Plymouth, Sutton): Has my right hon. Friend noted the social security report this morning, which shows that the gap between poor pensioners and rich pensioners has increased significantly over the past 20 years? Is not the minimum income guarantee a good way of addressing that? Will he give it his personal backing, and is not that the duty of every hon. Member, and above all, perhaps, members of the Opposition, who did so little for the oldest and poorest pensioners when their party was in power?

The Prime Minister: It is correct that the Conservative party opposed the £150 winter allowance and the minimum income guarantee, which increase the incomes of the poorest pensioners by some £500 a year. We want to make sure that those who are entitled to the minimum income guarantee claim it. That is why we are launching the minimum income guarantee take-up campaign. As part of that campaign, we shall write to more than 2 million pensioners who, we believe, may be eligible, to encourage them to claim. The minimum income guarantee will make a real difference. Pensioners' incomes vary, and we must make sure that they are getting more help, especially those living in poverty.

Mr. William Hague (Richmond, Yorks): This weekend, a senior Cabinet Minister was reported as saying that if the Government are defeated again in the Lords on section 28—[Hon. Members: "Oh.] It is no good Labour Members not wanting to talk about it. It was the Government who introduced the measure into Parliament. It was reported that if the Government are defeated again in the Lords on section 28, the Prime Minister will simply say

> I tried and failed; now good riddance to the issue.

Is it true that he is now ready to back down on section 28?

The Prime Minister: No, it is not true. We remain committed to the repeal of section 28, and we remain set against the mischievous propaganda campaign which has suggested that repealing section 28 will mean that children in our schools will have their sex education lessons changed. That is completely untrue. Since 1994, under the previous Government, section 28 has not applied to schools in England and Wales. If the right hon. Gentleman disputes that, let him now get up and say so. If he does not dispute it, he should stop associating himself with that propaganda.

Mr. Hague: If the Prime Minister is not ready to back down on this, why does he have his Ministers running around telling newspapers—[Hon. Members: "Answer."] It is the Prime Minister who has to answer the questions at Question Time.

If the Prime Minister is not ready to back down, why does he have his Ministers running around telling newspapers that he is heartily sick of the issue and ready to give up on the whole thing? Is it not because he likes to say different things to different people at the same time in order to fool all of the people all of the time? Let us get this straight. Just so that we know what we have to do to get him to back off on this politically correct nonsense, will he tell us whether, if the Lords defeat the measure one more time, he will abandon it?

The Prime Minister: We remain committed to the repeal of section 28. I notice that the right hon. Gentleman did not say whether he accepts that it has not applied to schools in this country since 1994. There is one reason and one reason only why people are concerned about the repeal of section 28: because they are being told that it affects sex education in schools. First, sex education in schools has been the prerogative of teachers, parents and governors since 1994. Secondly, any parent has the right by law to withdraw their child from any sex education in schools.

I know that it is my job to answer the questions, not the right hon. Gentleman's. But, if he does not want to be accused of hiding behind prejudice, he should say whether he accepts that what I have just said is true.

Hon. Members: Answer.

Mr. Hague: I am very happy to move to the other side of the Chamber and answer the questions at any time.

Section 28 applies to councils administering schools and it applies to the advice and material that councils give to schools. Now that I have answered the Prime Minister's question, let us have an answer to mine. When will he realise that the majority in this country are tolerant and understanding, but that they do not want their children subject to politically correct propaganda? That is why he has lost the argument, and that is why Members of the Cabinet go around saying that this has been a distraction. Is it not time that the Government focused on delivering services that people actually want instead of wasting time and money on the Labour party's pet political projects? Why does the Prime Minister not listen to the common sense of the great majority of the people and abandon this now before it goes to the Lords again?

The Prime Minister: As the right hon. Gentleman knows perfectly well, and let me repeat to people, section 28 has nothing whatever to do with sex education in schools. It never has had. As I say, since 1994, it has not even applied to schools. The truth of the matter is that the campaign is based on people who do not want to come out and say that they are prejudiced against gay people. They do not want—*[Interruption.]*

Madam Speaker: Order.

The Prime Minister: They do not want to say that they are prejudiced against gay people, so they hide behind the issue of child protection. No child will be forced to take part in gay sex lessons in schools. No child will engage

in school sex lessons that are wrong. Sex lessons in schools will carry on being the prerogative of teachers, parents and governors. Parents will carry on having the right to withdraw their children from those sex education lessons. Those are the facts. The right hon. Gentleman knows them, and—just occasionally—he should stand up for what is right rather than join in a campaign that misrepresents the facts and would have no chance of gaining any popular support if it did not misrepresent the facts.

Mr. Mohammad Sarwar (Glasgow, Govan): Is the Prime Minister aware that a Ministry of Defence spokesman has stated that British shipyards are at risk of not receiving the pending roll-on, roll-off ferries order? Does he also know that, before any decision has been made, a Minister has told a shop steward that the order is likely to go to Germany?

The Prime Minister: I am not aware of that. The Ministry of Defence has not made its decision yet. My hon. Friend should at least await that decision.

Q7. [115465] **Mr. James Gray** (North Wiltshire): The recent cancer summit at No. 10 Downing street was described by the World Health Organisation cancer chief as a silly photo opportunity and orchestrated hype with nothing at the end to show for it. Will tomorrow's farmers summit at No. 10 Downing street be more substantive? Will farmers go home with something more than a free photo opportunity and a copy of the Prime Minister's speech?

The Prime Minister: I am sorry that the hon. Gentleman opposes the additional work that we are doing on cancer services; £50 million is going towards those services. Perhaps he should listen to Dr. Mike Richards, who said that the cancer service programme that we are establishing will result in a dramatic increase in the treatment of cancer patients in the next few years. The best way in which to improve cancer services is to support the additional investment in the health service under this Government.

We have had a week of waiting for an answer from the Conservative party. Does the position that the shadow Chancellor set out—tax cuts come first—remain the same, or do Conservative Members support investment in public services? Until they come out and explain how they will support measures to invest in public services, their protestations about the health service will ring hollow.

Mr. Ian Pearson (Dudley, South): Is the Prime Minister aware that BMW has stripped out the capital plant equipment for the new Mini line in Longbridge and transferred it to Birmingham international airport? Will he explain to the chairman of BMW that there is no airport at Cowley, and that if he wants to keep his word this time, and build the new Mini in Oxford, it would be best to drive the equipment down the M40?

The Prime Minister: I am sure that we can pass on my hon. Friend's comments to the chairman.

Q8. [115466] **Mr. Paul Tyler** (North Cornwall): Does the Prime Minister recall that when he and I contested the Beaconsfield by-election, he was welcomed to the constituency by the headline in the local paper, "Benn-backing Barrister is Labour's Choice"? That is Benn-backing rather than Ken-backing. Does he know that the right hon. Member for Chesterfield (Mr. Benn) supports my Bill to provide targets for organic food and farming? At tomorrow's summit at No. 10 Downing street, will he explicitly acknowledge the need to expand organic foods—*[Interruption.]*

Madam Speaker: Order. I cannot hear a word. *[Interruption.]* Order. This is a Parliament and hon. Members must be heard.

Mr. Tyler: At the summit for farmers tomorrow, will the Prime Minister reiterate his commitment, which he made at last month's National Farmers Union annual general meeting, to an expansion of organic food and farming? Will he prevent his Whip from shouting "Object" to my Bill?

The Prime Minister: I thank the hon. Gentleman for reminding us of Beaconsfield and how far he has moved to higher and better things.

We are increasing support and subsidy to organic farming. Consequently, the number of organic farmers is increasing. I am sure that the hon. Gentleman welcomes that. I hope that at tomorrow's summit we can provide a short-term strategy and long-term assistance for farming.

Dr. George Turner (North-West Norfolk): The Prime Minister has already referred to the problems that the banks are bringing to many of our communities. As the Postal Services Bill is making its way to the other place, does he believe that the other side of the coin is ensuring that the post offices can be the saviours of community banking? Will he assure the House and my constituents that the Government will do everything in their power to make sure that they can do so?

The Prime Minister: We remain fully committed to the network of nationwide post offices and we want to see them thrive. For that very reason, we have worked with the Post Office to install some 3,000 cash machines nationally at post offices in smaller towns and villages. The first 400 will be installed this summer. We are also working with the Post Office for a longer-term strategy to make sure that we can carry on with the sensible changes to and modernisation of the Post Office that allows those post offices to remain central to local communities.

Q9. [115467] **Mr. Robert Walter** (North Dorset): I was in my constituency this morning and village post offices were again the topic of conversation. As the Prime Minister has said, he is making some moves in that direction, but can he guarantee that no village post office in my constituency will close in 2003?

The Prime Minister: I can scarcely contemplate the cheek of the Conservative party: it asks for a commitment when it was responsible for closing hundreds of rural post offices when it was in office. We will carry on working to make sure that they have a secure future, but let us be clear about the changes on automatic credit transfer. As the hon. Gentleman knows, we inherited that investment

from the previous Government. The reason for those changes—[HON. MEMBERS: "No."] That is the truth. It was inherited from the previous Government. As a result of it, many of the transaction costs will be reduced. However, we have made it clear that those who want to get their benefits in cash will carry on being able to do so and we will sit down with the people in the Post Office and work out a viable way forward for the future.

We need to make the changes because they are the right changes to make, but we will do everything in our power to safeguard rural post offices. We are not going to take lessons from a Conservative party that closed the rural post offices and is now mounting a completely opportunistic campaign when the very authors of the pressure on the post offices today sit on the Opposition side of the House of Commons.

Point of Order

3.32 pm

Mrs. Angela Browning (Tiverton and Honiton): On a point of order, Madam Speaker, at business questions last week, the Leader of the House anticipated that the Secretary of State for Trade and Industry would wish to keep the House informed of the progress of his discussions on Rover-BMW. We are aware from the press of the meetings that he has had. Have you yet received any request from him to make a statement or to inform the House of the progress that he may have made?

Madam Speaker: No, I have not been informed that the Secretary of State is seeking to make a statement. The hon. Lady will have heard the exchanges between the Leader of the Opposition and the Prime Minister today and she will know, like me, that the Secretary of State has to answer questions tomorrow. Perhaps she will try to catch my eye at that stage, when she might put a question or two to him.

Zoo Licensing (Amendment)

3.33 pm

Mr. David Amess (Southend, West): I beg to move,

That leave be given to bring in a Bill to amend the Zoo Licensing Act 1981 so as to make it unlawful to operate a circus except with the authority of a licence.

A few weeks ago, a scurrilous article appeared that claimed that the House of Commons was full of animals. It said that the Conservative Benches are full of dinosaurs, the Labour Benches full of sheep and the Liberal Benches full of dead parrots. As we all know, that clearly is not the case. The only animals in the House of which I am aware are the delightful guide dog of the Secretary of State for Education and Employment, the springer spaniels that sniff round the place before our proceedings start and the mouse or rat that decided to make an appearance on the Floor of the Chamber a few weeks ago.

Like other hon. Members, I am an animal lover and I keep pets of all varieties. My animals, for various reasons, are able to do a number of tricks, which seem to involve giving them food. My dog will do anything if he is given food. I breed various birds and when I enter the aviaries I am a cross between the birdman of Alcatraz and St. Francis. All the birds fly to me and take food from my hand. My fish are also very keen to receive food. I also breed budgerigars. One called Perky Playle, which I gave to some friends, speaks about five languages. Its owners say that they have not spent any time teaching it to talk, but it seems to have a wide repertoire. None of the activities that I have described are cruel in any way; indeed, they demonstrate love for animals.

Some hon. Members may inadvertently have visited circuses featuring animals. It is bizarre to see whips being used on tigers and other animals to make them do all sorts of things that they do not seem to enjoy at all. A few years ago I went to a French circus, not realising that live animals would be involved. A goat was made to keep climbing on to tiny stools until it was high in the air—I do not know how high, but what was being done to it and to other animals was cruel beyond belief. I am presenting my Bill for those and other reasons.

Three events that have gained public attention are the publication of the Animal Defenders document "The Ugliest Show on Earth"—I am sure that hon. Members recall the campaign during which we received postcards; the unfortunate conviction of Mary Chipperfield for cruelty to her chimpanzee; and the report by the associate parliamentary group for animal welfare on the welfare of circus animals in England and Wales. Sadly, the group was unable to reach any conclusion on three options: a complete ban on the use of animals, specific legislation for animal welfare in circuses, and no change at all. My Bill addresses those three points. I think it unfortunate that nothing has been done so far.

The Bill would bring all circuses using performing wild animals—domestic animals would not be covered—within the purview of the Zoo Licensing Act 1981, by removing the circus exemption in the Act. The Act was passed two years before I became a Member of Parliament; I therefore accept no blame for the exemption, but I am advised that the definitions of domestic and circus animals were somewhat confused. Twenty years on, it seems sensible to remove the exemption.

[Mr. David Amess]

Section 1(2) of the Act defines "zoo" as

an establishment where wild animals (as defined by section 21) are kept for exhibition to the public otherwise than for the purpose of a circus.

Section 21 defines wild animals as

animals not normally domesticated in Great Britain.

Under the simple licensing regime that I propose, a circus owner would apply for a licence under the 1981 Act from his or her local authority. The circus would therefore require a registered address. I am told that bogus addresses are often used from a London base. The existing legislation does not require registered addresses. The licence would be issued on the basis of recommendations in reports made by zoo inspectors nominated for the purpose by the Secretary of State. A licence could be refused if the local authority were not satisfied that standards of accommodation, staffing or management were adequate, or if the applicant—either an individual or corporate body or its representative, or any person employed as a keeper—had been prosecuted under this or any other legislation involving the ill-treatment of animals.

Finally, the local authority would be able to attach any conditions that it considered necessary to the proper conduct of the circus: for instance, training, staff competence, veterinary standards and animal husbandry. I am grateful for the advice that I have received from the Royal Society for the Prevention of Cruelty to Animals.

The Bill would require a registered address, which would allow a proper record to be kept of the number of circuses in the United Kingdom. That would help to establish information regarding the number of animals working in circuses and provide up-to-date records on the number of touring circuses.

It would also improve the welfare standards for wild animals while in winter quarters. Many hon. Members will be only too well aware of the little crowds that gather around some circus animals during winter. Doubts are expressed about the way in which they are looked after. Those quarters would be required to be licensed and would be inspected periodically. They would have to comply with the same standards as zoos. The standards would be devised by experts on the latest scientific and animal behavioral research.

The health and safety of the public would be addressed by standards relating to security of accommodation for those animals. Circus holding or training centres would be covered by the Act, improving the standards for animals while not touring as part of the circus.

The Act would specifically not outlaw performances by wild animals for the purpose of public entertainment. I am not saying that I would not want that but, as a politician, I believe that politics is the art of the possible. That is why I am advancing these measures.

The Bill would not prohibit circuses from performing with animals, or prevent touring and the use of beast wagons while touring. It would not prevent prosecutions under the Protection of Animals Act 1911. Individuals working in or owning zoos or circuses would still be prosecuted for cruelty under that Act—as Mary Chipperfield was. I hope that the House will welcome this short measure. I realise that, even if the House gives it a First Reading today, it will face many pitfalls on Friday afternoons, but it is an opportunity for the House to build on its splendid record on animal welfare and to make a difference for animals. I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. David Amess, Mr. Norman Baker, Jackie Ballard, Mr. Tony Banks, Mr. Simon Burns, Mr. Ian Cawsey, Mr. Jim Fitzpatrick, Mr. Roger Gale, Mr. Tim Loughton, Dr. Nick Palmer, Mr. Martin Salter and Mr. Tim Yeo.

ZOO LICENSING (AMENDMENT)

Mr. David Amess accordingly presented a Bill to amend the Zoo Licensing Act 1981 so as to make it unlawful to operate a circus except with the authority of a licence: And the same was read the First time; and ordered to be read a Second time on Friday, 14 April, and to be printed [Bill 101].

Orders of the Day

Child Support, Pensions and Social Security Bill

[1st Allotted Day]

As amended in the Standing Committee, considered.

Ordered,

That the Child Support, Pensions and Social Security Bill, as amended, be considered in the following order, namely: New Clauses relating to Part I, amendments relating to Clause 1, Schedule 1, Clauses 2 to 6, Schedule 2, Clauses 7 to 15, Clauses 75 and 76, Schedule 8, Clauses 16 to 26, Schedule 3, Clauses 27 to 29, New Clauses relating to Part III, amendments relating to Clauses 57 to 62, Schedule 6, Clause 63, Schedule 7, Clauses 64 to 68, New Clauses relating to Part IV, amendments relating to Clauses 69 to 74, New Clauses relating to Chapter I of Part II, amendments relating to Clauses 30 and 31, Schedule 4, Clauses 32 to 39, New Clauses relating to Chapter II of Part II, amendments relating to Clauses 40 to 51, Schedule 5, New Clauses relating to Chapter III of Part II, amendments relating to Clauses 52 to 56, Remaining New Clauses, amendments relating to Clauses 77 and 78, Schedule 9, Clauses 79 and 80, New Schedules.—*[Mr. Rooker]*

New Clause 4

PRIORITY COLLECTION AND ENFORCEMENT OF CHILD SUPPORT MAINTENANCE

'In the Child Support Act 1991 there shall be inserted after section 43 the following section—

"43A. In exercising his powers under sections 29 to 43 of this Act the Secretary of State shall ensure that such powers are exercised with a view to securing the collection and enforcement of child support maintenance from those non-resident parents who have failed to pay any amount of child support maintenance and that this duty is accorded priority over the collection and enforcement of child support maintenance from those non-resident parents who have made some payments of child support maintenance.".'.—*[Mr. Pickles.]*

Brought up, and read the First time.

3.44 pm

Mr. Eric Pickles (Brentwood and Ongar): I beg to move, That the clause be read a Second time.

Madam Speaker: With this it will be convenient to discuss the following: New clause 5—*Deduction of earnings orders*—

'.—There shall be substituted for section 31(3) of the Child Support Act 1991 the following—

"(3) A deduction of earnings order shall be made so as to secure the payment both of arrears of child support maintenance payable under the maintenance calculation and amounts of child support maintenance which will become due.".'.

Amendment No. 89, in clause 16, page 14, line 41, at end insert—

'(1A) After section 39A of the 1991 Act there shall be inserted—

".—(1) In either of the circumstances mentioned in section 39A(1) the magistrates' court may of its own motion order such of the measures mentioned in (2) as it thinks fit.

(2) The measures mentioned in (1) are—

(a) an order that any welfare benefits that the liable person is in receipt of at the time of the application be reduced by such amount as the Court thinks fit;

(b) a warrant of execution in respect of any goods owned by the liable person;

(c) a home detention curfew of like effect to an order as could be made under the Crime and Disorder Act 1998 or;

(d) a community service order.

(3) When making an application under section 39A the Secretary of State shall provide to the magistrates' court a statement setting out which welfare benefits the liable person is in receipt of and the amounts thereof.".'.

Government amendment No. 40.

Amendment No. 76, in clause 19, page 20, leave out lines 15 and 16 and insert—

'(i) a maximum of 20 per cent. of any relevant benefit received by the parent for the first six months;

(ii) a maximum of 10 per cent. of any relevant benefit received by the parent for a remaining twelve months;

and the maximum period, without possibility of extension, is eighteen months.'.

Mr. Pickles: I am sorry. I nearly got to my feet when the order of consideration motion was moved formally, Madam Speaker. Members nearly had the opportunity to hear my speech twice.

These matters relate to enforcement. We are here to help the Government to meet their straightforward promises. The other night, I had the pleasure of seeing the Minister of State in the Lobby. He asked whether I had been reading any interesting books with which I might entertain the House. Indeed I have. I had the opportunity to read a Labour party document that was first published in October 1996, entitled "Children First: Reforming Child Support". It is pretty thin on plot, but it is the progenitor of the Child Support, Pensions and Social Security Bill. Given that I am also interested in the cinema, I could say that if that document was the novel, the Bill is the screenplay. As in most cases, there is a considerable difference between the novel and the screenplay. We want to go back to the Labour party's original proposals.

The document makes the following clear statement:

We will insist that the agency reaches demanding targets to protect taxpayers' interests.

We would all applaud that. It continues:

Our initial target will be to ensure that an additional 100,000 absent parents pay maintenance.

That is exactly what new clause 4 seeks to achieve and would be in the interests of the Child Support Agency.

When the Bill becomes law, two systems will operate concurrently. Tonight, we shall be asked to approve a system that will force parents to make payments that we consider to be essentially unfair, as the old system will operate side by side with the new one. The true beneficiaries—not the intended ones—will therefore be those who have paid nothing. We want to ensure that those who have made and continue to make contributions are not made out to be mugs. Parents who have obeyed the law and sought to meet their obligations must not be placed at a disadvantage compared with those who have attempted to evade their responsibilities. New clause 4 seeks to wipe the smiles off the faces of parents who have not taken financial responsibility for their children.

I quote with approval the document "Children First: Reforming Child Support" which states:

We start with the basic principle that parents, not the taxpayer should have the main responsibility for supporting their children.

[Mr. Pickles]

Parents who bring children into the world must accept that they have a responsibility. They have an obligation to look after their child until adulthood and to support that child financially.

Amendment No. 89 deals with curfew orders and other matters. On Second Reading there was a certain amount of criticism from all parts of the House of the Government's proposals to take away people's driving licences if they committed an offence under the Bill. Not a single speech—not even from the most loyal Back Bencher—said that that was a good idea. There was an earlier suggestion that people's passports should be taken away also, but that idea has been dropped from the Bill, perhaps owing to the mess in the UK Passport Agency. The Minister of State, Home Office might have ended up taking away everyone's passport. I recall my hon. Friend the Member for Havant (Mr. Willetts) once receiving a briefing about the Medellin cartel, a drugs cartel that operates in Colombia. Someone in one of the five accountancy firms used by the cartel was leaking information about the cartel. The cartel could not work out which accountant was leaking, so it decided to execute all five of the accountants involved in its affairs. Although I am sure that, whatever we may think of our accountants, we all agree that that was an overreaction, the point is that the Government seem to be diminishing the value of removing passports as a penalty by failing to issue them initially.

The problem with the Bill is that it provides for no penalties other than a fine and/or imprisonment and loss of driving licence. Amendment No. 89 provides new penalties, thereby allowing flexibility. The amendment is essentially similar to an amendment that I tabled in Committee—I see the Minister nodding vigorously. That amendment briefly took her fancy—she thought that it might be a good idea—until she got back to the Department, where it was discussed. I received a nice note back saying that it was not the Government's policy to make such a provision. I shall come back to that matter in a few moments, because I think that the Government are making a mistake. Our proposal would provide flexibility.

The proposal to remove driving licences has been heavily criticised. In a letter to my hon. Friend the Member for Havant, Mr. Jonathan Simpson of the RAC makes four principal criticisms of the proposal. I shall summarise the points, as it would be tedious to read them out. He says that there has always been a case for disqualifying motorists as a penalty for motoring offences such as dangerous or bad driving. Such a penalty is directly related to the offence, and is therefore obviously justifiable and acceptable in the eyes of the public. However, as the RAC points out, failure to comply with a maintenance order is an entirely different matter. The RAC is concerned that the application of the penalty in maintenance cases will be the beginning of a slippery slope, and that the penalty will in future be applied to various non-driving offences. The RAC goes as far as to suggest that a motorist could face disqualification for dropping litter.

The RAC also believes that removing someone's driving licence could end that person's ability to earn a living. Not unreasonably, the RAC concludes that application of the penalty could reduce those people's prospects of being able to make regular maintenance payments. If people cannot commute to work or perform their duties at work because they no longer have a driving licence, their ability to provide reasonable sums will be diminished.

The RAC makes another suggestion, for which I have no sympathy. It says that the provision may well cause an increase in the number of those who drive a motor car while disqualified. That may or may not be true. However, I do not think that such a possibility is a valid reason for suggesting that the provision should not be made.

We criticise the provision quite simply because it lacks flexibility. Additionally, it seems ridiculous to place on the same level the penalty of loss of driving licence and the penalty of fine and/or imprisonment. The Bill makes loss of licence an alternative to imprisonment, not an addition to it.

Our proposal extends the range of available penalties. We are praying in aid the Prime Minister's suggestion that electronic tagging should be extended to domestic violence and stalking offenders. Frankly, it is a natural extension to apply the measure to the Child Support Agency to get getting people into the habit of paying and acting responsibly.

An article on 7 September in "Justice of the Peace" asked whether it was necessary or desirable to keep an offender away from undesirable associates at, for example, football matches, rallies or clubs. Essentially, the proposal is for a curfew order: we are saying that someone will not be able to go to football on a Saturday afternoon, pour their earnings down their throats or go clubbing at the weekend. The offender's first call will be his child maintenance payments. The article asked also whether the offender indulged in irresponsible leisure activities.

The proposal is part of an established pattern of getting people to accept their responsibilities. The Minister has said that the Government do not want to start mixing criminal and civil sanctions, and that they would not table an amendment to that effect. I am used to accepting disappointments, but the House will be disappointed too.

Mr. Andrew Dismore (Hendon): Amendment No. 89 states that the court has the power to reduce the amount of benefit that someone may have to pay. The hon. Gentleman's intention is to get people to pay more, but his proposal effectively encourages people who want to put off paying, as they will always think that the magistrates court will bail them out in the end—particularly bearing in mind the fact that there is no provision in the amendment to allow the parent with care to make representations to the magistrates court. Is not the amendment effectively creating an appeal to the court through the back door?

Mr. Pickles: No, it is not. It is an attempt to make some sense of the Bill, and to offer the courts the opportunity of a wider range for breaches of sanction, other than imprisonment or a fine. After all, these matters would apply only where there was an application for default. This is not something that will arise in the normal course of events in which the parent with care and the non-resident parent discuss the financial future of their children. It will come into play where someone is in default. The amendment is not a way in which the

non-resident parent can apply through the back door. It gives the courts a greater degree of flexibility, and seeks to strike a balance and to ensure that someone gets into the habit of regular payment, gets back to a degree of social responsibility and recognises that the Child Support Agency is not a soft touch.

Under the legislation as drafted, people have a choice between losing their driving licences or going to jail. I suspect that most people will opt to lose their licences. After all, people who are not in the regular habit of using a motor vehicle might consider that to be a way of getting off scot free. We are seeking to achieve a balance.

The new clause is not set in stone, as it might not work exactly as we hope. It has been tabled to stimulate debate and to get the Minister to expand on her letter to me. However, I hope that she will accept that our intention is to extend the enforcement powers of the CSA, not to give people a way out by the back door.

4 pm

Mr. Frank Field (Birkenhead): The whole House wants the reform to work, so I am anxious to know what the hon. Gentleman is proposing. Does he mean to establish a menu of penalties that the CSA could use, or is he proposing that the CSA must take certain actions in certain circumstances?

Mr. Pickles: The right hon. Gentleman's first suggestion is what we want to achieve. We want to extend the menu of actions available to the CSA. At present, there are only the extremes of losing a driving licence or going to prison, with the option of a fine somewhere in the middle. We want a graduated scale. Clearly, curfew orders will not work unless there is a reasonable anticipation that the people involved will abide by them. However, the Government are researching ways to extend such orders beyond their original application, which was as a way to help offenders released on licence to prepare to return to society.

It is extremely sensible to take into consideration domestic violence and stalking.

Mr. Simon Burns (West Chelmsford): I have been listening to my hon. Friend extremely carefully. The new clauses rightly make suggestions about how to strengthen the encouragement given to people to pay child maintenance. However, I am slightly worried that there is another side to that coin, involving a parent who pays the maintenance but who does not have access to the children of the relationship. Does my hon. Friend think that the Bill should tackle that equally important issue?

Mr. Pickles: A later group of amendments deals with the relationship between the non-resident parent and the parent with care. However, my hon. Friend is right to express concern that the Bill might well cause children to find themselves caught between parents feuding over financial matters. The Bill draws questions of access and finance close together, and means that it could be in one party's financial interest to keep a child over on a Sunday evening and to take it back to school on the Monday, rather than returning it to the other party on the Sunday night. My hon. Friend has made a valid point about access.

Mr. Field: Am I right in thinking that the Opposition are proposing to add to the range of measures that CSA officials would have at their disposal to enforce the legislation when it is enacted?

Mr. Pickles: The right hon. Gentleman is nearly right. Under the terms of amendment No. 87, CSA officials would have to apply to the court for enforcement of the proposed options. Excellent though the CSA is, anything else would be a step too far.

I commend the new clause and the amendment to the House.

Mr. Burns: I rise to support new clause 4. I should like to describe the criticism that I have heard most often in constituency surgeries over the past eight years or so, whatever the views on the Child Support Act 1991 and on the Government's reforms before us today. The parent who pays child maintenance and complies with the Child Support Agency's assessment feels that he is a soft target because he does not seek to hide his financial responsibilities, whereas, in the early days, an organised, hard-core group sought to bring the child maintenance system to a grinding halt through their obstruction of the operations of the original CSA and to avoid paying any child maintenance whatever.

New clause 4, which would strengthen the powers of the CSA, is eminently sensible. It would take away the sense of unfairness and special targeting felt by a group who do not want to cause trouble and want to make a financial contribution to their children's upbringing.

Mr. Dismore: I am listening with interest to the hon. Gentleman. May I put a hypothetical question to him? What is the position of a person who pays £1 or £2 a week but is liable to pay considerably more and could therefore accrue substantial debts, as compared with a person who has to pay only a small amount in the first place and does not pay any? Which case does the hon. Gentleman think should be pursued first? The new clause suggests that the person to be pursued is the one paying nothing who has only a small amount to pay, whereas someone with a huge amount to pay could effectively avoid being caught by this proposal by paying a token amount.

Mr. Burns: The hon. Gentleman has raised a third issue. I was coming on to the issue of parents who pay. The person who pays nothing should be pursued because he is seeking to avoid all his financial responsibilities. Similarly, if an individual is playing the system at a minimal level to try to avoid his full financial responsibilities, he must also be pursued by the CSA.

The trouble with any legislation that contains an either/or option is that some people will seek to use the existing law to maximise their abuse of it, and we have here an example.

Mr. Pickles *rose—*

Mr. Burns: If my hon. Friend wishes to tell us of another one, I shall give way to him with pleasure.

Mr. Pickles: I was merely going to suggest that that is one of the advantages of such a matter going before the

[Mr. Pickles]

courts. The courts would take the view that such a person was attempting to get round the system. Someone who doles out £1 or £2 a week is playing around. That example further strengthens the need for the new clause.

Mr. Burns: My hon. Friend is absolutely right. We have all had examples over the past eight or nine years of people who have played the system, or sought to play the system, to avoid their financial responsibilities.

There is one point on which I am confused, although I am sure that my hon. Friend the Member for Brentwood and Ongar (Mr. Pickles) is not. I should like clarification. To give priority to those individuals who make no financial contribution above those who are making a full and proper contribution must not also mean that the administrative systems of the CSA fall behind, thus inadvertently causing problems for those who want to pay the full amount, but are still awaiting assessment for payment, or waiting to have an assessment confirmed.

Mr. Field: Does not the new clause have one real disadvantage? Let us take our mind into the next Parliament, where I expect that the hon. Gentleman will still be sitting on the Opposition Benches and Labour will be on the Government Benches. The Opposition will be looking for the amount collected under the new Act. If we pass the new clause, one of the covers available to the Government would be that maintenance payments—or the rate of collection—had gone down because the Government were following the instructions given to them by the Opposition in the previous Parliament: that we should chase those from whom it is most difficult to obtain money and de-prioritise those from whom we can most easily get maintenance payments. Does the hon. Gentleman realise that?

Mr. Burns: I understand what the right hon. Gentleman says. However, in practice that need not be true, although there is certainly a danger that it may be. If the CSA is properly staffed and managed, the problem would not necessarily arise. It remains to be seen whether the reforms will work, but the Government maintain that the system will be so much simpler and so much more transparent than the old one that the previous problems in administering it will not occur. They argue that those who have to pay child maintenance will understand what they are being asked to pay and that the complicated formula that we set up—believing that it would be fairer on parents—will be cut away. The system should be easier.

According to that argument, CSA staff should be able to handle their work load more easily because of the simplification and transparency of the system. A disproportionate amount of time and effort would not thus be spent on chasing the obstreperous or the non-payer. There would be a two-track system. It remains to be seen whether that happens—as with so many matters in the relatively short history of the CSA.

However, we must lance the boil that has caused so much agony and antagonism among so many parents who have held out, delayed and refused to pay for such a long time. Even if the new clause needs some improvement—with Government help—it would be a positive step forward in improving the legislation.

Mr. Steve Webb (Northavon): Amendment No. 76, tabled by my hon. Friends and me, relates to the position of women who do not want to name the father, and to their concerns about violence. That is an important issue on which my hon. Friend the Member for St. Ives (Mr. George) hopes to speak if he catches your eye, Madam Speaker.

In my contribution, I shall respond to the amendments and new clauses tabled by Conservative Members. They raise some important issues.

The spirit of new clause 4 appears to touch that raw nerve about which we have all heard in our surgeries—the fathers who say, "I pay and I'm being chased, but I know someone else who doesn't pay a penny and he seems to be left alone." For the reasons that have been given—including the intervention of the hon. Member for Hendon (Mr. Dismore)—the new clause is problematic. How will the prioritisation work? Would people who paid something be left alone, and would that cause problems? It is hard to see how that form of words would work.

However, the Conservatives raised one general issue to which I should like to hear the Minister's response. What are the targets set for the agency? As with so many Government targets, do they distort priorities in a way that we would not want? Just as the infant class size target has distorted junior class sizes, and just as the in-patient waiting list target has distorted out-patient waiting lists, is there a danger that targets expressed in amounts of maintenance collected will distort by encouraging the CSA to chase those who are most easy to chase?

4.15 pm

I am genuinely uncertain about the targets and incentives that the CSA is set. Will the Minister assure the House that such incentives will encourage the CSA to chase non-payers—such as one requiring it to increase the percentage of people who are paying any amount—as much as they do to increase total maintenance collected? I hope that she can offer that reassurance. In the absence of such provision, the problem that the Conservatives have raised will continue. Many fathers who are doing their best to pay legitimately feel that others are getting away with doing nothing.

New clause 5 refers to deduction of earnings orders. I did not catch much reference to its aims in the speech of the hon. Member for Brentwood and Ongar (Mr. Pickles). I am not entirely clear what it would achieve. I would be happy to take an intervention from the hon. Gentleman if he wants to elaborate on the matter.

Mr. Pickles: The new clause simply tries to improve the way in which deduction of earnings orders are levied. It is no more complicated than that.

Mr. Webb: I am grateful; I had assumed that, although how it would do so is still not clear to me.

My main concerns relate to amendment No. 89 and the long list of seemingly draconian measures to pursue non-payers. I notice the term "curfew" popping up and various other quite serious penalties for non-payment. I find myself asking in what respect is child support debt different from other debt. That is a fundamental question. Most of the specific penalties, such as the withdrawal of driving licences and the imposition of curfews, that we are introducing for child support debt would not apply to any other debt.

If I, as a tenant, owed a former landlord some money, I could be pursued through the courts by a deduction of earnings order and various other measures, but he could not apply to the court to put me under a curfew. Why would someone owing money in one sphere be subject to draconian attacks on liberties when someone owing money in another sphere would not be so? I am not sure that child support debt is different in substance, which is why I have reservations about the application of such penalties only to such debt.

It could be argued that the taxpayer has an interest. If so, there may be a case for restricting the imposition of such severe penalties to cases that result in the public purse losing out—although there is no indication of that in the amendment. I am not convinced that the case has been made for those very severe penalties to be applied peculiarly to child support debt. No argument has been made that it is so different from other debt. I am sure that we would not want to apply such sentences to other debt.

We very much sympathise with the spirit of new clause 4. Although its provisions would not work practically, we would like to hear from the Minister an assurance that the agency's targets recognise the genuine public concern about people who do not pay and give it an incentive to chase such people just as hard.

I hope that my hon. Friend the Member for St. Ives will be able to address our concerns about women who fear violence.

Mr. Desmond Swayne (New Forest, West): I shall address the point raised by the hon. Member for Northavon (Mr. Webb): in what way does the offence of owning child support debt differ from offences of owing other debt? I would say that the difference is this: child support debt is the most unnatural of crimes. We are talking of people who are not prepared to make provision for their own children. Therefore, I entirely understand the Government's desire to impose such strange punishments as the withdrawal of driving licences. I entirely understand the motive that lies behind the introduction of a new order of penalty to deal with a specific and unnatural crime.

My difficulty with the penalty is that it introduces a new principle into our criminal justice system. In this country, the penalties available to punish miscreants are generally understood. The principal ones are the deprivation of liberty, the deprivation of finance through fines and the deprivation of time through the imposition of community service orders. Withdrawing a driving licence is of a different order because the penalty would not effect everyone in the same way that the deprivation of liberty or the removal of finance or time does. Some people who owe child support debt do not possess a driving licence or own a car. Therefore, the ability to withdraw a driving licence would affect them differentially from other people. It would have no impact on them at all.

I prefer amendment No. 89 because it would provide a menu of penalties that would affect the miscreants in a way that is appropriate and consistent across the board. We had this discussion in Committee when we debated benefit withdrawal and the Government quite rightly responded to our suggestions that we should withdraw benefit by saying, "Ah, but what about those people who do not receive benefit? They would be affected differentially. That would be unfair and unjust." I suggest that exactly the same argument applies to the desire to withdraw a driving licence. The menu of penalties in amendment No. 89 is far preferable.

Mr. Andrew George (St. Ives): My hon. Friend the Member for Northavon (Mr. Webb) spoke to amendment No. 76 and, depending on the Minister's response, I wish to flag up our desire to hold open the possibility of pressing that amendment to a separate vote.

The benefit penalty applicable to parents with care who refuse to divulge information about a former partner has been set at 40 per cent. for a number of years and it can apply to someone for an indefinite period. As I understand it, the Government intend to continue that approach. The amendment would restore the position to what it was when the benefit penalty for non-disclosure was a 20 per cent. maximum reduction for the first six months and a 10 per cent. maximum reduction for the ensuing 12 months with no possibility of extension beyond the total 18-month period.

There are several arguments against the withdrawal of benefit at a 40 per cent. rate. I welcome the Government's general claims and their obvious commitment to prioritising the ending of domestic violence, but they seemed determined that women who seek to avoid domestic violence should be coerced into financial dependence on violent partners. Amendment No. 71 has to be read in conjunction with amendment No. 81, which we shall debate later. I appreciate that the Minister objects to my comments, but matters of deep concern are involved. Assurances given by Ministers need to be deepened to reassure the many organisations concerned about domestic violence that the CSA will be able to deal effectively, robustly and sensitively with these difficult issues.

Mr. Swayne: We rehearsed those arguments in Committee, but I fear that the amendment in the hon. Gentleman's name would let off the hook the worst category of father: those who threaten physical violence. By providing that means of escape, we are accommodating the problem rather than trying to tackle it.

Mr. George: I appreciate the hon. Gentleman's comments. It is a question of getting the balance right. Many domestic violence cases lead to the murder of women, but there are also organisations that, rightly, campaign on a broad front to ensure that women do not make malicious and trumped-up allegations to avoid the father having contact, although I realise that that point is different from the one made by the hon. Gentleman.

How many more murders resulting from domestic violence need to take place before people appreciate the need to tighten up the legislation further? I hope that we will explore this argument a little more in the debate on amendment No. 81. Men may make violent threats in an attempt to get out of their responsibilities, but violent threats are followed through with tragic results, as we have seen far too often.

Amendment No. 76 is an anti-poverty amendment, and has to be read alongside amendment No. 81. There are four strong arguments against the Government's proposal for a benefit penalty. First, it will push children into poverty. The case is as simple and clear-cut as that.

[Mr. George]

A 40 per cent. reduction in benefit for a single parent pushes the family's income 40 per cent. below the income support level. How does the Minister view that in the light of the Government's honourable efforts in establishing the social exclusion unit and their key priority to reduce and remove childhood poverty? The proposal will clearly work against that.

The proposal will penalise the children whom the child support system is designed to support. If a low-income family loses income, everybody in the family suffers. The Government will be unable to prevent the parent with care from intentionally or unintentionally making the child bear the burden of that income loss. These are the people who can least afford to lose income. Two thirds of children in one-parent families in the UK are poor, compared with a quarter of children in two-parent families. Income support is set at a level that is supposed to be the absolute minimum for survival, but the Government propose to push families below that level.

Secondly, and equally importantly, non-disclosure is not necessarily an indication that the parent with care is taking money on the quiet from the non-resident parent. Although there will be fraud in the system, it is wrong to approach the issue on the assumption that everybody who, by commission or omission, does not fit into the normative scenario is on the fiddle. The Government have never produced evidence to support that assumption.

Thirdly, there is no evidence that the punitive approach has succeeded. The last increase in the severity and length of the benefit penalty was accompanied by a significant increase in non-compliance. The penalty particularly hits lone parents who believe, for whatever reason, that it is not in the interests of their children to co-operate with the CSA. Slapping a benefit penalty on them is unlikely to change their minds; it will drive them further away from the system.

4.30 pm

I shall cite two case studies in support of my argument. The first involves a lone parent who suffers agoraphobia and depression as a result of repeated assaults by her ex-husband, to whom she was married for 10 years. She also suffers from dyslexia. Until she sought advice, she was completely unaware that there were any exemptions from the requirement to co-operate. Her ex-husband still has some contact with the children, but she is terrified of him. She receives incapacity benefit and income support. Although she received several letters from the CSA, she did not respond to any of them because she was frightened and depressed; as a result, however, she was threatened with a benefit penalty. With the help of an adviser, she won her case at a tribunal, even though initially she was reluctant to appeal because she was too afraid.

In the second case, a lone parent with two sons, aged six and eight, was notified that a benefit penalty would be imposed because the CSA did not accept that she was exempt. She had been threatened by her ex-partner, who told her that, if she co-operated with the CSA, he would withdraw contact with the children. Her sons had suffered badly from his previously having withdrawn contact for one year; they had exhibited signs of intense distress. The woman had only just re-established that contact. She argues that her children are at risk of undue distress, but that argument has been rejected by the CSA. She is now in turmoil, taking antidepressants, while awaiting an appeal against the benefit penalty.

The system causes hardship to the very children whom it is meant to support. Children in one-parent families are among the poorest in the land, and their parents can ill afford to lose a significant proportion of the already small sum on which they are expected to live. That is why we tabled our amendment.

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): I shall try to deal with the issues as they were raised during the debate. They are quite wide ranging, but I shall do my best.

New clause 4 is designed to influence the way in which the CSA organises its resources in respect of collection and enforcement activities. The agency would have to take action against non-resident parents who have made no child support maintenance payments, who comprise 30 per cent. of the current case load, before turning to those who are partially compliant, who comprise 23 per cent. of the case load. I understand why the Opposition have been motivated to set out such priorities.

My argument has already been touched on by the hon. Member for West Chelmsford (Mr. Burns): the solution lies in the simplification of the CSA's business and process that the Bill will bring about. Under the current, complex formula, the CSA spends 90 per cent. of its time on collection and only 10 per cent. on enforcement. Under the new system, much more of the CSA's time will be spent on proper enforcement of maintenance agreements, once they are reached.

Mr. Burns: Is there not a problem with relying on good nature and the simplicity of the system? No matter how much simpler the new system is to operate, if the parent who has to pay child maintenance does not like the amounts, he will attempt to avoid paying by delaying or employing some other method. There will still be a huge backlog because of resistance on the part of paying parents.

Angela Eagle: There are fewer ways to stymie the new simplified system than there are to stymie the current complex formula. I cannot guarantee that there will never be a backlog, but we believe that, once the new formula is in place and the CSA is up and running at full speed, maintenance assessments will be made within four to six weeks, instead of the current six months.

Mr. Burns: The Minister refers to the formula, but it will not stop those parents who think that they know how much they will have to pay having no contact with the CSA, replying to letters or demands for information by querying them or not supplying all the information, or not supplying accurate and correct information. Those problems will still remain, however simple the system is, if a group of people want deliberately to string out or avoid paying.

Angela Eagle: Of course some things can be strung out. My argument with the new clause is that it creates a priority list that demonstrates to people that, if they pay something, however little, the CSA will leave them alone while it chases other people. I think that we can pick up everybody. Some people will be more obstructive than

others, but the changes to the system will give the CSA more space and time to focus on chasing those who, in the past, have got off scot-free. The old CSA got into many difficulties administering the formula that it had been given.

Mr. Pickles: The Minister seems to suggest that the new clause represents the Opposition's policy. In fact, it reflects what was the Labour party's policy. Will she explain how the target of catching up with the 100,000 who are not making a contribution will be met? How will she target them? Surely she is not saying that the simplified formula alone, which we support, will achieve the target? People are avoiding making payments because they have no intention of doing so, and not because of the formula. If the hon. Lady will take us through how the target will be achieved, I am sure that we shall make rapid progress.

Angela Eagle: The present system involves more than 100 different facts being established before a maintenance order can properly be calculated. Changes of circumstances happen so regularly that the assessment can virtually be out of date before it can be administered and notified to those who are responsible for paying it. The proposed formula is radically simpler. It will be necessary to establish the number of children and the income of the father, and then make a simple calculation. It will leave the CSA with much more time to pursue the more difficult cases.

We want to ensure that non-resident parents will all meet their responsibilities for their children, and make regular and reliable payments of maintenance. We do not want to create perverse incentives to pay a little so that fathers are not chased for the rest, while people who have disappeared from the system—there will always be difficult cases in any system—are left to be pursued at length. That is not appropriate. Our priority is to ensure that all fathers make the proper payments.

The provision proposed in new clause 5—

Mr. Webb: I asked the Minister a specific question on new clause 4 about the agency's incentives and the targets that it is given. Presumably, targets are set to try to make the agency prioritise particular actions. Do the agency's targets encourage it to pursue non-payers?

Angela Eagle: The targets relate not to the amounts of maintenance paid but to the speed and accuracy of assessment, which is the main work that the CSA does with 90 per cent. of its time and to case and cash compliance. With the new system, we shall be able to take a completely new look at how the targets operate. Clearly, we would not wish to establish targets that would create incentives for odd results. I entirely take the hon. Gentleman's point.

We are asked in new clause 5 to put in place a provision that already exists in section 31 of the Child Support Act 1991, which allows for a deduction from earnings order to be made in respect of the current maintenance liability, plus an amount for arrears. About 98 per cent. of the almost 130,000 deductions from earnings orders in force cover arrears as well as current liability. Those figures are from November last year, and are our most recent ones. New clause 5 is unnecessary because what is sought is already done.

We all know that the complexities of the current formula leave the agency with little time for collecting maintenance, which is why a radical simplification has been brought before the House.

Amendment No. 76 would reduce and time-limit reduced benefit decisions. Because of the way in which it is drafted, it would also reduce the benefit of the parent with care by 20 per cent. of the whole. The 40 per cent. reduction in place relates only to the adult applicable allowance, so the proposed 20 per cent. represents a higher proportion.

Listening to the speech of the hon. Member for St. Ives (Mr. George), one would think that good cause did not exist, but it does and it works effectively. If there are cases around the edge that he wishes to bring to my attention, we shall examine them.

The plain fact is that if a woman suspects that, by engaging the CSA, she may be in danger of violent behaviour from her ex-partner, that constitutes good cause. There is no way that the CSA will pursue maintenance if she can show good cause for its not pursuing it.

The issue of sanctions and reduced benefit decisions involves parents with care who refuse to get the CSA involved, and are happy for the taxpayer to pay for the upkeep of their children, without good cause. In other words, they are not in danger of a violent reaction from their ex-partners. The benefit deductions are designed to persuade those people to come into the system.

We do not believe that payment of child support should be optional, and that people should be able to choose. That is partly to protect the taxpayer. It ought to be the exception, rather than the rule, that child support is not in payment.

Mr. Swayne: Where it is shown that there is good cause, is that not a matter for referral to the police for investigation? It cannot be left that someone should get off, just by making such a threat.

Angela Eagle: I agree with the hon. Gentleman absolutely. There should be zero tolerance of such behaviour, and we should not kowtow to it by setting up a system that seems to create incentives for people to behave in that way. I agree with the point that the hon. Gentleman made in his earlier intervention.

When the good cause definitions were changed from 10 and 20 per cent. to 40 per cent. in 1996, 70 per cent. of parents with care initially claimed that they had good cause not to co-operate with the CSA. That point has been raised more than once by my right hon. Friend the Member for Birkenhead (Mr. Field).

Parents have a responsibility to support their children. The benefits system should step in only when they are unable to do so. Child support should not be optional. The underlying purpose of a reduced benefit direction is to encourage parents with care to apply for child support, unless they have good reason or good cause not to do so.

We believe that a benefit penalty of 40 per cent. of the adult applicable amount in income support, which is not the whole amount of benefit and certainly not that which would be allocated for the children, is set at the right level to achieve that.

[Angela Eagle]

About 85 per cent. of parents with care claiming benefit co-operate with the CSA in seeking maintenance, which compares with only 30 per cent. who used to co-operate. This total turn-around, which has occurred in a very short time and is an extremely positive development, is due in part to the improved closer working arrangements between the Benefits Agency and the Child Support Agency. It is a real achievement.

Since April 1999, Benefits Agency staff assist new income support clients in completing maintenance application forms where appropriate. That means that clients need give information to the Department only once. However, the fact remains that some parents with care refuse to co-operate with the agency without good cause, so we need to retain a meaningful penalty provision. It would be unfair on children if we did not impose sanctions on parents with care who unreasonably prevent—I stress, unreasonably prevent—the recovery of child support.

We are very conscious of the need to protect vulnerable parents and their children. As I said earlier, if there are reasonable grounds for believing that the parent with care or any child living with her would suffer harm or undue distress as a result of pursuing child support, no penalty will be imposed.

Mr. George: Prior to the improvement in the CSA's record, how many of the parents not co-operating with the CSA were claiming good cause?

4.45 pm

Angela Eagle: I do not know the figures off the top of my head, but I shall give them to the hon. Gentleman if he wishes.

I was about to share with the House the drop, as a percentage of case load, in the number of people on reduced benefit directions. That has come down from 19 per cent. in 1997-98 to 9 per cent. now, and we hope to bring it down even further.

In Committee, Opposition Members tabled an amendment proposing that the courts should be able to impose a curfew or a community service order for refusal to pay child support maintenance, with which I had some sympathy, and I agreed to see whether we could frame amendments to achieve that aim. The hon. Member for Brentwood and Ongar (Mr. Pickles) has the letter that I sent to him after careful, not perfunctory, consideration. I was anxious to see whether that could be done.

Unfortunately, sanctions such as curfews or community service orders are penalties for criminal offences and non-payment of child support is a civil issue. Extending the Bill as Opposition Members suggest would mean importing into the civil system all the legislative and operational arrangements that apply to the criminal courts. For example, probation officers would have to provide pre-sentencing reports and the mechanics surrounding electronic tagging where private sector firms are appointed to monitor the arrangements.

The effect of that would be to superimpose on the civil system virtually all the penalties available in the criminal courts, and we would lose the distinction between magistrates sitting in their civil and criminal capacities. We considered the matter carefully, but we could find no way to legislate for such penalties without superimposing the criminal system on the civil system.

Mr. Burns: It may assist the hon. Lady if I draw to her attention the precedent of curfews imposed in certain parts of our towns and cities to keep young people off the streets at night. I understand that that has been done under the civil, not the criminal, law.

Angela Eagle: That is not my information, but I shall check.

Mr. Swayne: Given what I describe as the unnatural nature of what I believe is a crime—the determination not to make a financial provision for one's own offspring—would it not be appropriate for the hon. Lady to impose a criminal penalty when the Bill is reintroduced in the other place?

Angela Eagle: That is the hon. Gentleman's view, but I have looked at the matter carefully and I do not think that it would be appropriate to make non-payment of child support a criminal offence. I shall explain why.

Criminal sanctions are about punishment. Child support is about doing what is best for children and encouraging fathers to pay maintenance and, hopefully, in most circumstances, to play a full part in their children's lives. That would not be achieved by criminalising the non-payment of child support. The downside of that outweighs the positive effects that the hon. Gentleman outlines. I realise that people might have a different view, but that is the view that I take.

Mr. Pickles: I recognise that the hon. Lady understands the benefits of such a measure and rejects it reluctantly, but will she confirm that taking away a driving licence is an alternative to imprisonment? If so, I do not understand the difference between imprisoning someone and imposing a curfew order. As the hon. Lady supports our objective, she must have received legal advice, so perhaps she would share it with us.

Angela Eagle: Clearly, the courts have to decide when someone comes before them whether he or she has culpably and neglectfully—I think that those are the words used in the legislation—declined to pay child support, so there must be on-going evidence of complete non-co-operation and refusal to accept responsibility. It is then up to the courts to determine the penalty: removing the driving licence or the ultimate sanction of committal to prison. Evidence from other countries and jurisdictions shows that removing a driving licence is an effective method of getting child support maintenance paid. We look forward to approving that when the sanction becomes available to the courts. However, it will be up to the courts to decide whether to effect it in every case.

I appreciate that Conservative Members are trying to be helpful in tabling the new clause; I genuinely tried to be helpful in seeking ways of including its substance that had no major implications for the criminal and civil court system. I could not do that, but I am glad that there is so much cross-party support for our aim of helping to eradicate child poverty by ensuring that all parents support their children.

I ask hon. Members to reject new clauses 4 and 5 and amendments Nos. 79 and 89 for the reasons that I outlined. Government amendment No. 40 would make technical changes to clause 16, which introduces a new civil penalty and gives the courts the power to disqualify a non-resident parent from holding or obtaining a driving licence when child support is not paid. It clarifies that the courts are required to notify the Secretary of State or, as he directs, the Drivers and Vehicle Licensing Agency when a disqualification order has been made, amended or lifted.

Mr. Burns: Would someone's driving licence be taken away in lieu of paying the money, or would it be an additional penalty to bring pressure on the person to pay? I hope that it is the latter.

Angela Eagle: It is not in lieu of paying the money. The simple way of retaining one's driving licence is to pay before the courts decide to take it away. We hope that that will be the penalty's DRIVE—Development of Rural Initiative, Venture and Enterprise [Wales] DVLA Driver and Vehicle Licensing Agency, effect. However, if payment continues not to be made, the courts can make another disqualification order.

Mr. Field: I am grateful to my hon. Friend and neighbour for giving way. Does the Bill provide for offices to use the driving licence centre as a way of tracing individuals? If the driving licence is in the relevant individual's name, can the make of car be used as evidence about life style? I appreciate that the question moves the debate on, but I could not envisage another opportunity of raising the matter.

Angela Eagle: As always, my right hon. Friend is creative in his questions. I suspect that the answer is yes, but I want to check some data protection matters and be confident that I am right before issuing a ringing yes.

Mr. Pickles: The Minister has been very courteous. We got rather excited about the Bill in Committee and spent much time on curfew orders. We did not ask a question that perhaps we should have asked. Will the driving licence be removed for a period or until the debt is paid? Before the driving licence is restored, would the person have to resit a test?

Angela Eagle: I can answer a ringing no to the last question. The maximum period will be up to two years. However, the courts will consider specific circumstances when they decide whether to apply the penalty.

Mr. Pickles: The second part of my three-pipe question is, if the person repays the debt, will he receive the driving licence back immediately?

Angela Eagle: Yes, answered ringingly.

Mr. Swayne *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): I am not sure whether the Minister has concluded.

Angela Eagle: I have.

Mr. Pickles: Our discussion has been good and fair. Our new clause raises an important point. We share the view of the hon. Member for Northavon (Mr. Webb) that we want an understanding about targets. When the Labour party was in opposition, it was clear that it would target non-payers. The Minister says, fairly and reasonably, that the new system will try to avoid spending 90 per cent. of the time on assessment, although we shall come to aspects of that which might make that statement appear a little bold, certainly at face value. I hope that she does not take offence, but I do not believe that the Government have given no thought to the new targets—which do not relate to assessment—and it would have been helpful to discuss targeting people who have made no contribution.

There is general agreement around the Chamber that we should go after such people and no sympathy on either side of the House for those who say, "I've paid a couple of quid a month so the CSA will leave me alone." There is a general test of reasonableness in that. We may probe some more, perhaps in the other place, but I emphasise that these are Labour's own targets. They were not merely thrown together. Non-payers are Labour's No. 1 target and the Government are going for them more than anything else so it is disappointing—I put it no more strongly than that—that they have not said how they will achieve that.

The Minister says that it would not be possible to implement amendment No. 89, our other major proposal. She thought it a good idea in the excitement in Committee, but does not seem terribly keen now. She says that it is complex and would involve probation officers' reports and this, that and the other, but I hope that she will have another word with the lawyers. If someone is to be sent to prison, reports have to be obtained. Our judicial system does not throw somebody in jail without making pre-sentencing inquiries.

Maria Eagle (Liverpool, Garston): The hon. Gentleman will be aware that people go to prison for civil offences. A person can be sent to prison without the whole criminal justice system being imported to the procedure that leads to imprisonment.

Mr. Pickles: I am aware of that. I am not being highly critical and, when I received the Minister's letter, I did not thump on her door and say, "You are being extremely unreasonable." However, we need to consider that matter.

Mr. Swayne: Will my hon. Friend give way on the question of unreasonableness?

Mr. Pickles: Yes.

Mr. Swayne: It might be unfair to ask my hon. Friend this question, but the Minister sat down before I could ask it of her. If two individuals in identical circumstances had the same amount of debt, but one had no driving licence and the other had and that was withdrawn by the court, what compensating penalty would be imposed on the other, given that he would have no driving licence to withdraw? Would he be thrown in prison? Would that not be a penalty for not possessing a driving licence? In the interests of equity, we need answers to those questions.

Mr. John Bercow (Buckingham): He would lose his bus pass.

Mr. Pickles: My hon. Friend the Member for New Forest, West (Mr. Swayne) is a tough man, as always,

[Mr. Pickles]

and my hon. Friend the Member for Buckingham (Mr. Bercow) suggests that such a person would lose his bus pass. He almost certainly would not, but my hon. Friend the Member for New Forest, West was not making a jocular point because there is a great discrepancy in the Bill. There is a difference between a light tap and a heavy penalty, and we seek a degree of grading.

The hon. Member for Liverpool, Garston (Maria Eagle) raised a legitimate point. She said, "If the Conservatives are right, the great panoply of the criminal law will be imposed on a simple matter." However, we are not saying that. We are considering what the Prime Minister has said. Curfew orders are straightforward and concern the release of a prisoner into the wider community. When a prisoner is released, various procedures are necessary: for instance, probation reports must be received.

5 pm

The Prime Minister is saying, "The orders have been quite successful; let us transfer them to other offences." The offences that the Government have identified are domestic violence, which is clearly criminal, and stalking, which is also clearly criminal. However, they are now considering extending such orders to the Child Support Agency. As the Minister said, we are not talking about those who are a bit behind with their contributions; we are talking about the person who says, "I do not care how many demands I receive. I am not going to pay."

If the Minister thinks that curfew orders are not appropriate, other options should be considered before the Bill completes its passage in another place. My hon. Friend the Member for Uxbridge (Mr. Randall) has suggested putting people's credit rating on their credit cards; other civil measures may be possible. What we are saying is that the penalties must contain a gradable element. If the legislation is to have teeth, it cannot be all or nothing: there must be something in between.

I hope that the Minister will take a long hard look at possible civil penalties, because the Government's proposals are not satisfactory. The measure involving driving licences is not sufficient by itself. I do not mean to be hurtful, but putting that measure on its own into the Bill makes it look ridiculous—and no legislation that aims to make people meet their responsibilities can afford to look ridiculous.

I hope that the Government will consider what I have said, and what improvements might be made in another place. On that basis, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 27

CHILD SUPPORT AGENCY: QUALITY STANDARD GUARANTEE

'.—(1) The Secretary of State shall, by regulations, set a target time within which the Child Support Agency shall deal with all cases referred to it.

(2) Regulations under subsection (1) above shall require the CSA to pay compensation to the person aggrieved when it fails to meet its obligations in respect of the target time; and shall set out the level of compensation payable.'.—*[Mr. Pickles.]*

Brought up, and read the First time.

Mr. Pickles: I beg to move, That the clause be read a Second time.

Again, I do not want to be hurtful, but I think it fair to say that the CSA has not enjoyed the best of records in terms of reliability. In general, Members of Parliament are not specialists—we are jacks of all trades and masters of none—but one issue on which we have firm views is that of the CSA. Every Friday or Saturday, when we hold our constituency surgeries, someone arrives with something from the CSA. People either have a lot of little envelopes that have to be put in order, or, worse, they have put all the material in a big ring binder, and one's heart sinks.

I must add that I think there that has been an improvement. The CSA has made an effort. It has improved enormously in terms of answering the telephone, and—I am speaking for myself here—I have always found its officials to be tireless and diligent. I recognise that they have been operating in difficult circumstances.

Mr. Bercow: You are not making a confession.

Mr. Pickles: We must speak as we find. Others may have experienced difficulty, but I have always found the CSA's officials to be very polite.

Mr. Bercow: My point was simple. Will my hon. Friend confirm that his dealings with the agency have been on behalf of constituents and not, as it were, to plough his own furrow?

Mr. Deputy Speaker: Order. The rules of the House are simple, too: comments from a sedentary position are not helpful.

Mr. Pickles: I understand that my hon. Friend the Member for Buckingham was making a joke. I am sure that the time will come when I will be able to laugh at it. Of course I contacted the CSA on behalf of my constituents. I thank him for making that clear.

The new clause is about empowering the citizen. It will demonstrate to the citizen that something will happen if a mistake is made. There are important reasons for seeking to introduce the measure. It is a question of the Government putting our money where their mouth is. We have heard the Minister suggest that everything will be hunky-dory in the new system because the CSA will not spend its time going through the various forms, or making an assessment: it will be more about collections, so everything will speed up. We are not quite as convinced that we are about to gallop to sunlit uplands.

The Government predict that everything will be fine. We think that, under the new system that will come into operation, unless the Government make significant changes, the CSA will be swamped. The level of applications will increase significantly.

The reason is straightforward. The reforms will dig deep into middle England. We know that that land is much beloved of the Prime Minister. We know that Labour Back Benchers are keen to say, "What about our heartland? You have to stop pandering to middle England and start to look after our heartland." The Bill is not the place to start the great revolutionary march back to the heartlands. It is about filling our surgeries again with a new set of people, who have never dreamt of having any dealings with the CSA. There were enormous protests last time, but, in the words of the great Al Jolson, "You ain't seen nothing yet."

If the Government are right, there will be no problem with the new clause because few people will claim, but there will be a move to non-benefit cases. If there is no benefit case, the parties can reach an agreement without interference from the CSA. That is reasonable and sensible. The state will have no particular financial interest, other than the normal and reasonable collection of taxes.

However, once the Bill becomes an Act, 14 months' notice from the parent with care to the non-resident parent is all that is required, and then the CSA can suddenly take over the case. That is why the whole process will be swamped. The CSA will be a weapon in the fight between ex-spouses or ex-partners. We do not find that desirable. That is why people will need the redress that the new clause offers. We also envisage that it will create transfers between spouses by stealth, and that does not seem reasonable.

In other words, the provision will give a bonus to parents with care and enable them to get the maximum settlement. It might be a clean-break settlement as far as the spouses are concerned, but it can never be a clean break in respect of the children. There could be a considerable transfer of financial resources between the spouses, so the provision would give a distinct advantage to the parent with care. For instance, having received transferred resources, the parent with care could then go to the CSA and ask for an assessment. Despite previous transfers of wealth, the non-resident parent would be subject to another assessment. That is why the CSA could represent a big bonus to the parent with care. We never wanted that to happen, and no doubt nor do the Government, but the potential is there.

The system will be swamped as a result of the nature of the proposed changes. They include fixed bands that replace a fairly complex process of assessment. As I have told the Minister on the Floor of the House and in Committee, we support that proposal. However, there will also be a reduction in the number of variations or departures from the scheme. The new clause is necessary because, in many ways, the provision replicates a mistake by the previous Conservative Administration. We recognise that we made a mistake.

Mr. Swayne: One of the problems that we examined in Committee was the fear that there would be a growing number of variations as a consequence of the simplicity of the new formula. Would not the addition of new clause 27 provide a powerful incentive for the Government to keep up the pressure by means of a performance measure?

Mr. Pickles: My hon. Friend is half right. As he says, the new clause would provide a sensible performance measure and it would be helpful in that respect. However, as my hon. Friend said most powerfully in Committee, the demand for additional variations will not come from within the CSA or from the House; it is more likely to result from public disquiet and unhappiness. In a reasonable world, the new clause might operate as a check on the Government but, as we sought to demonstrate, it would at least provide an early warning of what might go wrong, and that is desirable.

Before my hon. Friend intervened, I was about to don a hair shirt and apologise, so I shall do so now. We made a mistake when we made changes to the CSA. Although we introduced lots of departures and variations—depending on whether one reads the Bill or the Act—and that was sensible, we retained a fairly complex system of assessment. The Government propose a simplified, three-band system of assessment and we support that, but they also intend to reduce the number of variations. That cannot be sensible. It is a mirror image of the mistake that we made. There should be a simplified system of assessment, but a greater number of variations than the Government propose. That would temper the rough justice that the Government would otherwise impose.

I have received a transcript of a talk given by Mr. Nicholas Mostyn QC—

Kali Mountford (Colne Valley): Not him again.

Mr. Pickles: I have no doubt that Mr. Mostyn—one of the country's leading family law Queen's counsels—will be most gratified to receive that accolade of "Not him again".

The Minister of State, Department of Social Security (Mr. Jeff Rooker): Same old stuff.

Mr. Pickles: Mr. Mostyn's speech was given, to Manches and Co., on 7 March 2000, and is therefore quite recent. The Minister therefore cannot say that it is the same old stuff. It is new stuff, and he should pay some attention. *[Interruption.]* We will come to that in a few moments. However, I do not think that it is appropriate to be doing the knitting by the tumbrels. The Bill is about ensuring that there is maintenance for children, not about redistribution of wealth. I think that the Under-Secretary had better contain herself a little.

5.15 pm

Nicholas Mostyn said:

> It seems to me if you are going to make the formula more simple you must make your departures wider. You can't make the formula more arbitrary and then cut down the grounds on which you seek departure.

That seems to be a very fair assessment.

Labour Members—in their "not him again" mode—will perhaps want to hear something more to their taste. In "Children First: Reforming Child Support", published in October 1996, just a few months before the Government's general election victory, they talked about

> increasing the grounds on which an appeal can be made to include complaints not only against assessment itself, but against failures in the administrative process that led to it.

New clause 27 would achieve precisely that.

The new clause seeks to ensure that, if people are aggrieved, they do not have to wait a month to receive a reply. It would provide a way of ensuring that matters are dealt with. I do not know why the Minister of State should be so unhappy about that. The new clause will make the whole system run better. I do not see why the Government are getting themselves all upset about it.

When we were debating the Bill in Committee, if anything made the Government more likely to accept a proposal, it was the idea that it would improve administrative convenience. The new clause is all about administrative convenience. The new clause will implement Labour's intention, and I commend it to the House.

Mr. Field: Reading new clause 27, I thought that I agreed with it. However, after listening to the speech of

[Mr. Field]

the hon. Member for Brentwood and Ongar (Mr. Pickles), I am not sure that I do. However, I should like to add my weight to the Government's position—that it is crucial that we have a much more simplified formula and that we do not grant many exceptions to that simple formula. That is how our tax system runs, and it works well. There is agreement across the country on our tax system. The last thing that we want is more departures from a simplified formula. We are moving towards a formula that people understand, and part of that understanding is that there will be some rough justice.

I hope that, after we have meandered through our debate, the hon. Gentleman will withdraw the clause—which in good nature and good faith could be considered in another place. I suggest that, if the proposal is not voted on today, but is considered in another place, we might consider creating a statutory requirement that maintenance payments should occur only after the errors have been put right. The hon. Gentleman is lucky in that he has only one person staggering in per surgery to complain. In Birkenhead, there are four of five people with shopping bags full of papers from the CSA. There may be cases where an individual has done all in his power to present the proper information, and it is found, much later, that the CSA has made a miscalculation or an error in computing maintenance, and the new maintenance bill, taking into account that error, is backdated to the period when the error was discovered and then presented to my constituent. In those circumstances, it is proper for taxpayers to meet the bill, and not individual constituents.

Mr. Andrew George: I welcome the spirit of the new clause. It is reasonable to introduce targets and appropriate compensation, as the right hon. Member for Birkenhead (Mr. Field) pointed out. Clearly, his surgeries mirror my own. This is the area that has caused the most frustration and difficulty for constituents and Members of Parliament.

I share the right hon. Gentleman's concern about the time period for targets, but there is a question mark over the point at which the target period effectively kicks in; in other words, when it can be agreed that all the evidence required by the CSA has been received, as that is often a cause of debate between the CSA and the client.

Mr. Field: I was not arguing that so much. In circumstances where a constituent receives a letter stating that the CSA has discovered that, two years ago, it made a mistake in computing the maintenance, and presenting the constituent with the back payment that he owes, we want the Bill to ensure that our constituent does not pick up the bill and that the CSA does.

Mr. George: I was making a point in addition to that point, with which I entirely agree. The backdating claims, and the resulting heavy burden upon many constituents as a result of errors made by the CSA, are pertinent points. These lie alongside the arguments made effectively by the hon. Member for Brentwood and Ongar (Mr. Pickles). Whether the hon. Gentleman seeks to push the new clause to a vote, or seeks simply to probe the matter, he will find strong support from my party.

Mr. Laurence Robertson (Tewkesbury): When I was first elected, a great many people came to my surgeries to complain about the CSA—not only about its mistakes, but about calculations that were not done and about cases dragging on and on. It may be dangerous to say this, but I find that there are fewer cases coming to my surgeries now.

In view of that, I hope that we are not being premature with some of the changes that we are making in the Bill, which undoubtedly creates a system of rough justice. Many changes in the Bill are to be welcomed, but we may come to regret creating such a system.

Mr. Swayne: Is my hon. Friend suggesting that the targets set out in the new clause are not necessary because the administrative situation has improved so much? If that is so, is the Bill necessary at all?

Mr. Robertson: I am not quite saying that, but my hon. Friend's question leads to an interesting point. I hope that I may test your patience slightly, Mr. Deputy Speaker, by drawing an analogy—

Mr. Deputy Speaker: Order. It occurred to me that the hon. Member for New Forest, West (Mr. Swayne) was directing the hon. Member for Tewkesbury (Mr. Robertson) more accurately to the substance of the amendment than his own opening remarks suggested. I allowed the Opposition Front-Bench spokesman some licence to put the background to the new clause, but I cannot allow the same licence to other hon. Members.

Mr. Robertson: I understand, Mr. Deputy Speaker. I am grateful to you for your guidance, and to my hon. Friend the Member for New Forest, West (Mr. Swayne). I had not appreciated how helpful he was being.

Mr. Swayne: I am here to help.

Mr. Robertson: In view of that advice, I shall turn straight to the detail of new clause 27.

Angela Eagle: Very wise.

Mr. Robertson: I am sure that it is wise to do so.

I support new clause 27, which would be very useful. It would concentrate the minds of those at the CSA charged with ensuring that money finds its way to parents with care so that children are helped, and with ensuring that people are not charged unfairly. The performance measures that the new clause could be said to be introducing would be very effective.

Target times are all well and good, but we must be aware that in some circumstances it might not be possible to meet such a target. The reasons may be outside the CSA's control—for example, it may not be possible to get the relevant information. When that happens, it would be far better to extend the time a little than to drop the case and allow the costs already incurred to fall to the taxpayer. That is not something that I support.

I am in favour of the new clause, but I think that we must keep something of an open mind about the possibility that the time limit might have to be extended sometimes. My hon. Friend the Member for Brentwood and Ongar (Mr. Pickles) spoke about empowering people, and the new clause would empower people to receive what they are entitled to. In that way the taxpayer would

be relieved of the burden. The new clause would also mean that the non-resident parent—the one who does the paying—would receive the justice that he deserves.

All hon. Members know that delays cause many problems, and mean that parents with care and their children have to live without support. In the cases that I have dealt with, many problems have been caused by arrears building up, and the compensation provided for in new clause 27 might well have to be set against those arrears.

Mr. Bercow: I am grateful to my hon. Friend for giving way. I am sure that all hon. Members appreciate his balanced presentation of the case, but does he agree that new clause 27 is desirable, on its own account and because it would establish more widely the principle that compensation should be paid in the event of malfeasance?

Mr. Robertson: I entirely agree. In many cases, compensation, had it been paid, would have relieved greatly the suffering of aggrieved parents, regardless of which side of the argument they were on.

Introducing time limits could prevent some of the problems that can be encountered. The threat of violence between the parties was mentioned earlier. I do not suggest that the new clause would remove such threats, but recognising and dealing quickly with them would lessen the risk of violence. There would also be less risk that people would disappear into the community and never having to pay a penny for their children. *[Interruption.]*

Mr. Deputy Speaker: Order. I am sorry to interrupt the hon. Gentleman, but I hope that we can have a cessation of the chat lines going on between hon. Members on the Government Benches. I am trying to listen to the debate.

Mr. Robertson: Thank you, Mr. Deputy Speaker. I am sorry that hon. Members do not find my remarks terribly interesting, but they may come to be seen as important.

A time limit would also simplify the system. If people are aware that the CSA means business and that it will sort out a case in X number of weeks, they might be more prepared to provide information, especially when they realise that compensation might be payable.

I understand what the right hon. Member for Birkenhead (Mr. Field) said about compensation being paid for by the taxpayer. Would the Government also consider, in certain cases, asking for compensation from a party who has withheld information? I accept that that may be going slightly wide of the new clause, but it might be a way of preventing problems from arising in the first place.

5.30 pm

Mr. Swayne: My hon. Friends have been eloquent in detailing the problems that Members of Parliament are faced with in their surgeries consequent upon the delays of the Child Support Agency. However, I think that their expectations of the impact of the new clause are rather exaggerated. In many respects, the problems are insoluble. When the CSA is confronted with those problems, it stands between two warring parties who have come to hate one another and who acknowledge no sense of contributory negligence in having chosen one another as partners in the procreation of children. We have to escape from the notion in the new clause that there should be a measure of customer satisfaction with the Child Support Agency. In many respects, such expectations cannot be met.

Mr. Pickles: I am not sure that my hon. Friend is entirely right. The new clause offers an early warning system that things are not going right at the Child Support Agency. One of the earliest signs that the agency is getting swamped and things are going wrong is the length of time that staff take to reply to letters or make assessments.

Mr. Swayne: I entirely agree with my hon. Friend. I began my remarks by saying what I think that the new clause would not achieve, despite some people's expectations. I now wish to deal with what the new clause would achieve, which my hon. Friend has drawn to our attention. Undoubtedly, many of the problems that compound the irritation and frustration of our constituents arise purely out of an administrative rather than a social problem. Part of that has undoubtedly been the lack of resources that have been made available to the agency. The Parliamentary Commissioner drew attention to that in reports to the House.

It must be acknowledged that there has been a huge improvement in the agency's performance, measured by the number of cases that have been referred to the Parliamentary Commissioner, which is sharply down, and the number of cases referred to Members of Parliament. Nevertheless, one of the principal purposes of the Bill, as we are constantly told, is to streamline the administrative process because the existing process is far too cumbersome. I see that the Minister nods her head. Given that one of the Bill's principal purposes is to achieve that administrative streamlining and, as a consequence, deliver a measure of justice that the existing system simply cannot deliver, it seems appropriate to have some means of measuring the effectiveness of that administrative improvement. The new clause provides precisely that mechanism.

It is appropriate that we should demand such provisions, because time after time in Committee, when we attempted to ameliorate what Ministers correctly referred to as some of the rough justice of the Bill, we were told that, although our amendments were desirable in themselves, they could not be accepted because they undermined the overriding requirement to deliver administrative efficiency. If the purpose of the Bill is to do that, surely the pay-off must be the provisions in new clause 27.

The Bill will, of course, deliver a much simpler system, but it will be a much rougher form of justice. As a consequence, it is proper to provide our constituents with a form of redress if the system continues to fall down and if its administrative procedures do not match up to expectations. That would provide an administrative incentive to the Department and to Ministers to ensure that the CSA is properly resourced and capable of delivering the administrative solution for which the Bill was designed.

Mr. Pickles: The logical extension of my hon. Friend's argument is a point that I did not pursue. The provision

[Mr. Pickles]

would offer Ministers, or those in control of the CSA, a week-by-week view—an early warning that things might go wrong; they would not have to wait months to find out through an appeal. People would have begun to receive money so everyone would already know that something had gone wrong.

Mr. Swayne: That is correct. That mechanism must be built into the system because it is so manifestly lacking under the existing arrangements which the Bill attempts to remedy. In effect, the provision is a form of management information. To include that is not only correct, but would introduce an element of justice and redress that the Bill does not contain. Much of the Bill trades justice and fairness for administrative convenience—not for the benefit of the Department but for that of the taxpayer and, indeed, the customers of the CSA, for whom the present system is unfair and unjust because it is so complex.

Mr. Bercow: My hon. Friend will have observed that subsection (2) of the new clause states that the "level of compensation payable" is to be set out in regulations consequent on the clause. Is it my hon. Friend's understanding that the levels—I think the plural is intended, or, if not, it would be appropriate—of compensation should be specified in the regulations, and that they should not be subject to the personal discretion or the administrative fiat of CSA staff?

Mr. Swayne: That is true. The principle of natural justice should apply to those regulations. Customers should be compensated for the tort—the wrong—that they have suffered; the compensation should right the injustice. I would expect that to be set out in the regulations. If that element of natural justice is not included, the Bill will not be compliant with the European convention on human rights. Presumably, Ministers have taken advice and reflected on that matter.

Mr. Bercow: That would never do.

Mr. Swayne: My hon. Friend is unfair. In Committee, we covered such matters exhaustively and Ministers provided some satisfaction on them.

I share entirely the Ministers' objective, but the new clause is desirable not only on the ground of natural justice but because it would provide what I have called the pay-off for some of the compromises on fairness that we have made during proceedings on the Bill. We have sacrificed fairness for administrative streamlining, and it is therefore appropriate to insert this measure of redress.

Angela Eagle: We need to bear in mind in our deliberations the fact that the Bill will undoubtedly deliver a simpler and more effective system of child support, and because of it, more than 1 million children will gain. We are all in favour of targets. The only thing that divides the Government and the Opposition in this debate is where and how they should be set and in what context.

I thank Opposition Members who have observed that there have been some improvements in the Child Support Agency. It is true that there have been huge improvements in its attempts to deliver a very difficult administrative system. The hon. Member for Brentwood and Ongar (Mr. Pickles) mentioned the telephone answering service. I can tell the House that, in 1996, only 1 per cent. of calls were answered promptly—

Mr. Kevin Hughes (Doncaster, North): If at all.

Angela Eagle: My hon. Friend is right. That figure is now up to 70 per cent. Although all hon. Members have noticed some significant improvements, we know that there is a great deal more to do. Nobody is in favour of delays and arrears. We are all too familiar from our constituency postbags with the delays and poor service that the CSA, struggling with its current formula, can provide. The child support scheme has failed parents and children alike, and that is why we are revisiting the subject to try to get it right. Clearly, given our experience, it is our duty to bear administrative simplicity in mind when redesigning the system. The radical simplification of the way in which child support liability is assessed, by replacing the complex assessment formula with a straightforward one, will help a great deal.

The new clause is unnecessary. In the reformed child support scheme, we expect the agency to make maintenance calculations within days and to get maintenance flowing in an average of four to six weeks rather than up to six months, as now. Clearly, by the time six months have elapsed, non-resident parents face difficulties having accrued arrears through no fault of their own.

Mr. Pickles: Would it be fair to say that the hon. Lady is rejecting the new clause as unnecessary because delays will not occur under the new system?

Angela Eagle: If the hon. Gentleman is patient, I shall come on to explain why the new clause is unnecessary. I am disagreeing not with the requirement for targets but with the way in which the new clause would put them into effect and with some of the perverse effects that that would have. Indeed, the hon. Member for Tewkesbury (Mr. Robertson) pointed one out: if the agency had to ensure that all—that is the word used in the new clause—payments were made within a set time, regardless of how difficult a case might be, that might create a perverse incentive not to pursue some cases. Such cases would be bound not to fall within the target. The hon. Member for St. Ives (Mr. George) mentioned some of the difficulties and sensitivities of setting targets fairly.

We are looking at a target of four to six weeks rather than six months in which to get maintenance flowing. The faster turnround of cases will get it flowing more quickly and reliably, and that is the aim underpinning the changes. The new clause would mean that the agency would be legally bound to deal with all cases referred to it in a set target time, regardless of whether the parents were co-operating, of why the delay had occurred and of the normal peaks and troughs in the number of separated parents applying for maintenance.

The Secretary of State will, as now, set the CSA a range of targets each year, including those relating to clearance times. However, it is unrealistic and inappropriate to set such targets in legislation. That is not done in any other area, and legislation is a particularly inflexible way of setting targets.

5.45 pm

If the wording of the new clause is taken literally, a target embracing the clearance of "all" cases would have to be set at the level of the most difficult case if it were to be remotely realistic. A more demanding target would lead the agency to devote a disproportionate level of its resources to clearing such cases, substantially worsening the position for those who would otherwise expect quick and effective decisions. That would be counter-productive.

The chief executive of the CSA is rightly accountable to Parliament for the performance of her agency and details of its performance against each of its targets are published in its annual report. The performance of the agency is also subject to the scrutiny of the Public Accounts Committee and the Select Committee on Social Security. Requiring the CSA to meet what might be inflexible clearance-time targets that were set in isolation from other targets, such as those relating to accuracy, would simply not be sensible.

The new clause would also require the agency to pay compensation to parents where the agency failed to meet its statutory clearance targets regardless of the cause of the delay. As hon. Members will be aware, the Department of Social Security, in common with other Departments, has a discretionary compensation scheme, which provides financial redress to anyone who has suffered financial loss, harm or suffering as a result of poor administration.

Mr. Pickles: I think that the Minister has misread the terms of the new clause. It says:

> The Secretary of State shall, by regulations, set a target time within which the Child Support Agency shall deal with all cases referred to it.

That means all the various categories. The Secretary of State will set the targets for the various categories and it is a perverse reading of the true meaning of the new clause to suggest that a target must be set for every single case. The new clause would mean that targets would be set for the various categories. If that is what it means, all the Minister's objections to it will be swept aside.

Angela Eagle: The hon. Gentleman did not deal in detail with that aspect of the new clause when he moved it. However, it refers to "all cases". There is no distance between us on the need for the CSA to have targets. Those targets should be published and should be made available. The CSA should then prove to the rest of us—its accountability is well set out—that it is capable of meeting those targets. I do not think that the new clause would assist that process, and we do not want the targets to be set in legislation. They are normally set by a Secretary of State and reported on in annual reports, but they certainly do not appear in secondary legislation. If they did, that would make them inflexible.

Compensation is already paid and, last year, it amounted to more than £4.5 million. There is nothing between us on the setting of targets and I am not saying that we will not set very rigorous targets for the CSA. However, we do not want to set them in legislation; we want them to be set in the normal way. I assure the hon. Gentleman that the CSA will be accountable.

Mr. Pickles: I am most grateful to the Minister. She says that there is consensus on the setting of targets, and she is absolutely right about that. Everyone agrees that the targets should be reasonable. We do not want to place the CSA and even Ministers in a difficult position. We argue that realistic targets should be set.

There is, however, a difference of opinion between us. She says that if targets are not met for individuals, nothing will happen. We argue that people should be entitled to compensation, but when I said that nothing would happen, the right hon. Member for Birkenhead (Mr. Field) shook his head. I am not sure what would happen. Perhaps a report would be written, perhaps the CSA would have to appear before a Select Committee and receive a grilling or perhaps it would be the subject of an audit from the Public Accounts Committee. However, such processes are meaningless to ordinary members of the public, because they are blissfully unaware of them.

We have debated this issue before and we must remember that the individuals involved are ordinary folk who want to achieve justice from the system. They are not concerned whether an official whom they consider to be highly paid appears before a Select Committee and receives a bit of a grilling from even more highly paid politicians. They are thinking, "I've been waiting a month and nothing has happened. Why not? I haven't received any compensation or an apology. I've received nothing."

Mr. Swayne: The Minister, in putting her case, set out what targets she will seek to achieve for the length of time taken to process an application. Does my hon. Friend consider those targets reasonable, as the Minister does, or does he have alternatives?

Mr. Pickles: Well, we do not know what targets the Minister will set. We have had a vague promise that targets will be set.

Angela Eagle: We shall publish the targets. Clearly, they will not be a state secret. Targets for the CSA and all agencies within the Department of Social Security are published, so I can assure the hon. Gentleman that the process will be open.

Mr. Pickles: I am sure that receiving the targets will not be a case of meeting at the crossroads at midnight. I am sure that they will be published.

Mr. Swayne: Given that the targets will be published and that the Minister complained that it would be inappropriate to set targets in the Bill, there can be no objection to the new clause because it does not require targets to be included in the Bill. It merely requires the Secretary of State to set targets.

Angela Eagle: In regulations.

Mr. Swayne: Indeed, in regulations. Given that the Minister will set such targets—

Mr. Deputy Speaker: Order. If the hon. Gentleman is seeking to make an intervention on his hon. Friend, he needs to disguise it better than that.

Mr. Pickles: In so far as I understand my hon. Friend's point, I agree with him. The Minister was told by those

[Mr. Pickles]

briefing her on the new clause, "This will be a piece of cake because the Tories have tied themselves in knots. We do not want to set the targets in legislation because that is wholly unreasonable. Look, they're using the word 'all', so you'll have no problem dismissing the new clause." Of course, problems have started to occur. We have had distinguished contributions from the Liberal Democrats and, of course, my hon. Friends, saying that the new clause is sensible. My hon. Friend the Member for New Forest, West (Mr. Swayne) is absolutely square on.

We must look at the new clause. It is nice to debate legislation in this place but it is better to look at what we are debating. The new clause says:

> The Secretary of State shall, by regulations, set a target time within which—

Mr. Rooker: The hon. Gentleman has already read out the new clause.

Mr. Pickles: The right hon. Gentleman is absolutely right, but it is clear that he was not listening, so I shall continue. The new clause says:

> The Secretary of State shall, by regulations, set a target time within which the Child Support Agency shall deal with all cases referred to it.

We want the Secretary of State to do precisely that.

That does not mean to say that every case would have the same target. I do not suppose that the Under-Secretary thought that every CSA case would have an identical target. That is certainly not what she just said. She started to take hon. Members into her confidence and said that the targets will be published and the process will be open.

The new clause seeks only to ensure that the targets set by the Secretary of State will have a consequence. Subsection (2) would empower the Secretary of State to set the level of compensation to be paid if those targets were not met. That is necessary for two reasons. First, as I have already said, we want to ensure that the people waiting on the telephone and sending letters do not think that their words have gone into a great black hole.

Mr. Swayne: I fear that in his attempt to be reasonable and to persuade the Government to adopt the new clause, my hon. Friend is handing rather too much power to Ministers because the regulations, compensation and targets will be entirely at their discretion. Could he assist the House by indicating what would be reasonable compensation and what would be a reasonable target?

Mr. Pickles: I have no idea whether my hon. Friend is a fly fisherman or whether you are, Mr. Deputy Speaker, but when one casts the lure on the water, it is important that it is attractive enough to make the Government snap. My hon. Friend must recognise from his time in the House—which is daily becoming more distinguished—that the Government resist including precise figures in primary legislation because they want more power.

To tempt the Government to accept the new clause, I am offering them considerable power. That is a straightforward strategy. I may be criticised for making it easy on the Government and for making the system work, but we decided that from day 1 we would deal with the Government on the basis of trying to improve the Bill, and that is why the new clause has been made so tempting.

Mr. Bercow: Does my hon. Friend agree that on the subject of compensation payments the Minister gave us a passable imitation of Dr. Pangloss in suggesting that the present arrangements are entirely satisfactory? Does he recall that she referred to the overall sum available for compensation? Does he think that it is more important to establish that the individual amounts payable in given circumstances are appropriate than to brag holistically about the overall level, because that gives the impression that, Scrooge-like, she is concerned with the totality rather than the cause of individual justice?

Mr. Pickles: I understand my hon. Friend's suggestion. The Minister said that the new clause is not entirely alien to the Government's measures; a compensation scheme exists and the new clause is perhaps a natural add-on to that scheme. In a way the Minister is arguing against herself by not accepting the new clause.

As I said, the first reason why subsection (2) is necessary is to ensure that the public understand that a compensation scheme exists. The second reason relates to administrative convenience. The new clause would enable us to find out pretty soon if things are going wrong. We could find out in various ways. We could set up a complex system, perhaps involving computer software and outside consultants who could monitor customer satisfaction, conduct opinion polls and set up a focus group of people who had dealt with the CSA.

I suspect that all those methods would be very effective, but subsection (2) offers a cheap and cheerful alternative. Compensation will be paid on the basis of a failure to comply with pre-set Government targets, so we would find out instantly if things went wrong. Sensible CSA managers would be monitoring the effect of the new clause almost weekly. I imagine that they might well have a graph in their office showing the amount of compensation being paid. If they suddenly found that the curve was starting to change and the graph was becoming almost vertical, they would ask themselves what was happening. That would tell us that something has gone wrong in the system; it would give us an early warning—

6 pm

Mr. Deputy Speaker: Order. May I give the hon. Gentleman an early warning? I feel that he is beginning to repeat himself.

Mr. Pickles: I apologise, Mr. Deputy Speaker. As I am sure that you realise, I am genuinely attempting to improve the Bill and I have now made my second point.

The Government suggest that the new clause, if it is interpreted in a certain way, might have a perverse effect, because of the words "all cases". I recall the Under-Secretary saying that there might be a possibility of officials deciding not to pursue certain cases because they would take too long. The hon. Lady understands that we interpret the words "all cases" differently, but—*[Interruption.]* The Minister of State appears to want me to go on even longer, even though I have already received a warning from the Deputy Speaker. I was about to become accommodating, so the right hon. Gentleman should not provoke me.

Because of the Under-Secretary's comments and because our proposal appears to have attracted cross-party support, I am hopeful that she will have a little think about it.

Mr. Bercow: Is not the problem with compensation that the process of pursuing it is often difficult, lengthy and uncertain, notwithstanding the Under-Secretary's comments about the overall compensation payable? Therefore, is not the merit of the specificity of the new clause that it will give CSA staff an incentive to good performance that the Bill does not provide?

Mr. Pickles: My hon. Friend is absolutely right.

Angela Eagle: The hon. Member for Buckingham (Mr. Bercow) has it slightly wrong: £4.5 million is not the amount of compensation that is available, sitting in a pot, waiting to be claimed, but is the amount of compensation that was paid out last year.

Mr. Pickles: I think that we understood that.

Because the use of the phrase "all cases" might result in the new clause having a perverse effect, because there is a high degree of consensus on the clause, and because I suspect that the matter will be pursued in another place, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Schedule 1

SUBSTITUTED PART I OF SCHEDULE 1 TO THE CHILD SUPPORT ACT 1991

Mr. Pickles: I beg to move amendment No. 87, in page 83, line 7, at beginning insert—

'( ) Where the amount of child support maintenance calculated exceeds such sum as may be prescribed ('the maximum sum'), the maximum sum shall be payable by the non-resident parent.'.

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 88, in page 83, line 7, at beginning insert—

' "( )(a) Following the calculation of the amount payable by the non-resident parent the Secretary of State shall determine the net weekly income of the parent with care in like manner to the determination of the net weekly income of the non-resident parent.

(b) Where the net weekly income of the parent with care exceeds the net weekly income of the non-resident parent of the Secretary of State shall in such manner as may be prescribed reduce the amount of child support maintenance payable by the non-resident parent.

(c) Where the non-resident parent is liable to pay child support maintenance to more than one person the provisions of (a) shall apply to each parent with care and the reductions in the amount payable provided for by (b) shall apply to the amounts payable to each of those parents with care in receipt of a net weekly income greater than that of the non-resident parent.".'.

No. 2, in page 83, line 35, leave out sub-paragraph 4(1) and insert—

'4.—(1) Except in a case falling within sub-paragraph (2), a flat rate of £5 is payable if the nil rate does not apply and the non-resident parent's net weekly income is £100 or less.'.

No. 3, in page 84, line 2, leave out from "force;" to end of line 4.

No. 4, in page 84, line 5, leave out sub-paragraph 4(3).

No. 5, in page 84, line 11, at end insert—

'; or

(c) he received any benefit, pension or allowance prescribed for the purposes of this paragraph; or

(d) he or his partner (if any) receives any benefit prescribed for the purposes of this paragraph.

(2) The benefits, pensions and allowances which may be prescribed for the purposes of paragraph 5(1)(d) include ones paid to the non-resident parent under the law of a place outside the United Kingdom.'.

Mr. Pickles: The amendments address matters of great importance. On Second Reading, we made it clear that, although we support the notion of simplified banding, we believe that the Bill makes certain injustices likely.

Three great injustices have not been addressed. The first is the issue of rough justice and the lack of variations, which you, Mr. Deputy Speaker, kindly allowed us to debate briefly in connection with new clause 27. The other two relate precisely to the amendments, especially the first two in the group. They are the injustice of not having an upper limit for the purposes of assessment and the injustice that arises when the parent with care is wealthy and the non-resident parent is poor.

The Bill is a landmark measure because it creates a new right in law: that a child shall have a share of the parent's income during the lifetime of the parent. That legal right is unique, not only in British law, but anywhere else in the world, according to the advice that I have received from learned colleagues and counsel.

Mr. Swayne: Although the right might well be unique, it does not strike me as unreasonable. My hon. Friend appears to dispute the right. Will he explain why he considers it unacceptable?

Mr. Pickles: My hon. Friend must be patient: I was about to explain, but he will have to allow me a few oratorical flourishes before reaching that climax.

I understand that a similar right exists in Germany, but only in connection with inheritance—in other words, the parent has to be dead. Britain is the only place in the world that will give that right when the person who has the money is still living. The strange aspect is that the right is given only to children of a broken marriage or relationship; in addition, the right affects only the non-resident parent's wealth. Therefore, children do not have such a right in relation to the parent with care or if their parents live together. A child of a broken marriage has no such right in connection with the parent with care, who might be wealthy, but has it in connection with the non-resident parent, who might be poor.

Under the Bill, the child has no right to claim the money itself. Therefore, although we create a brand-new right in law that one child is entitled to 15 per cent., two children to 22 per cent., and three or more children to 25 per cent. of the non-resident parent's income, the children cannot get hold of the money themselves; it is paid over to the parent with care. No wonder the arrangement has been described as spousal redistribution by stealth. It is a way of re-examining a divorce settlement.

I know that you like transparency in such matters, Mr. Deputy Speaker. It is strange that the Government are reluctant to give a reason for the arrangement. All we hear

[Mr. Pickles]

is a woolly statement that children have a right to enjoy and share in any increase in the wealth of the non-resident parent. That is all the explanation that has been given, so I hope that the Under-Secretary will provide some further explanation today.

I do not believe that a child has such a right. I believe that children have a more important right, which is to be maintained by each parent. Children have a right to maintenance and to their education, housing and other needs being met, but they do not have a right to an immediate share in their parents' wealth. There might be a presumption or an expectation that, as time passes, certain sums will be handed over to a child during its lifetime, or that it will receive some sort of inheritance after a parent's death, but the child has no right to receive such sums. The House should not be involved in carving up a person's wealth. That should be a matter for the individual parties to decide. Individuals have a right, a duty and an obligation to look after and support their children. They cannot palm their children off on to somebody else. That is the position in law.

We have been considerably helped, during the Bill's passage through the House, by the work of the Select Committee on Social Security. I shall quote from its recommendations, which I think are set out on pages xlii and xliii. The Committee states:

> In the final analysis, the child support formula should be seen clearly to be related to the cost of bringing up children and not as a straightforward "tax" levied on the non-resident parent. We recommend that the Government should re-examine the possibility of inserting in the legislation an upper limit on the automatic application of the revised CSA formula.

That was wise advice. The wording was chosen because it reflected the evidence as it unfolded.

Select Committees sometimes fall down when the dirty hand of politics becomes involved, and that happened in this instance. There was an amendment to strike out the recommendation to which I have referred and instead to include the words

> continue to share in that parental wealth.

However, the Committee still felt able to include the warning that

> there is a risk that a few high-profile cases involving payments about the maximum contribution may negatively affect public perception.

I bet they will. The social security system and the CSA will be brought into disrepute.

I am sure that Mr. Bill Gates of Microsoft leads a blameless life and that he would never shirk his responsibilities. However, let us suppose that he did, and that the CSA came after him. Mr. Gates is worth £53 billion a year. According to the formula that the Government seek to impose, if he had two children they would receive £10.6 billion by way of child maintenance. The House will be aware that the gross national product of Luxembourg is £8.9 billion. That is an illustration that the formula goes beyond maintenance and that it does not make sense.

I have used Mr. Bill Gates as an example because he is the wealthiest person whom I have heard of, and to ridicule the system. However, the Government's formula will have a more perverse effect. Another example is that of two houses side by side. In house A we have a parent with care on £9,000 and a non-resident parent on £300,000. In house B there is a parent with care on £300,000 and a non-resident parent on £9,000. I have simply reversed the figures. Let us suppose that each house has one child. On the basis of 15 per cent., child A would receive about £45,000 a year in maintenance, and child B would receive £1,350. That is a difference of £43,650.

What sense is there in that? Are the Government suggesting that child B on £1,350 is adequately cared for? Presumably they are. Are they suggesting that child A on £45,000 is adequately compensated? Presumably they are. However, each child is identical, which is why the figures are so perverse.

6.15 pm

If there is no upper limit, the CSA will find itself increasingly taking over court order assessments. The Law Society and leading lawyers are warning us about that. *[Interruption.]* The Minister makes disparaging remarks about the legal profession, but it was not so long ago that it was suggested that the CSA should set up a counselling service under a leading judge to produce a far more judicial system. After all, the Minister is seeking to achieve a lawyer's playground. A great deal of money will be made, and we can be pretty sure that that will not be for the benefit of children.

As the Law Society and leading counsel have said, all that is required is 14 months' notice to be given by the parent with care, who can then take up to 25 per cent. of the non-resident parent's income. Even if there is a clean-break divorce, even if substantial child maintenance has been agreed, even if there have been deals with regard to the transfer of shares, pension rights, properties, the setting up of various trusts and various assets from the marriage being transferred, these events would be regarded as never having happened. It would be within the ability of the parent with care to go straight to the courts.

I know that Labour Members are reluctant to accept quotes from Mr. Mostyn. However, in his talk, to which I referred earlier, he made an interesting observation about the legal profession and about how judges would deal with these matters. He referred to substantial maintenance and said:

> I think you are beginning to see—

He was addressing a bunch of lawyers—

> how this is going to be a lawyer's beanfeast for us because we are going to be very clever working out ways to get round this and I will explain some of them later on. A certain High Court Judge has said to me that if that happens—

that is, if the proposed arrangements are made and are overturned by the CSA—

> "I'm going to order spousal maintenance from the wife back to the husband to rectify the situation", but that won't work when they are unmarried.

In other words, this is about spousal maintenance. It is a back-door means of achieving precisely that. I believe that the Government's approach was regarded as being rather politically correct, it being about the rights of the child. It was armchair political correctness. It was included to make everyone feel good—"We shall do this and the added bonus is that we might be able to stick a few rich people as a bonus." However, the scheme will have an effect further down the process.

In Committee, the Minister said that, if we had an upper limit—I am speaking from memory, but I am pretty sure that the hon. Lady said this—we might be vulnerable to a

challenge by the European Court of Human Rights. The hon. Lady is silent. I wish that she would give me a clue whether she said that or not.

Mr. George Stevenson (Stoke-on-Trent, South): We are waiting to be convinced by the hon. Gentleman.

Mr. Pickles: I am grateful to the hon. Gentleman. It is good to see him in the Chamber.

I am pretty sure that the record will confirm what I believe the Minister said. However, an upper limit already exists. Is she suggesting that we are open to challenge? As leading counsel has said, we need to see that advice, because it goes against all the experts in family law. All the experts on the European convention on human rights say that that is not the case, but the hon. Lady seems to have found a lawyer to say that it is. If it flies in the face of conventional wisdom and all the advice that we have received, we should know. I look forward to hearing from her what the position is.

We are not unique in having such a system. The system in Australia has the same aim. In Committee, I quoted extensively from Mr. Justice Kay of the Australian court. I did not realise at the time how distinguished he was. Apparently, he is the senior judge in the family court of Australia, and the principal appellant judge after the chief justice, so he is a senior man.

Justice Kay was asked to give advice to the Select Committee, and stated:

> Placing a cap on administrative assessment of child support and factoring in some income of the carer are seen as being entirely consistent with two underlying essential bases of the scheme.
>
> The first principle is
>
> that children have their proper needs met from reasonable and adequate shares in the income, earning, property and financial resources of both of their parents.
>
> The second is
>
> that parents share equitably in the support of their children.

Justice Kay was asked whether those principles would meet with public acceptance. He commented:

> The success of the scheme may well depend on the extent to which the public perceive it to be fair. Assessments which throw up $550—
>
> the sums are given in Australian dollars—
>
> a week for a baby or ignore the fact that the carer is earning $100,000 *per annum* whilst the payer is struggling to make ends meet do little to bolster public enthusiasm for the scheme.

The Government's proposal is entirely consistent with the Labour party's pre-election pledge, which stated:

> We are determined to establish clear principles, in the context of changing times, and to devise policies that are as fair as possible for all the parties concerned, including mothers and fathers.

I anticipate what the Minister will say. She will speak about rough justice and tell us not to worry, because the system is to be simplified. She will say that some people may be disadvantaged, but too bad. She will tell us that 96 per cent. of parents with care have net weekly incomes below £100, and that only 6,000 people will be affected.

In my book, 6,000 is a substantial number, and that does not take account of the effect on middle England. Once the measure becomes law, there will be a rush—nay, a stampede—of people seeking to overturn court judgments and to get a larger slice by way of spousal distribution.

Is it not absurd that we may be chasing a non-resident parent with a low income—as low, say, as £9,000 a year—when the parent with care is wealthy? Is it not absurd that we are giving children a right to a share of the income of one set of two parents? The amendments are intended to make sense of the CSA reforms.

Miss Anne McIntosh (Vale of York): I am grateful to my hon. Friend for giving way. Where the non-resident parent has formed another relationship and the other partner to that relationship is making provision, should that not be taken into consideration?

Mr. Pickles: Not in the context of the amendment, which deals with parents with care who are wealthy. It is ridiculous to suggest that the income of the parent with care should not be taken into consideration. It makes a mockery of the system to chase after someone for a relatively small sum, when the child is living with a parent who has considerable wealth.

Mr. Bercow: Does my hon. Friend agree that it would be an accurate summary of his position to say that he was arguing on the strength of the principle, "From each according to his ability, to each according to his need."?

Mr. Pickles: My hon. Friend is probably a keen fly-fisherman. I shall take no more interventions, as I want to make progress.

We should stop making the CSA a laughing stock. Without the amendments, we will create injustice and a new concept in law which has not been thought out. We will undermine the successful introduction of a set of measures which we sincerely hope will succeed. I commend the amendment to the House.

Mr. Field: I shall speak to amendment No. 87. I confess that, so far, Bill Gates has not come to my surgery to discuss the sort of issues raised in the debate. *[Interruption.]* Of course, I live in hope.

I shall describe a real-life situation for some, but not many, constituents. I pose this as a question to the Minister, which she may answer now or in a letter later, about how the new Act will operate and the safeguards that it will contain.

As I understand it, the safeguard is that people will be required to pay only a certain proportion of their income in maintenance. I have had a number of constituency cases in which people had their first child when they were, let us say, 16. They have a court order for the payment of maintenance for that child. They have then married and had a second family. That marriage has broken up. It is on that second family that the CSA calculations will be undertaken.

I seek an assurance that, under the new system, the maintenance paid for the first child will be taken into account when the proportion of income taken in maintenance is levied—in other words, that that maintenance payment will be taken into account when the safeguard which I understand is in the Bill comes into operation. That is the opposite extreme of how a cap operates, but more people in Britain may be interested in the answer to that question than in the answer to the question of how to treat those families who are lucky enough to have an annual income greater than some continental European countries.

[Mr. Field]

6.30 pm

Mr. Webb: Amendments Nos. 87 and 88 raise two interesting issues. Amendment No. 87 provides that the absent parent, no matter how rich, continues to pay a percentage in child maintenance. Amendment No. 88—to which the hon. Member for Brentwood and Ongar (Mr. Pickles) referred, but not in as much detail as I expected—deals with the situation where the mother is better off than the absent father.

In considering the amendments, we were struck by the fact that they represent opposite logics. Our guiding principle in deciding which way to vote on an amendment is whether it would help to maintain what a child would have experienced had the parents stayed together. That seemed a reasonable way to evaluate the amendments. On amendment No. 87, the answer is no, and on amendment No. 88, yes. Let me explain what I mean.

Had the rich dad—for simplicity's sake—stayed with the family, the child would have benefited. Maintenance is not just about food and clothing; it is about living standards and quality of life. If a child loses the presence of the dad, is it reasonable to expect them to lose the living standard provided by a well-off dad, or a dad who becomes well off? Had the dad remained and earned a bonus or a good salary, the family might have gone to Disneyland, or wherever.

Mr. Pickles: Is the hon. Gentleman concerned that the Bill provides no way of ensuring that such money is transferred to the child?

Mr. Webb: Short of putting the money in trust, which would be a possibility, we have to assume that the parents will want to act in the child's best interest, so I have no particular problem with the lack of a mechanism for benefiting the child.

Different issues arise if the dad becomes rich after the break up, but if he was rich while the family were together, the child will have had a high material standard of living. Therefore, after a break up, not only does the child lose the dad but there is a slump in the standard of living, which is something else to adjust to.

Mr. Robertson: The hon. Gentleman is right to question whether a child who loses a father also loses a certain standard of living, but the father loses the child, so should there not be some recognition of that?

Mr. Webb: Obviously, the father does lose the child. We all encounter fathers in our surgeries who feel that pain greatly and have great concerns about access and other issues, but I am not convinced that a monetary adjustment is the right way to deal with that problem. Court decisions on welfare and access are important in that regard, but I am not convinced that tweaking the formula can compensate. I do not suggest that we compensate the child for the loss of the father through money either; I am simply trying to avoid further pain for the child.

Therefore, I am not convinced that a cap would make sense. There may be a few headline cases, although, as has been suggested, the Bill Gates of this world will have good lawyers and, just as they will probably avoid paying much tax, they will probably find a way round provisions such as this, so they may never be affected.

We have more sympathy with the rich mum, poor dad situation, where there is more obviously a potential sense of injustice when a dad with a modest income pays maintenance when the mother is well able to provide the child with all that it needs. The loss of money from the dad leaving may be small and there will be one less mouth to feed. I am aware that research shows that, after a split, the family with the children is usually the worst off, but we are dealing here with the opposite case, where the mother is relatively well off, where, after the split, there is one less mouth to feed and the loss of only a modest income, so the family may be better off. It is not unreasonable that that may be taken into account in the maintenance assessment. Therefore, we have some sympathy with amendment No. 88 but not with amendment No. 87.

Amendments Nos. 2 to 5, tabled by the Liberal Democrats, relate to one issue and touch on the different set of circumstances of the absent parent, typically the dad, who is on benefits. Schedule 1 says that dads on benefit would probably pay a fiver, which they would not presently be paying. If I am wrong, I hope that the Minister will stop me, otherwise I shall assume that that is the case.

Is it right to take that fiver a week from an absent parent on benefits? The Government's approach is to say that pretty well everyone should pay something, as much for the symbolism of it as anything else. It is a point of principle, but my problem is that the Government, in so many things that they do, cause people to live below the poverty line by digging away at their basic benefit level.

I would argue that the £50 a week received on income-based jobseeker's allowance is an extraordinarily minimal sum on which to live. It is certainly not enough to save with, so lump sum purchases require a social fund loan, or something like that. A fiver may not sound much to us, but it could be 10 per cent. of a weekly income. I am not convinced that the symbolism of saying that everyone must pay something justifies the poverty that will be created for absent parents in such a situation.

The effect of amendment Nos. 2 to 5, on which we shall divide the House because they represent an important and distinct issue, is to move absent parents on benefit from the category of those who have to pay a fiver into the category of those who are subject to the nil rate.

I give the House an illustration of why we are particularly concerned about deductions from benefits. The "Income Support Statistics Quarterly Enquiry February 1999"—perhaps not the latest, but the latest that I have to hand—gives the number of people on benefits who already have something deducted at source. In other words, they are already getting by on a weekly income below basic benefit levels.

The astonishing figure here is that more than 1 million income support claimants are already living below basic income support levels because something has been taken away at source. Various categories of money are taken away at source, some of which tell one something about the standard of living. For example, in some cases mortgage interest comes from income support at source, and that is just an accounting feature. The money goes direct to the lender instead of it going to the claimant and

the claimant paying it out, so that does not directly mean that they are living below the poverty line. About 600,000 people on income support have social fund loan repayments deducted from their basic benefits. One might say that they have had the money with which they bought the bed, cooker, fridge or whatever, but that money has gone on those purchases, so it is not then available for buying food, clothing and basic necessities. The basic income support level is minimal enough as it is, with no slack in it, so many people on income support end up going to money lenders and loan sharks. Pushing them further below income support by schedule 1 is a cause for concern.

Categories are always being added to such deductions, which take people below the income support line, and the social fund line in the table has been shooting up. In his Budget statement, the Chancellor told the House that there has been year after year of continuous economic growth. One would therefore assume that the numbers would start to drop as jobs were created. Unemployment decreased substantially over that period.

Yet, according to the table, in the past four years, the number of people who live below the poverty line because of social fund loan repayments has increased from approximately 450,000 to 600,000. The number has increased in each of the past four years. There is an underlying serious problem: more and more of our fellow citizens live below the poverty line because of deductions from benefit. Without our amendments, schedule 1 will exacerbate the problem. That is the kernel of our argument.

We have reached a position in which people cannot get social fund loans because they are deemed too poor to repay them. That is extraordinary, yet the system works in that way. People are becoming deeply indebted to the social fund and to loan sharks, yet we are considering a schedule that will deduct another fiver. I accept that not many of the dads whom we are considering are in those categories. However, many are lone parents who are repaying social fund loans, and some are pensioners or disabled. Some dads will be on incapacity benefit and repaying social fund loans.

I hope that the Minister will explain how those people are supposed to live. I presume that the fiver a week will be paid indefinitely. The problem with inadequate benefits is not living on them for a week. Members of Parliament often do a stunt and live on benefit for a week. Lo and behold, they can do it for that time. The problems arise when, for example, a consumer durable has to be replaced. The deduction of a fiver a week will make matters even worse.

I hope that the Minister can clarify a further point. When an absent parent has a child in a new benefit unit, will the deduction of a fiver continue? The Government talk about eliminating child poverty completely in 20 years. They envisage a time when the Secretary of State for Social Security will say that no child in this country lives in poverty. Yet children who are in benefit units and live below income support levels because of deductions for social fund loans or child support maintenance premiums will suffer. Even a fiver means that those children will live in poverty.

I hope that the Minister will reconsider the £5 deduction and answer the specific question of whether the Government intend to take £5 from absent parents with dependant children.

Mr. Edward Leigh (Gainsborough): I have listened to the hon. Member for Northavon (Mr. Webb), and as always he presents a good and cogent argument. I do not agree with him although I accept his point that we are considering many fathers who are on income support and for whom £5, although it seems a small amount of money to care for a child, may be a severe imposition. I understand those points.

However, I am sure that the hon. Gentleman recognises the counter argument. We are using the Bill to try to create a society in which people get the message that they have rights and responsibilities. If one fathers a child, surely it is not too much to ask for £5 a week, whatever one's circumstances? I support the Government on that point, whatever the difficulties that may accrue from it.

Mr. Webb: The hon. Gentleman uses the phrase "father a child". Let us consider the following sequence of events: a happily married couple have a child and they split up, with no blame attached—or perhaps with no blame attached to the absent parent, who is unemployed through no fault of his own and has to live on £50 a week. Is it right that he should pay 10 per cent. of his income, which he cannot afford, because he needs that money on which to live? In those circumstances, the father has done nothing wrong.

6.45 pm

Mr. Leigh: I make it clear that I do not want to be involved in a blame game, in which we assume that the father is always in the wrong. In many circumstances, the father is not to blame. I cannot give a definite answer to the hon. Gentleman's question. It may not be entirely right to make a father in the circumstances that the hon. Gentleman described pay £5 a week. However, we cannot make provisions that are always right; we simply have to make a stab at a problem. The Government are trying to send a message that even though the father is not to blame for the family splitting up, and his income has fallen below a low level, he should pay something.

If the parent pays nothing, not even £5 a week, it is difficult to maintain real control of what is happening. At least a parent who pays £5 a week is involved in the family finances of the absent child. It could therefore be in the father's interest to pay that sum. However severe a financial penalty it may be in the short term, in the long run, the father's continuing involvement in the child's financial maintenance may be best for child and father.

The debate is interesting, because on the one hand I have been having one sort of argument with the hon. Member for Northavon for the past four minutes, and on the other, we have talked about Bill Gates. The debate is about the child's rights to a share of his parent's income and whether that should be calculated on a percentage basis or whether there should be a cap.

The debate on the cap is interesting because I suspect that the Government were genuinely divided about whether to provide for it. Baroness Hollis's reply to me in the Select Committee on Social Security has already been mentioned. She was obviously debating with herself as a Minister about whether there should be a cap. She said:

[Mr. Leigh]

> I think this is a question on which we thought long and hard and I think there are good, strong arguments on both sides. There is one argument saying that you should cap it because it is child maintenance and if it goes all the way up the income scale, it becomes spousal maintenance . . .

My hon. Friend the Member for Brentwood and Ongar (Mr. Pickles) made that point. The Minister is aware of it, and I hope that she will share her thoughts with us.

It would be dangerous if the payment were regarded as spousal maintenance. Absurd circumstances could arise. We have considered the Bill Gates position, in which someone of considerable resources hands over enormous sums of money. Let us consider the circumstances of two families that split up: in one case, there are children; in the other, there are no children, and there is a grotesque difference in the amount of spousal maintenance. If the proposal is accepted and there is no cap, the husband in the first case will pay 15 per cent. of his income, whatever it is. In the second, normal divorce law and procedures of the courts apply. There is no rule that provides that if there are no children, one of the partners is entitled to 15 per cent. of the other's wages. Extraordinary discrepancies could arise. We are getting into a muddle.

Although I appreciate the debate within government, Ministers should consider carefully before they reject the arguments that my hon. Friend the Member for Brentwood and Ongar presented. I do not want to give the impression that Baroness Hollis simply agreed with me. However, she continued with the argument that she had with herself by saying:

> and the other argument is that if that family were intact, the child would enjoy the living standard of that father whatever his income, whether he was earning £200 a week or £2,000 a week, and at the end of the day in response after listening to the consultation exercise and talking with people and meeting the 40 groups and organisations, we came out on the side of saying that we should not have a cap, but obviously it is the sort of issue that Parliament will want to explore and take a view on.

That is precisely what we are doing, and what we tried to do in the Select Committee and in the Standing Committee.

The problem revolves around the issue of whether the child has the right to his father's income. However, in a way Baroness Hollis was wrong when she said

> if that family were intact, the child would enjoy the living standard of that father whatever his income . . .

As we all know—indeed, there is hardly any need to say it—there is no right to any percentage or share of the father's income, which can go up or down, if the family is intact. It is not necessarily shared with the child, and I am not sure that it is right that children should always enjoy a share of a parent's income if the family remains intact. It would be a strange legal system if that happened.

Families Need Fathers put the case well in its evidence to us, which is on page 135 of the Select Committee report:

> Why should the state determine how much fathers should pay for their non-resident child when it does not involve the taxpayer? It would be considered an intolerable assault on personal liberty if it happened in a couple family.

That is a powerful argument.

In a way, my hon. Friend the Member for Brentwood and Ongar did us a disservice by mentioning Bill Gates as his story, although good and amusing, gave the impression that few people will be affected by the proposal. However, quite a few people who in no sense rely on state benefits and pursue normal lives could be affected, because they have suffered the misfortune of a marriage or relationship break-up. Now the state comes in, uniquely in this area, to say, "We must determine how much fathers should pay their non-resident child."

Mr. Pickles: My hon. Friend is right to castigate me. I used the Bill Gates story to illustrate a point and make the proposal look ridiculous, but it will bite significantly at about £45,000 a year and people on moderate to medium earnings will be affected.

Mr. Leigh: I am pleased that my hon. Friend has intervened, because we are beginning to have a real debate. Incomes of £40,000 or £45,000 are middle management incomes in many areas. *[Interruption.]* Needless to say, Members of Parliament earn such a sum. Large numbers of people will be affected. The public have not cottoned on, but there will be a great deal of resentment if people suddenly find that, irrespective of what happened in their marriage or irrespective of a former partner's position, they have to hand over £10,000, £15,000 or £20,000, which they might consider a very large sum, to maintain a child. They will think that the money will not all go to the child—there is a limit—and they would be right.

If people send their children to expensive public schools and give them everything they want, which may not be good for them anyway, perhaps they can spend £15,000, £20,000 or £25,000 a year on a child. However, many people will think that the money will not go to the child, but will simply reinforce the life style of the former spouse. Of course the money will not go to the child; nor will it be put in trust. If it were, that might be fairer. There will be enormous resentment. As Families Need Fathers said in evidence, people consider the proposal a grotesque intrusion on personal liberty and it would never be tolerated if a couple were still together. The evidence was moderately put and sensible.

I hope that hon. Members will not groan if I mention Mr. Mostyn, although they often do so when we pray him in aid of our arguments. [HON. MEMBERS: "Him again."] He practices in the divorce courts and we might think that he knows what he is talking about. He does not practice in cases such as those to which the hon. Member for Northavon referred and he did not talk about people on lower incomes, but he did mention parents earning £40,000, £50,000, £60,000 or £70,000 a year. There are a lot of them around. They may be a minority and they may not be the Government's first concern, but the fact that they are a minority and the fact that there are far fewer of them than people in the lower income brackets does not mean that they do not have rights. They, too, have rights. They have the right to talk about their problems and to speak up about them.

On page 83 of the evidence, Mr. Nicholas Mostyn told us:

> In terms of English law and social experience it would be a change of massive social profundity. It will go beyond, for example, the Roman law idea of *legitim*, which is your guaranteed right of inheritance. It will go beyond that because it would be *inter vivos*. It seems to me that you have got to understand the profundity of what you are suggesting.

Perhaps he overstated his case, but not in this sense: the proposal represents an enormous change in respect of anything that we have instituted previously. Before we

finish the debate, we must be clear about what we are putting on the statute book. We are saying that, leaving aside inheritance, children in certain circumstances will have an absolute right under statute law to a proportion of a parent's income.

That is an interesting departure and we know precisely what will happen. The proposal does not concern only CSA cases because the courts will follow the CSA—there can be no doubt about that—and very soon people will wake up to what is happening under the Bill. They will immediately try to reopen settlements. People who received a court settlement of £3,000 or £4,000 a year, supposedly for a child, after their relationship broke down will rush to the court straight away when they realise that their former spouse earns £100,000 or £150,000 a year and that they can get a 15 per cent. share of that. That will happen, and it will be impossible for the courts to resist. A lot of cases will be reopened.

On a philosophical rather than a practical point, does the House of Commons want to create an absurd situation in which children will think that they have a statutory right to a certain proportion of a parent's income? Conceivably, that could lead to absurd cases in which children sue their parents for that share. We are creating a politically correct notion that most of us in the Chamber would regard as absurd, but the Government will defend themselves by saying, "That is not what we propose. We are not trying to create a new situation in which children have that right." Very reasonably, they say that children will still have a right to share in the income of an absent parent when the parents' relationship breaks down. Everybody thinks, "Oh, that is very sensible," but when we dig down and consider the proposal in more detail we see that it will produce the absurd situations that my hon. Friend the Member for Brentwood and Ongar described.

I hope that the Government will not think that our arguments are partisan or motivated by party politics. They are perfectly sensible and reasonable points and, as the Bill continues its passage, I hope that they will come to consider some sort of cap sensible and necessary.

7 pm

Mr. Swayne: My hon. Friends the Members for Gainsborough (Mr. Leigh) and for Brentwood and Ongar (Mr. Pickles) seem to be most put out by the creation of the new right to a proportion of a parent's income. I am not sure whether my hon. Friend the Member for Brentwood and Ongar is more excised over the creation of that right in itself—I am not disposed to the creation of new rights in respect of the rights of the child, that whole area of political correctness, but we must meet people's legitimate expectations—or over the fact that it is available only to those children whose families are no longer intact. That does not strike me as such a reprehensible state of affairs. Children have a legitimate expectation of a childhood of a certain standard, and of parenthood during that childhood. That legitimate expectation has been denied, and I do not think it entirely inappropriate for compensation to be provided in the form of a new right—the right to a proportion of one parent's income in lieu of the legitimate expectation that has been denied.

Before my hon. Friend begins to fear that I shall enter the other Lobby, let me say that I thought he was on stronger ground when he said that there was no mechanism for the delivery of payment to the child. That, I think, is the nub of the problem, and the strength of the amendments. There is a view, or a perception, on the part of those making the payments that they will be subsidising the living standards of the parent with care. That has created a burning sense of grievance, which is compounded when the income of the parent with care is higher than that of the non-resident parent.

I believe that the feeling of injustice created by the forces to which I have referred will lead to a reduction in compliance, which, after all, is one of the great targets of the Bill. For that reason alone, I support the amendment.

Angela Eagle: We have rehearsed many of the arguments that were presented at length in Committee, but Bill Gates has now been prayed in aid. I assume that the £53 billion assessment made by the hon. Member for Brentwood and Ongar (Mr. Pickles) related to Bill Gates's entire wealth, rather than his annual income. We must remember that the child support mechanism deals with net taxable income, rather than the wealth that could be deemed to have accrued over an individual's lifetime.

Mr. Pickles: At £53 billion, who cares?

Angela Eagle: That is probably fair comment, but I thought I should point out that we are discussing net taxable income rather than the amount that a person is worth overall.

We should also bear in mind that there is a cap, in that a non-resident parent will in no circumstances have to contribute more than 25 per cent. of his or her net taxable income. The Government concentrated on that in trying to simplify the system. Lady Hollis shared some of her thoughts with the Select Committee, and the hon. Member for Gainsborough (Mr. Leigh) has cited them here, owing to their relevance to the Government's thinking. We have engaged in various debates, but we still believe that we are doing the right thing, and that introducing an upper limit would lead to an inconsistency between the treatment of non-resident parents with relatively high incomes and that of parents receiving more modest sums.

I think that the hon. Member for Northavon (Mr. Webb), who wrestled publicly with the difficulties with which we are all trying to deal, was right to concentrate on living standards rather than incomes for children. We are not talking merely about set incomes, and what goes to particular children. We are not talking just about food and clothing.

In Committee, the hon. Member for Gainsborough said that no children, even those living in well-off households, would, in a mathematical sense, have exactly equal shares of the income involved. I hope that the hon. Gentleman does not keep his children in the garage: I trust that they live in the house, and share in the general standard of income.

Mr. Leigh: My kids are probably in the garage.

Angela Eagle: They may prefer to play in the garage to get out of the hon. Gentleman's way, but I presume and hope that he does not keep them there permanently.

Amendment No. 88 seeks to reduce the amount of maintenance payable under the maintenance calculation when the net income of the parent with care exceeds that of the non-resident parent. Let me explain the basic structure of the incomes of parents with care in the current CSA case load. Of those parents, 677,000 have no earned income; 84,000 earn less than £100 a week; 6,900 earn more than £200 a week; only 580 earn more than £350 a week, and only 200 earn more than £500 a week.

The vast majority of parents with care have only a modest income, and have been left to look after the children. According to the CSA structure, the non-resident parent has a duty to ensure that the children whom he has fathered are looked after properly, and to be financially responsible for their continued maintenance—to the extent that he can be, given the test applied to his income. It is almost always women with low incomes who are left to look after the children.

Amendment No. 88 would require a huge increase in means testing, and the Conservatives have already told us that they are opposed to that. In seeking to simplify the CSA formula, we aim to abolish means-testing of the parent with care and, perhaps, the means-testing of her partner, the non-resident parent's new partner and so forth. If amendment No. 88 were adopted, the CSA would have nearly 1 million cases on its books by the time that the reform was introduced. The amendment requires the CSA, instead of applying one simple, quick means test to the non-resident parent, to apply four means tests per case to establish the income of the new partner of the non-resident parent, as well as that of the new partner of the parent with care if such a person exists.

The amendment would reintroduce a huge amount of means testing in a very few cases, and would destroy all the simplicity that has been introduced. It would return us to the problem that we face now: the problem of ensuring that the right balance exists between the need to make a maintenance assessment quickly and simply, and the need to spend time enforcing it.

The Liberal Democrat proposals deal with the basic payment of £5 that the Bill introduces for all non-resident parents, regardless of whether they are receiving benefit. I understand the worries expressed by the hon. Member for Northavon about people on low incomes: that is why the Bill introduces different levels of payments, including a minimum payment for those whose incomes are below £100 à week. It does not specify percentages, but it provides for that £5 minimum. We think that all fathers, except in a few circumstances—when they are still at school or in prison—should make some payments.

Amendments Nos. 2, 3, 4 and 5 seek to introduce a radical change. They require a nil rate of liability when a non-resident parent or his partner receives a benefit prescribed for the purposes of the legislation. They also provide for the flat rate to be specified in regulations when a non-resident parent has income of £100 a week or less and has a partner who is also liable for child support.

I can reassure Members that special provision will be made for the flat rate when a non-resident parent on an income-related benefit has a partner who is also liable for child support. The intention is for the flat rate payable by each member of a couple receiving income support, or income-based jobseeker's allowance, to be half the standard flat rate. The £5 minimum is a maximum as well: it can be split equally and £2.50 can go to each child. However, it cannot become £10. I hope that that offers some reassurance.

The exemptions in respect of payment of contributions for maintenance have been removed. The current scheme exempts some people with quite high incomes. All fathers, whether on benefit or in work, have a responsibility to contribute to their child's upkeep, but we recognise that a simple percentage calculation does not adequately reflect the difficulties that are faced by those on low incomes—hence the £5.

It is important to keep in mind another key part of our child support reforms: the introduction of the child maintenance premium, ensuring that the money that is paid—all £5 of it—goes directly to the child. It is not, in that sense, a Treasury support agency, which has been one of the major objections and reasons why people on benefits do not pay.

The hon. Member for Brentwood and Ongar mentioned social fund users. He was gracious enough to admit that the vast majority—in fact, it is not the vast majority, but a large proportion—of social fund users are women on income support, who will benefit from the £10 maintenance disregard when benefit is paid. Under his amendments, they would not: they would not receive the maintenance disregard because they would not receive any maintenance. There is an evening out.

I hope that Members will oppose all the amendments.

Mr. Pickles: I beg to ask leave to withdraw amendment No. 87, but with your permission, Mr. Deputy Speaker, to divide the House on amendment No. 88.

Amendment, by leave, withdrawn.

Amendment proposed: No. 88, in page 83, line 7, at beginning insert—

' "( )(a) Following the calculation of the amount payable by the non–resident parent the Secretary of State shall determine the net weekly income of the parent with care in like manner to the determination of the net weekly income of the non–resident parent.

(b) Where the net weekly income of the parent with care exceeds the net weekly income of the non–resident parent of the Secretary of State shall in such manner as may be prescribed reduce the amount of child support maintenance payable by the non–resident parent.

(c) Where the non–resident parent is liable to pay child support maintenance to more than one person the provisions of (a) shall apply to each parent with care and the reductions in the amount payable provided for by (b) shall apply to the amounts payable to each of those parents with care in receipt of a net weekly income greater than that of the non–resident parent.".'.—*[Mr. Pickles.]*

Question put, That the amendment be made:—

The House divided: Ayes 165, Noes 271.

Division No. 130] **[7.11 pm**

AYES

Allan, Richard	Baldry, Tony
Amess, David	Ballard, Jackie
Arbuthnot, Rt Hon James	Beggs, Roy
Ashdown, Rt Hon Paddy	Beith, Rt Hon A J
Atkinson, David *(Bour'mth E)*	Bell, Martin *(Tatton)*
Atkinson, Peter *(Hexham)*	Bercow, John

Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brand, Dr Peter
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forsythe, Clifford
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
Kirkwood, Archy
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Malins, Humfrey
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moore, Michael
Morgan, Alasdair *(Galloway)*
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Tyler, Paul
Tyrie, Andrew
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Yeo, Tim

Tellers for the Ayes:
Mrs. Eleanor Laing and Mr. Keith Simpson.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berrningham, Gerald
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Caton, Martin
Cawsey, Ian
Chaytor, David
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hope, Phil
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*

Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Kelly, Ms Ruth
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meale, Alan
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pope, Greg
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. Mike Hall and
Mrs. Anne McGuire.

Question accordingly negatived.

Amendment proposed: No. 2, in page 83, line 35, leave out sub-paragraph 4(1) and insert—

'4.—(1) Except in a case falling within sub-paragraph (2), a flat rate of £5 is payable if the nil rate does not apply and the non-resident parent's net weekly income is £100 or less.'.—*[Mr. Webb.]*

Question put, That the amendment be made:—

The House divided: Ayes 33, Noes 269.

Division No. 131] **[7.25 pm**

AYES

Allan, Richard
Ashdown, Rt Hon Paddy
Ballard, Jackie
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Brand, Dr Peter
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Campbell, Rt Hon Menzies *(NE Fife)*
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Harris, Dr Evan
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kirkwood, Archy
Livsey, Richard
Maclennan, Rt Hon Robert
Moore, Michael
Morgan, Alasdair *(Galloway)*
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve

Tellers for the Ayes:
Mr. Andrew Stunell and
Sir Robert Smith.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beggs, Roy
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Caton, Martin
Cawsey, Ian
Chaytor, David
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David

Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Flint, Caroline
Flynn, Paul
Forsythe, Clifford
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hill, Keith
Hinchliffe, David
Hope, Phil
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Khabra, Piara S
Kilfoyle, Peter
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Meale, Alan
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Peter *(Belfast E)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. Mike Hall and
Mrs. Anne McGuire.

Question accordingly negatived.

Mr. Rooker: I beg to move amendment No. 48, in page 85, line 23, leave out from "7(4)" to "or" in line 24 and insert—

'(or that Table as modified pursuant to regulations made under paragraph 10A(2)(a)),'.

Mr. Deputy Speaker (Mr. Michael Lord): With this it will be convenient to discuss Government amendments Nos. 37, 38, 44, 53, 57, 39, 41, 49 to 52, 58, 60, 61 and 45 to 47.

Mr. Rooker: This group of amendments serves two purposes. First, it improves the Bill's drafting, to ensure that the Bill does what we intended and its provisions work. Secondly, it makes some consequential amendments to other Acts. Some of the changes are more significant than others, and I shall spend a very short time describing in some detail the amendments that I think will be of interest.

Amendment No. 38 will close a loophole that allows non-resident fathers of children whose birth was registered in Northern Ireland to delay payment of child support by denying that they are the child's father. It makes changes to provisions that enable the Child Support Agency to presume paternity. Articles 14 and 18(1)(b)(ii) of the Births and Deaths Registration (Northern Ireland) Order 1976 mirror provisions in sections 10 and 10A of the Births and Deaths Registration Act 1953, which applies in England and Wales. Clause 15 of the Bill aligns English and Welsh provisions with those in Scotland. That is why we intend to allow the CSA to presume that any non-resident parent living in England and Wales is the child's father if he was registered as the father in Northern Ireland.

Amendment No. 44 replaces the existing subsection (3) of the new section 55A on declarations of status, inserted into the Family Law Act 1986 by clause 76 of the Bill, with a new provision that achieves the same effect, but in a much clearer way.

The rest of the amendments in this group fall equally into three broad groups. The first group is composed of minor drafting changes that ensure that the Bill works as we intended and picks up minor errors in the text.

[Mr. Rooker]

The second group is composed of consequential changes that make necessary amendments to other Acts in England, Wales and Scotland, to reflect the new provisions of the child support legislation. Some other Acts refer to child support. The Army Act 1955, for example, provides for how child support will be deducted from a serviceman's pay. Changes in the child support provisions must, therefore, be reflected in that legislation.

The final group deals with legislation that is being repealed. It is usual practice to repeal provisions in other Acts that are made redundant by new child support legislation.

I hope that the House will accept that these amendments are sensible and necessary to ensure that the legislation works properly and as intended. I commend them to the House.

Amendment agreed to.

Mr. Andrew George: I beg to move amendment No. 1, in page 3, line 1, leave out Clause 2.

Mr. Deputy Speaker: With this it will be convenient to discuss amendment No. 77, in clause 2, page 3, line 9, at end insert—

'(4) In section 8(3) of the 1991 Act the word "vary" shall be deleted where it appears after the words "it would otherwise have to make,".'.

Mr. George: The Minister said, perhaps correctly, that there was a possibility that amendment No. 76 was not technically up to standard. With this opportunity for sober second thought, we should ensure that, while we are trying to put right past mistakes, we do not maintain the current legislative fiasco—which is what Parliament has achieved on the past few occasions when we have addressed the issue—in child support.

The purpose of amendments Nos. 1 and 77 is to provide us with every opportunity to ensure that pressure is taken off the CSA, and that the court welfare system can be used not to replace, but to aid and support, the CSA. Use of the court welfare system should at least help in preventing the CSA from taking the full brunt and burden of child support work. Current CSA legislation allows for an agreement between the parent with care and the non-resident parent to be incorporated into a court order where the two parents are able to reach an agreement. This is a valuable and greatly used provision, which allows for negotiation between parents and relieves the CSA of work. Clause 2 would effectively remove that provision. Any agreement reached and fixed in a court order will be capable of being overturned after a year, which would make a mockery of the court order.

The new clause would allow parents who believe that they can do better out of the CSA to break the agreement in the court order. This runs counter to developments in Europe, and in matters relating to children and finances generally. The overwhelming trend is towards mediation and discussion, and the use—as far as possible—of agreement between both sides.

There are numerous situations where parents may want to opt out of the CSA system. One might be when parents agree that the payments for the children would be greater than the CSA would assess. Often, this is as a result of a trade-off. The parent with care may make no maintenance claim for herself in return for a better payment regime for the child or children. A second example might be where parents agree to a lesser sum than the CSA would prescribe; for example, the non-resident parent may transfer capital or the house to enable the parent with care and the children to remain housed, with the mother accepting a lesser level of maintenance in return.

Approval by courts for parental agreements protects both parents from being pressurised and provides an established and straightforward system. There are no apparent benefits from building into a court system a get-out provision which can produce reasonable and realistic maintenance agreements.

In amendment No. 77, we seek to retain the court as a viable option, while not denying the powers of the CSA, by giving the court the power to vary a court order and thus giving the court order a longer shelf-life. Some families will insist that they wish to base their financial arrangements not around the hazards of the CSA system as they see it—certainly, past practice would suggest that they would be right—but around an assumption, for example, that they will look at the global costs of a child from time to time, and meet them in certain percentages.

The scheme is increasingly common, particularly as more and more settlements result from mediation; a trend which is to be welcomed. This is a way in which parents can continue to be involved in the parenting of their children after separation, and it is a child-centred scheme. Such parents will be advised that they cannot opt out of the CSA scheme. Either has the right, after one year, to approach the CSA—a process that will lead to a standard assessment and the termination of the court order. Such parents may wish to make legally binding promises to repay any sums above—or, for other parents, below—the court order, with penalties. That will be a powerful disincentive to approach the CSA.

Mr. Burns: What confidence does the hon. Gentleman have that his amendment would not lead to a return to the problems before the CSA, when courts awarded different amounts, some of which were ludicrously small and not in the interests of the mother?

Mr. George: The hon. Gentleman's intervention is fair and reasonable, and it is clear that these amendments provide an opportunity for a second thought before proceeding in the rather draconian way that is proposed. We do not propose to go back to the vagaries and failures of the past, but, rather, to go forward to a system that takes into account the failures of the CSA. If the hon. Gentleman is saying that the CSA is providing a sound basis for child support and represents a success, most hon. Members would disagree.

7.45 pm

Mr. Burns: Success is a difficult thing to assess accurately but, with all its flaws, the current CSA has been a better mechanism for calculating a more realistic level of child maintenance than the old court system was. It is not a question of going back to something that has failed. If we go back too far—to the courts—mothers would be infinitely worse off than they are even under the existing regime.

Mr. George: That is a fair point, but we are not talking about going back. Many of the criticisms of the past

system are fair, but we are proposing to go forward. There is no reason why courts could not set guidelines for the settlement of arrangements between the parent with care and the non-resident parent in the same way as the court does in many other areas.

Angela Eagle: Would the hon. Gentleman share with the House how the Liberal Democrats are proposing to move forward? The hon. Member for West Chelmsford (Mr. Burns) is quite right; the court system has failed in the past to provide adequate maintenance for many children. Could he spend a little time letting us know how on earth the Liberal Democrats propose to make the courts work?

Mr. George: That is rather outside the terms and the spirit of the amendment. The Minister may like to reflect on the broad points before we simply hand too much work to an agency that has shown that it is incapable of coping with its present work load. We have tabled probing amendments, which should be welcomed if they provide a caveat to the Government to take some of the pressure off an overburdened CSA.

Mr. Dismore: Bearing in mind the hon. Gentleman's comments about the CSA's ability to cope with the volume of work, what discussions has the hon. Gentleman had with the court service about its potentially having to handle a million-plus cases? What discussions has he had with the Lord Chancellor's Department about how such cases should be financed—for example, the burden on the legal aid budget?

Mr. George: We have had discussions with a variety of organisations. I have laid out the justification for our proposals, and Conservative and Labour Members have sniped at that. The purpose of the amendments is clear and, before this House passes the Bill to another place, it is right for us to give an opportunity for reflection on whether the court welfare system might come to the support of the CSA.

Mr. Burns: I listened to the hon. Member for St. Ives (Mr. George) with great interest and care. He rightly said in his concluding remarks that he is entitled, at this stage in the Bill's proceedings, to put forward suggestions for us to consider and accept or reject. I suspect that Ministers will reject them, and I hope that they do. I have no doubt that the hon. Gentleman means well, but the amendment would turn back the clock to the bad old days.

That would not help carers of children, most of whom would be mothers on benefit. However, it would be very popular with those absent parents—usually fathers—who want to escape or to minimise their financial responsibilities. Before I say any more, I should declare an interest. I pay child maintenance. I do not do so under the auspices of the CSA, although sometimes I wish that I did.

Labour and Liberal Democrat Members may have criticisms of the CSA as it was set up before this Government reformed it, but the formula was devised with the best of intentions. It was complicated, but the intention was to secure as fair a deal for parents as was possible in the circumstances. That applied both to absent parents and to the ones who looked after the children. The self-evident problem was that, in trying to be fair, the previous Conservative Government devised a system that was so complex that it fell into disrepute almost from the beginning. That was partly because of its complexity, and partly because certain people wanted to ensure that the system did not work.

The Government's alternative is based on the principles of the CSA. Its benchmarks are simplicity and transparency. Over the coming months and years, we will find out whether that finds greater acceptance among parents of children who have to pay child maintenance through the auspices of the CSA. The jury is out, and will remain out for some time, on the question of whether the Government have got the thing right.

The hon. Member for St. Ives wants to change the Bill to reintroduce a court service. His aims and aspirations may be well intentioned, but he risks doing a great disservice to parents who care for children after a marriage or relationship breaks down. I say that because the courts were singularly inept in their calculation of child maintenance under the old court regime. That was owing to wide variations across the country in the cost of bringing up children. The extent of those variations was not proportional to distance. People ordered to pay £10 a week to bring up a child—even in those days, that was a ludicrous amount—felt aggrieved when they discovered that others in similar or better financial circumstances in terms of income were expected to pay even less. The disparities between awards were ludicrous.

Furthermore, the enforcement of the awards that were made was haphazard. Courts sometimes made realistic assessments of the amount of money that absent parents should pay towards bringing up their children, but those absent parents often paid no money at all, or only a little. As a result, mothers had to face the expense and the time-consuming problems associated with going back to court to get an order enforcing payment.

In addition, if absent parents were emphatic about dodging payment, they could string the court system along with 101 explanations of changed financial circumstances. That archaic system could easily be abused or interfered with by people determined not to pay, and it is not a good idea to return to it.

The courts have to make decisions using evidence about income and other matters that is given to them on the day of a hearing. The hon. Member for St. Ives said that guidance and guidelines could be set down, but they would not help to establish a system that most of the people involved would perceive to be fair and workable.

The hon. Gentleman then said that, after a year, parents could go to the CSA for what in effect would be justice. Why delay for a year? A year is a long time for a parent bringing up children on a low income and with all the anguish associated with the break-up of a relationship. Parents in that position would have to go to court to try to secure an income for their children, and they would also have to go through the nightmare of watching their former partners refusing to pay or front-loading their expenses to ensure that only an insultingly small amount was paid in the end.

According to the amendment, after a year of that, parents would have the option to revert to the CSA. I point out to the hon. Member for St. Ives that the Government's proposals mean that they could have turned to the CSA immediately—as they could have done under the slightly different provisions introduced by the previous Conservative Government.

[Mr. Burns]

When courts determine child support levels, the amounts vary significantly between families. The system put in place by the state ensures that the taxpayer does not have to foot the bill that one parent in a relationship does not want to pay. It also ensures greater consistency in the amounts being paid. That consistency will appear fairer to those who resort to the state system.

The proposal is well meaning but it does not address the difficulty. It would pose infinitely more problems for parents with care than the hon. Member for St. Ives either cares to admit or believes would be the case. Such a retrogressive step—going back to a system that was thrown out because the country would not tolerate it—would help no one.

Mr. Webb: The hon. Member for West Chelmsford (Mr. Burns) raises some important concerns about a court-based system. They need to be answered, and I hope to build my response on the contribution from my hon. Friend the Member for St. Ives (Mr. George).

This issue is central to the Bill. When we debated it first, I recall that the Secretary of State said that only lawyers and Liberals want to go back to the courts. Yet the Department of Social Security pays academics such as Professor Jonathan Bradshaw of York university to do research on lone parents and absent parents. Professor Bradshaw is probably the country's leading academic expert on the problem of absent parents. Speaking about the Bill, he said that the Government had got it wrong. He said that it was a mistake to go for a rigid approach and that a court-based system allowing flexibility in individual cases was the right option.

I have checked and I am not aware that Professor Bradshaw is either a lawyer or a Liberal. He has no party political axe to grind and the Department pays him to study these matters. His research has led him to conclude that the Bill's rigid, rough-justice system is not necessarily the best strategy for the Government to adopt. I offer that as a third-party endorsement.

8 pm

When the Secretary of State tried to rubbish our proposals on Second Reading, he put a costing on them. Given that there seems to be some uncertainty as to what our proposals are, how did the right hon. Gentleman tell his civil servants to cost them? It shows how far-fetched that exercise was. For the benefit of the House and of the hon. Member for West Chelmsford (Mr. Burns), who raised some perfectly legitimate concerns, let me flesh out our proposals.

The hon. Gentleman raised two justified criticisms about the court-based system—relating to variability and enforcement. My hon. Friend the Member for St. Ives mentioned guidelines, which the hon. Gentleman did not believe went far enough. The courts are used to deciding on the merits of an individual case within guidelines—sentencing is the relevant analogy. The courts use guidelines to decide a specific sentence for a specific case. Sentencing guidelines can be wide, and we may not want such wide parameters for child maintenance, but an absence of variability would not produce the fairness that the hon. Gentleman seeks. He said, if I remember rightly, that the system must be seen to be fair. Although wide variations do not create a sense of fairness, neither does treating unlike cases in a like manner.

Let me give the hon. Gentleman an example, which is loosely based on a constituency case. I have talked about this in the House before, and have never had a clear response from a Minister. A father in a couple enters into a commitment in anticipation of his marriage continuing. He gets a new job which he has to drive to, so he takes on a car loan. The couple then splits up. He has the continuing obligation of the car loan debt to service. If he cannot keep the car, he cannot keep the job and he cannot pay the maintenance. The formula will take no account of that burden. *[Interruption.]* I think that the hon. Member for Stockport (Ms Coffey) is saying from a sedentary position "Take a bus." I assume that that is a facetious remark.

That is an example of how one can take on a commitment in good faith during a partnership that continues after the partnership is over. The new, very rigid formula does not take that into account, but a court, or some other discretionary process, could, without giving carte blanche for variations, allow for people who have good reasons why 15, 20 or 25 per cent. is in nobody's interest. If the person in my example has to pay 25 per cent. after the car loan has been paid, he may have to give up his job. That would be in nobody's interests, and we all care about the interests of children here.

We do not want to return to the old court system. The proposed system would give firm guidelines about the base figure, but would leave scope for limited variation in difficult circumstances.

The question has been asked: could the courts cope with this burden? Our strategy is that the courts would not be dealing with nine out of 10 cases. The scope for variation would be in the hard cases. There would be a limited number of bases on which one could argue that the percentage was not fair, and those would be handled before a court. People would have their day in court and argue their specific circumstances. Most standard cases would be handled according to a formula through the CSA or the courts. It would cost the same amount of money whoever did the sums, but there would be fallback situation, in which individual circumstances would be taken into account. That is why we think that a court-based system gives a balance between fairness and consistency.

On enforcement—

Caroline Flint (Don Valley): I want to be clear about the hon. Gentleman's example of the man with the car loan and the children. Surely if the man is in a relationship with children before his relationship breaks up, he is already contributing to their upkeep. Therefore, when he decides to take on a car loan while he is in a relationship, he will take into account the costs of maintaining his children. The children do not disappear before he takes on the car loan, and he should take that into account in his life style.

Mr. Webb: I think that the hon. Lady is missing the point. I am not sure whether she was in the Chamber for our earlier debate. In the Division on it, she voted against the proposal that the living standards of the parent with care should feature in the calculation. In the circumstances

that I have just described, let us suppose that the father is stretched in paying the car loan out of his own income. The family has managed to maintain the children by using some of the mother's wages. That is how they have squared the circle. After repaying the car loan, the dad may not have much money to pay towards the children's upkeep, but the family has pooled its resources. They cannot do that when the father moves out. He does not necessarily have spare cash.

Mr. Simon Thomas (Ceredigion): Will the hon. Gentleman explain what would happen in the sort of family situation in which I grew up? What happens when the mother is left with loans which she has no way of paying back, and the court system does not deliver an equitable solution until years down the line? Will the hon. Gentleman address that problem in the context of his comments on enforcement?

Mr. Webb: The assessment under the Bill will take no account of the factors described by the hon. Gentleman—it will be 15 per cent. The hon. Gentleman's point strengthens my case that in those circumstances the welfare of the child probably demands a higher maintenance figure, but the Bill says that that cannot be done.

Mr. Burns: Under the amendment, what happens if the mother has caused the breakdown of the relationship by going off with someone else who is reasonably well off? One does not expect the CSA or the courts to take that person's income or wealth into account in paying for the upkeep of the children, but there will be a knock-on effect in, say, the quality of housing to which the mother and children move. In the point made by the hon. Member for Don Valley (Caroline Flint), the car loan is taken into account. What impact will the third party on the mother's side have in the court's calculations under the hon. Gentleman's scheme?

Mr. Webb: The hon. Gentleman's example highlights the often complex relationships in all cases. We would need to set out in regulations what the judge was allowed to take into account in exercising discretion. I do not immediately know the right answer on whether the judge should take that into account or how far it should be taken into account. We would need to sit down in a more measured way and ask whether something was legitimate for the court to take it into account.

Mr. Burns: What happens if the mother goes off with another man, but has got divorced on the two-year basis, so the divorce is not on the grounds of adultery? Does the court take the father's word for it that the mother has committed adultery and gone off with another man?

Mr. Webb: The last thing we want to do in setting the child maintenance level, which is about the child's welfare, is to get into the blame game. There is a formula that gives a guideline for what the child maintenance should be. Variations may arise from difference in material circumstances and commitment, but not from who was at fault.

Angela Eagle: The hon. Gentleman said earlier that, under his proposal, about nine out of 10 cases would go to the CSA and not to the court. Now he has said that everything is very complicated and every case is different. Does that not mean that every case would, in effect, go before a court?

Mr. Webb: The idea is that the formula, whether it is operated by the CSA or the court system, gives a baseline figure. People will say that the figure arrived at is not fair in their circumstances only if certain tests are satisfied. One of those tests will be whether it is thought that there should be a substantial variation in maintenance which is way out of line. The family will not want to go through the hassle of the court system if the variation is minor.

The hon. Member for West Chelmsford spoke about a second family, and we all know that there are cases of third families. It is a complex matter. We are simply saying that there should be a baseline figure and individuals should have the right to say, under certain prescribed circumstances, that their case does not fit that, and there should be scope, in the name of fairness, for some variation.

Mr. Browne: The hon. Gentleman made a fascinating proposal, which is only now taking flesh as he responds to interventions—indeed, some of us feel that he may be making it up as he goes along. Will he tell us how his system would prevent what happens at present? People who do not want to pay—mostly fathers—create exceptional circumstances by changing their life style so they can get into arguments about departures from the norm and about the reduction of their income. Most of us are anxious that, if we allow too many departures, people will change their expenses regime to become an exceptional case so that they can argue about paying.

Mr. Webb: That is a fair comment. There is a balance to be struck between—

Mr. Browne: How do we do it?

Mr. Webb: The Government do it by taking only one end of the scale. They say there should be complete rigidity, with no reflection of individual circumstances. The example I cited is the case—more or less—of someone who came to my surgery. He had entered into a legitimate expense to keep a job to pay for the children. It is not in the interests of the child to adopt a rigid formula. The dad cannot pay because he has a car loan, so he gives up the job and no one gets anything. How is that fair? How is that in the interests of the child?

I do not want to prolong this matter unduly. We are only trying to point out that the Government have chosen one end of the scale. The amendments would allow scope for limited discretion—not as much as in the past—with better enforcement.

Enforcement is a problem, although I have not dwelt on that matter. However, there is a good argument that, when people have to fill in court papers, they do not respond as they would if they received papers from a Government agency. There is some—*[Interruption.]* Hon. Members may question that. My impression is that dealing with the courts, although not foolproof, has more cachet—because people associate courts with punishment—than dealing with a Government agency. There is no evidence that people take CSA paperwork seriously. Plenty of people ignore the CSA more readily than they would ignore the courts.

[Mr. Webb]

The Government have chosen one extreme; it will create rough justice. We shall have to return to these matters in future Parliaments because there will be so many cases of rough justice. We shall look back to this debate and say that perhaps we should have thought about flexibility rather than instituting a rigid system.

8.15 pm

Angela Eagle: We have heard an interesting display of busking from the hon. Member for Northavon (Mr. Webb) who made up policy as he went along—apparently from the experience of only one case.

I want to share with the House the costs—on our current estimates—of moving back to the courts system. CSA running costs are £220 million a year. The Lord Chancellor's Department advises us that the average net cost of a family proceedings application is £80; for 1 million cases, that would be £80 million.

In addition, legal aid would be available; the average legal aid cost for child maintenance proceedings was about £1,700 in 1998-99. Assuming that about 50 per cent. of CSA cases are entitled to legal aid—a generous assumption, as 75 per cent. of parents with care are on benefit—that would amount to £850 million. Assuming only one hour's work on every case—another generous assumption, as most lawyers would tell us—at £200 an hour, the court costs would be £1 billion.

The hon. Gentleman proposes that we should create a system that costs five times more than the current CSA system on generous costing assumptions. He has given us no reassurance that the system would be as good as the one that we are trying to reform to make it even more effective.

Mr. Webb: As I pointed out, the Department is now trying to cost a scheme about which it claims not to know the details. That is rather odd. I have shown that, in our model, only about 10 per cent. of cases would reach court. Does not that reduce the cost to £100 million?

Angela Eagle: I have given the House costs for basic court proceedings on generous assumptions. I suspect that the court costs would soar as the ineffectiveness of the courts became apparent.

Mr. Burns: Does the Minister agree that, if absent parents had the opportunity to go to court to try their luck at minimising their child maintenance, many of them would take it, because they would have nothing to lose by doing so?

Angela Eagle: I agree with the hon. Gentleman. Indeed, I agreed with most of his speech. It is hard to argue that the courts have a good history of dealing with such cases—even the Liberal Democrats have not tried to do that. The courts have an ignoble history in the protection of children in divorce cases. As many people know only too well, the former court system was discretionary and unfair. It left children in poverty and let non-resident parents off the hook.

That is why the House chose to move to an administrative system to deal with those issues. Since then, the number of people applying for maintenance through the CSA has continued to rise. The agency has become more effective, although we realise that there are inherent design problems in the maintenance system that the House has asked it to administer. That is why we introduced the Bill, which will radically simplify the formula.

It is ridiculous to think that we could go back to the court system and that it would be effective—I suspect that Conservative Members would agree. I remain astonished that the Liberal Democrats do not realise that basic fact.

The hon. Member for St. Ives (Mr. George) said that the amendment was a probing one. To delete the whole of clause 2 is a funny way to probe. The amendment would destroy one of the main provisions of the Bill, which would allow people access to the CSA and its services if they found themselves in difficulty with maintenance payments.

The Liberal Democrats seemed to have three concerns about our suggested system. The first was that it would allow the CSA to take on new court order cases that had been made at least 12 months after the new child support system was introduced, and that it would be swamped thereby. Last year, 8,100 new court orders involving child maintenance were made. The CSA's annual take on cases is 350,000, so if 8,000 can swamp 350,000, the Liberal Democrats have an odd view of mathematics.

The second Liberal Democrat argument was that allowing parents with court orders to use the CSA for a simple and predictable child support calculation would encourage parents to be unco-operative. That argument is difficult to follow, because, since the launch of the CSA in April 1993, courts can make orders for child maintenance only when parents have consented to a written maintenance agreement. That consent must exist before the court can make an order. If new facts subsequently come to light, or the payment arrangements break down, why should a parent not be given the choice of returning to court for the order to be varied or revoked, or of applying to the CSA for a child support maintenance calculation? There is no reason why that should not occur.

Thirdly, the Liberal Democrats argued that it would be perverse to unravel satisfactory arrangements and that to do so would be detrimental to children. However, leaving access to the CSA open would not have that effect. Only parents who were dissatisfied with existing arrangements would apply.

Our proposal would ensure that maintenance is right for children. Putting the interests of children first has led us down the road of reform of the CSA. Indeed, that created the CSA, even if the agency was not set up in the most appropriate and effective way. We learned as we went along how the administration of the system can be improved. Children will benefit from the provisions in clause 2. The provisions will give parents with court orders the choice between sticking with their existing maintenance arrangements, or asking the CSA to step in.

There is also considerable movement on and off benefit. A case that is private on one day can have a taxpayer interest on the next—10 per cent. of people a year move on and off income support and would qualify. Creating a system that deals with children more evenly must be a good way forward. That means that, when the circumstances of parents with care change, there will not be large differences in the maintenance that they can expect to receive.

The Liberal Democrats have not even remotely made a case for returning to the courts system. I hope that the House will take a sensible, realistic and hard-headed approach and vote against the amendments.

Mr. Andrew George: I guess from the Minister's response that she is not terribly enamoured of our amendment.

We have had a reasonable airing of the arguments. Although some hon. Members did not appreciate the seriousness of this very important matter, it is appropriate on Report at least to reflect on the fact that we are missing an opportunity to allow the court welfare system to operate.

Having listened to the arguments and taken all things into account, and on balance, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 5

DEPARTURE FROM USUAL RULES FOR CALCULATING MAINTENANCE

Mr. Rooker: I beg to move amendment No. 36, in page 8, line 23, leave out from "11," to end of line 26 and insert—

'and except in prescribed circumstances any appeal connected with it (under section 20) shall lapse.'.

I shall be brief, and I hope that the House accepts that. Amendment 36 relates to applications for a variation from the normal rules by which child support maintenance will be calculated. It amends the wording of sub-section (3) of section 28F.

Where a variation application is made before a final decision has been reached on the original maintenance application, the Secretary of State will, whenever possible, take the outcome of the variation application into account in reaching his decision on the maintenance application. Where, for whatever reason, he cannot immediately resolve the variation application, he will make an interim maintenance decision under section 12(2).

The amendment provides that, once the final decision has been made, any appeal against such an interim decision will normally lapse. That serves to simplify an otherwise quite complex and ludicrous process, under which an appeal would have proceeded against a decision that had subsequently been replaced.

I commend the amendment to the House.

Amendment agreed to.

Schedule 2

SUBSTITUTED SCHEDULES 4A AND 4B TO THE 1991 ACT

Mr. Andrew George: I beg to move amendment No. 79, in page 88, line 16, leave out subsection (4), and insert—

'(4) For the purposes of sub–paragraph (3)(b)—

(a) "illness" may have such meaning as may be prescribed; and

(b) "disability" shall have the same meaning as in Section 1(1) of the Disability Discrimination Act 1995; and

(c) the question whether an illness or disability is long–term shall be determined in accordance with regulations made by the Secretary of State.'.

The purpose of the amendment is entirely serious: to clarify the definition of "disability". Under applications for a variation of provisions in schedule 2, the Secretary of State is oddly left to define "disability". Although it is conceivable that the Secretary of State may need discretion over defining "illness" and "long-term", we have in the Disability Discrimination Act 1995, under which a commission is to be set up, a firm definition of "disability". Section 1 states:

a person has a disability for the purposes of this Act if he has a physical or mental impairment which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities".

There are two main arguments for the amendment, on which I can be brief because they are self-explanatory. The first is an administrative argument. The Disability Discrimination Act must be used. If the Government do not get into the habit of using it where they should do so, its worth will be devalued and it will not automatically be referred to as a benchmark.

The second reason is ideological, and I would have thought the Labour Government would approve of it. The Government have committed themselves to civil rights and equality of opportunity, for which I applaud them. In this instance, however, they are leaving aside an important piece of civil rights legislation. That undermines the Disability Discrimination Act 1995 and the Government's wider aims of social inclusion.

I therefore ask the Minister at least to acknowledge the fact that there is legislation that provides a more helpful definition of "disability". The Secretary of State could be left with some discretion over the terms "long-term" and "illness".

Angela Eagle: I hope to persuade the hon. Member for St. Ives (Mr. George) of the fact that the Bill applies a reasonable definition of "disability", and to explain to him why we do not think that it is appropriate that the definition suggested in the amendment should apply in such circumstances.

Amendment No. 79 relates to the provision under which the Secretary of State may agree to vary the normal child support maintenance calculations on the ground that a non-resident parent is incurring costs attributable to the long-term illness or disability of a child who lives with him as a member of the second family. That is the sole reason why we need a definition in this context.

The provision, and the associated definitions of "disability" and "long-term", are features of the departures scheme, which was introduced by the Opposition when in government in December 1996. As the hon. Gentleman has explained, the amendment would re-define "disability" by reference to section 1 of the Disability Discrimination Act 1995.

In considering a variation on such a ground, the Secretary of State will be concerned with the costs associated with any disability. Given that there is already a benefit that is dedicated to helping disabled people with the extra costs that they may have to meet—disability living allowance—we propose to provide in regulations that a child will be considered "disabled" if either the care component, the mobility component or both components

[Angela Eagle]

of DLA are in payment to any person on his behalf, or if he is registered blind. The same qualifying conditions apply to awards of the disabled child premium in income support. That creates consistency across the range of benefits, which is important for administrative purposes.

Having established that such conditions are met, the Secretary of State will need only to consider the evidence that the non-resident parent provides on the additional costs associated with the disabling condition. Our view is that the definition of "disability" that we intend to prescribe is a reasonable one, and that it will be a much more straightforward and objective test for the Child Support Agency to apply than the one proposed in the amendment. The latter would require the agency to make judgments of a medical nature—a task for which it is not qualified—aimed at employers, defining "disability" in employment. It is complex, running to 15 pages of guidance, and appealable to courts and industrial tribunals. In this context, we do not think that that is the best definition of "disability".

I hope that the hon. Gentleman recognises that we have a good, quick, simple and consistent definition of "disability" in the social security system and that our suggestion will be much simpler, quicker and easier to apply. It will not disadvantage anyone; the appropriate people will still be described as "disabled". I hope that, on that basis, he will withdraw the amendment.

Mr. Andrew George: I am grateful to the Minister for that clarification. I am pleased that I probed the matter because it was unclear. Her reassurances have been helpful. I am sure that the organisations for the disabled that expressed concern about the phraseology will be, as I am, reassured by her response. On that basis, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 12

INFORMATION REQUIRED BY SECRETARY OF STATE

Amendment made: No. 37, in page 11, line 40, leave out ""or" and insert—

'"(or application treated as made), or'.—*[Mr. Rooker.]*

Clause 15

PRESUMPTION OF PARENTAGE IN CHILD SUPPORT CASES

Amendment made: No. 38, in page 13, line 36, after "1965" insert—

', under Article 14 or 18(1)(b)(ii) of the Births and Deaths Registration (Northern Ireland) Order 1976'.—*[Mr. Rooker.]*

Clause 75

TESTS FOR DETERMINING PARENTAGE

Mr. Rooker: I beg to move amendment No. 42, in page 79, line 1, after "tests)" insert—

'—(a)'.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 43, 82 and 54 to 56.

8.30 pm

Mr. Rooker: I can deal with the amendments briefly, but in two parts. Apart from amendment No. 82, which I shall come to shortly, the amendments are technical. I will set out broadly what they cover.

Through amendments Nos. 42, 43, 54, 55 and 56, we are making a number of consequential changes to the rules to establish paternity. Clause 75 will amend the Family Law Reform Act 1969 to make changes to arrangements for court-ordered blood tests to establish paternity, so that authority to carry out the tests can be given to accredited laboratories rather than to individual testers approved for that purpose by the Lord Chancellor.

Although laboratories, rather than individual testers, will be accredited in general terms to carry out the tests, reports to the court with the results of tests in individual cases will still be made by the individual tester who has carried out the test. The references to "person" in section 20(2) of the 1969 Act could be construed as including a body of persons, which would cover the laboratory. Amendment No. 43 therefore replaces that reference with a reference to "the tester", and follows the change through in subsections (4) and (5) of the Act. It clarifies that the report to the court is to be made by the individual person responsible for carrying out the test—that is the tester—and that that individual can be required to provide a further statement to the court amplifying the report or to be called as a witness in subsequent proceedings.

Amendment No. 42 and part of amendment No. 54 are related drafting amendments. The remaining part of amendment No. 54, and amendments Nos. 55 and 56, are consequential changes in connection with the introduction, through clause 76, of the new section 55A of the Family Law Act 1986.

Amendment No. 82 will make a much more substantial change. It will change the procedure for court-ordered paternity testing. It will enable the court to overrule a refusal of consent by a person with care and control of a child under 16 to a direction to take a blood sample from the child to establish its paternity, where the court is satisfied that it would be in the best interests of the child for the sample to be taken.

The amendment relates to part III of the Family Law Reform Act 1969, which enables the court to direct the use of blood tests to resolve a dispute about paternity that has arisen in the course of civil proceedings. The need for the amendment was highlighted by a recent case. I have not checked the date, but I believe that the case took place after the Bill was published and may have even been after its Second Reading.

A judgment in the High Court by Mr. Justice Wall held that, under the current law contained in the Family Law Reform Act 1969, the court had no power to enforce a direction for taking a blood sample from a child under 16 to establish paternity, if the person with care and control of the child refuses to consent to the sample being taken. The judge's view is that, as a result, the 1969 Act may not comply with the European convention on human rights in that it can deny the child the opportunity to know about its parentage.

The amendment will put the onus the other way. A child will have a right to know who its parents are, and that is why taking a sample may be necessary. However, a court—and obviously not the child—will judge whether that is in the child's interests.

The Government believe that the law does not adequately protect the interests of children. That case shows that it is clearly unsatisfactory that the person with care and control of the child, who may well also be a party to the proceedings, should be able to frustrate proceedings to prevent the child's paternity being established. That can deny the child the right to know its father, and the father the right to be recognised as such and to play a part in his child's upbringing. I am assuming, of course, that the mother has care of the child.

The amendment therefore focuses on the best interests of the child. In deciding whether to give a direction for tests to establish paternity, the court will have the flexibility to distinguish between cases where establishing paternity is in the child's best interests, and those where it may not be. It will be up to the court to make the decision.

Where the child is old enough to express a view, the court will take such views into account in reaching its decision. The amendment will support that process by ensuring that directions given in the best interests of the child can be effectively enforced, and it will ensure that the law in this area complies with the European convention.

Mr. Pickles: We had long discussions in Committee about the problem of an unreasonable refusal and the consequences that would flow from that. I presume that those problems will move away because a child will have a right to discover, and the court will help to determine, its parentage. Will one of the factors in the court's determination be whether the child receives maintenance?

Mr. Rooker: I have not taken advice on that question, but I think that the answer would probably be no. The issue is determining paternity. Maintenance would flow from a decision on paternity, but the decision on that would be taken later by another body.

I made every effort to get as many of the Government's amendments to the Bill as it was on Second Reading tabled in time for debate in Committee, where we could have held detailed discussions. I regret that I was not able to do that. We had to take advice on the judgment that I have mentioned and we had to discuss it in government, so it was not possible to bring this amendment to Committee where we could have spent more time on it. However, I think that my answer to the hon. Gentleman's question is correct.

The amendment will ensure that the courts can enforce directions for tests to establish paternity so that the interests of children are properly considered and protected. I hope that the House will accept the amendments.

Mr. Burns: I listened carefully to the Minister. Everything that he said seemed eminently sensible to me as a layman. However, will he help me with an highly unusual constituency problem that is relevant to the amendments and the existing law on parentage as it affects the CSA?

A constituent came to see me, who, some years ago, had had a relationship with a girlfriend that had ended, I suspect, against her wishes. Two or three years later, he married his current wife. He, his current wife and his ex-wife were then bothered by the former girlfriend to the extent that the police were involved. After he had remarried, the CSA contacted him out of the blue to say that he had a two-year-old child from his relationship with his former girlfriend, that she was on benefit and that he needed to provide details of his income for assessment.

That news came as a tremendous surprise to my constituent, because he was totally unaware at the time of the relationship that his girlfriend was pregnant and because the timing of the pregnancy did not coincide with when he went out with her. He demanded and was granted a blood test by the CSA, which, to his amazement, proved that the child was his.

There is nothing particularly unusual about such a case. However, my constituent then thought more about the matter, because he could not understand, from the time scale, how his ex-girlfriend could have conceived the child. It transpired that, during his relationship with her, there had been a time when she wanted, and he agreed, to conceive a child, but she had problems conceiving. He had agreed to participate in in vitro fertilisation treatment and some of his sperm were frozen in a sperm bank. After the relationship had ended, she had managed—I can only assume illegally, because he had not given his permission—to get hold of the sperm, and a successful conception took place.

My constituent argues that these are highly unusual circumstances, which they are, if they are 100 per cent. true, and I have no reason to doubt that they are. He did not want a child at the time when the child was conceived and born; he did not agree to his sperm being used, but he has heard from the CSA that the blood test in which he participated voluntarily has proved that he is the natural father. He argues that it is unfair that, under the child support regime, he is automatically expected to pay maintenance.

If one assumes that everything that I have been told and relayed to the House is accurate, is that gentlemen, in law, responsible for the financial upkeep of a child whom he did not want to be conceived and who was conceived, it would seem, by devious, if not illegal, means?

Mr. Rooker: The hon. Member for West Chelmsford (Mr. Burns) has clearly described the circumstances as he understands them, so I understand the question perfectly. However, I shall not even begin to attempt to answer it from the Dispatch Box. I shall not ask the hon. Gentleman to write to me because I understand the question; I shall write to him giving the best advice that I can.

Hon. Members come to Ministers with all kinds of cases, but I have not had one quite like that. I recently dealt with a case in which a man had admitted that he was the father, but two years later, after a CSA blood test and court case, it turned out that he was not. Such cases are part of human life.

The hon. Gentleman has asked an important question that deserves an answer, because I suspect that the situation is not unique. I shall seek advice and write to him.

Mr. Burns: I am grateful to the Minister for his kind offer, which I would like to take up, but to save him and his officials wasting their time, I can tell him that if he contacts Mrs. Faith Boardman, she will give him detailed

[Mr. Burns]

evidence of what my constituent has said. I should, however, appreciate an answer from the Minister as well as from Mrs. Boardman.

Mr. Rooker: Yes, of course. The specifics of the individual case are one thing, but there is also a general question about the issues that the hon. Member raised, so I will look into the matter and write to him.

Amendment agreed to.

Amendments made: No. 43, in page 79, line 8, at end insert—

'(b) in subsection (2)—

(i) for "person responsible for" there shall be substituted "individual", and

(ii) after "this section" there shall be inserted "("the tester")";

(c) in subsection (4), for "the person who made the report" there shall be substituted "the tester"; and

(d) in subsection (5)—

(i) for "the person responsible for carrying out the tests taken for the purpose of giving effect to the direction, or any" there shall be substituted "the tester, or any other",

(ii) for "that person" there shall be substituted "the tester or that other person", and

(iii) after "and where" there shall be inserted "the tester or".'.

No. 82, in page 79, line 8, at end insert—

'( ) In section 21 (consents, etc., required for the taking of blood samples), in subsection (3), for the words "if the person who has the care and control of him consents" there shall be substituted—

"(a) if the person who has the care and control of him consents; or

(b) where that person does not consent, if the court considers that it would be in his best interests for the sample to be taken.".'.—*[Mr. Rooker.]*

Clause 76

DECLARATIONS OF STATUS

Amendment made: No. 44, in page 80, line 1, leave out from beginning to end of line 8 and insert—

'(3) Except in a case falling within subsection (3A) below, the court shall refuse to hear an application under subsection (1) above unless it considers that the applicant has a sufficient personal interest in the determination of the application (but this is subject to section 27 of the Child Support Act 1991).

(3A) The excepted cases are where the declaration sought is as to whether or not—

(a) the applicant is the parent of a named person;

(b) a named person is the parent of the applicant; or

(c) a named person is the other parent of a named child of the applicant.'.—*[Mr. Rooker.]*

Schedule 8

DECLARATIONS OF STATUS: CONSEQUENTIAL AMENDMENTS

Amendments made: No. 53, in page 128, line 6, leave out '"55A(5)"' and insert '"55A(6) or 56(4)"'.

No. 54, in page 128, line 38, leave out from "1987" to end of line 41 and insert—

'(a) in subsection (2) to be substituted for section 20(2) of the Family Law Reform Act 1969 (report to court about scientific tests), for "person responsible for" there shall be substituted "individual"; and

(b) in subsection (2A) to be inserted in section 20 of that Act (blood tests in proceedings under section 56 of the Family Law Act 1986), for "56" there shall be substituted "55A or 56".'.

No. 55, in page 129, line 24, leave out "Where" and insert "This section applies where".

No. 56, in page 129, line 37, leave out from beginning to end of line 39 and insert—

'( ) Where this section applies—

(a) if it is the person with care who makes the application, he shall be treated as having a sufficient personal interest for the purposes of subsection (3) of that section; and

(b) if it is the Secretary of State who makes the application, that subsection shall not apply.'.

No. 57, in page 129, line 43, at end insert—

'*The Access to Justice Act 1999 (c.22)*

. In Schedule 2 to the Access to Justice Act 1999 (services which are not to be funded as part of community legal services), in paragraph 2(3), after paragraph (d) there shall be inserted—

"(da) under section 55A of the Family Law Act 1986 (declarations of parentage),".'. —*[Mr. Rooker.]*

Clause 16

DISQUALIFICATION FROM DRIVING

Amendments made: No. 39, in page 14, line 22, leave out "the liable person's" and insert "his".

No. 40, in page 15, line 43, at end insert—

'( ) Where a court—

(a) makes a disqualification order;

(b) makes an order under subsection (5); or

(c) allows an appeal against a disqualification order,

it shall send notice of that fact to the Secretary of State; and the notice shall contain such particulars and be sent in such manner and to such address as the Secretary of State may determine.

( ) Where a court makes a disqualification order, it shall also send the driving licence and its counterpart, on their being produced to the court, to the Secretary of State at such address as he may determine.'.

No. 41, in page 16, line 29, leave out "40A(8)" and insert "40A(10)".—*[Mr. Rooker.]*

Clause 19

REDUCED BENEFIT DECISIONS

Mr. Andrew George: I beg to move amendment No. 81, in page 20, line 7, at end insert—

'(9A) Where the parent with care has complied with obligations imposed by section 6 of the 1991 Act, the Secretary of State shall be legally responsible for the confidentiality of information relating to the parent with care.'.

This takes us back to a debate that we had on amendment No. 76, and touches on the issue of good cause. I appreciate that in her responses on this matter the Minister has thus far demonstrated a sincere acceptance of its seriousness. Secretaries of State change, but under the Bill as it stands, we have to trust the Secretary of State to observe an appropriately precautionary principle when dealing with cases involving domestic violence and violence against women. Despite all the assurances, which I believe are genuine, the matter depends in part on the

BEST COPY AVAILABLE

Secretary of State's discretion, and in part on an unclear provision about the basis of the evidence for the threat of violence.

8.45 pm

I shall provide an example of a failure, not by the CSA, but by ourselves as legislators, which demonstrates the need for caution in the Bill. It is the case of a constituent of mine, formerly Dina Russell of Torquay, but known as Georgina McCarthy when, tragically, in May 1998, she was horrifically murdered by her former husband, Paul Russell. The crime occurred in her home in Penzance, in the presence of her one-and-a-half-year-old son, who was subsequently abducted. Her former husband was convicted of the crime in June last year.

That case demonstrates the failure of the system, because everything was done that could have been done in the face of a known and recorded threat. There were witnesses to the fact that Paul Russell intended to murder that poor woman. Every means available within the system and under the law was employed to protect her, but the system itself failed, with tragic results. Paul Russell used family law—section 8 of the Children Act 1989—to obtain a seek-and-find order from the court. The legal process was quashed, but not before it had already provided him with sufficient information to establish in which part of the country his former wife lived. The case exposed weaknesses in court procedure, the Children Act and family law, and flaws in the interplay between civil and criminal law. Court procedures were observed and the police and social services did everything according to the law in order to protect that women, but, ultimately, they and the system failed.

The CSA does not come into that case; Paul Russell did not use it to track down his former wife. However, there is a fear that the provisions of the Bill as it stands might enable women who have been subjected to domestic violence to be tracked down. About 100 women are murdered every year, and about half know their murderer. Far too many women suffer domestic violence; whether that ultimately leads to murder or severe harm, it is obviously not in the best interests of women or children for the system to permit information to be made available to husbands, partners, former husbands and former partners who might use the information to track them down.

I accept that the clause provides a reasonable belt around this issue, and earlier responses from the Minister have reassured me that she and her Department have a genuine intention to ensure that everything is done to protect women who are liable to be threatened with abuse and violence. The purpose of the amendment is to provide braces—I apologise for the use of a male gender metaphor—as well as the belt of the clause. The amendment lays responsibility on the Secretary of State to ensure that information relating to the parent carer remains confidential. That would put an added pressure on the Secretary of State to be extremely circumspect about the circumstances in which information is divulged.

As Members of Parliament, we all have a heavy burden to bear in voting through legislation that could have a damaging effect on people's lives. I appreciate that the amendment would impose a heavy burden on the Secretary of State. Serious concerns surround this issue and I know that the Minister is aware of them. Many organisations have written to Ministers about the clause and about the evidence that the Secretary of State may require to justify that there is good cause not to disclose information. It is not clear at this stage at what level that evidence is required. One way of providing some assurance is to lay a legal responsibility on the Secretary of State to ensure, in cast iron terms, that the information is protected and that women are protected also within the system.

In the earlier debate on this matter, the Minister maintained that the CSA had improved its service. She said that it gathers information discreetly and informs people who come into contact with it of all the available options and the consequences of certain actions. However, that did not add up to a detailed explanation of how the CSA would fully assess the risk to the parent with care, or the child, in each case. The amendment seeks to place pressure for such an explanation to be made by proposing that the Secretary of State—effectively the CSA—should be liable if the confidentiality of information is breached. We fear most that that breach of confidentiality will result in danger to women.

On that basis, we believe that the amendment properly reflects the seriousness with which the relevant information is to be gathered and protected by the CSA. I hope that the Government will accept it. It provides the necessary assurances to many women who fear acts of violence, which none of us wants to see perpetrated as a result of leaked information.

Angela Eagle: I start by assuring the hon. Member for St. Ives (Mr. George) that we take extremely seriously issues of violence against women. I hope that I can reassure him that protections are already in place that adequately ensure that we can make good our concern and minimise any risk to women who may be subject to violence.

Before dealing with that, I shall say a little about the tragic case that the hon. Gentleman mentioned, involving Georgina McCarthy. The Home Office and the Lord Chancellor's Department are considering the issues surrounding the court processes for contact proceedings, which led to that individual being able to track down his ex-partner, with the consequences that the hon. Gentleman described to the House. I know that, when conclusions have been reached, the hon. Gentleman will be informed of them. However, as he said, the CSA was not involved in that instance in the breach of confidentiality that led to such a tragic result.

Amendment No. 81 would create a legal obligation for the CSA to protect the confidentiality of information provided by parents with care on benefit who are treated as applying for a child support calculation. That is an important matter and raises the question of what guarantees can be given to any client of the CSA.

Parents with care are treated as applying for child support under section 6 of the Child Support Act 1991 if they are claiming income support or income-based jobseeker's allowance. There is a right to opt out of child support action, but opting out can attract a benefit penalty, as we discussed earlier. The benefit penalty is applied if the parent cannot show that child support action would lead to a risk of harm or undue distress.

A benefit penalty may also be imposed if the parent with care refuses without good reason to provide sufficient information to enable the non-resident parent to

[Angela Eagle]

be traced. Given that she has limited choice in the matter, it is important that she can feel confident that her confidentiality will be protected.

I must emphasise that, if there is a risk of harm or undue distress to the parent with care or her children, she is not required to provide information to the agency at all—she can opt out of the process before it begins, without any penalty being imposed.

There is an important second line of protection—the absolute duty on the CSA to protect personal information. The Government attach considerable weight to that duty, both because we are committed to the proper handling of personal information, and because we want people to be confident in using the CSA.

To assess and collect child support, we inevitably need to know a lot about the parents and their families. Much of the information is very personal, and no one else should be able to gain access to it through the CSA.

I can assure hon. Members that the CSA takes seriously its obligations to protect the confidentiality of personal information about its clients. That is why anyone working for the CSA is guilty of a criminal offence if, without lawful authority, he or she discloses information, acquired in the course of that employment, that relates to a particular person. Such an offence can, on conviction, result in a prison sentence of up to two years. I can tell the House that, since 1995, three employees of the agency have been dismissed from that employment for making information available.

Clearly, information must be disclosed to the other parent to allow him or her to understand how maintenance liability has been assessed. That information includes, for example, details of the non-resident parent's net income and the relevant qualifying children. Legislation permits, and carefully specifies, such disclosure.

However, the CSA must never disclose a parent's address or any other information that may lead to that person being located. Parents also have a right to refuse to allow a tribunal or court to reveal such details.

That is an important safeguard. It protects the whereabouts of parents, in particular women who may be at risk of abuse from their ex-partners if their address becomes known. I am pleased to say that the CSA has an excellent record in that area. It also reassures parents with care who are treated as applying for child support when they claim benefit, but their whereabouts will remain confidential.

Amendment No. 81 is unnecessary because child support legislation already provides adequate and robust protection for personal information provided by clients to the CSA. The amendment provides protection to parents with care who are treated as applying for child support under section 6 of the 1991 Act. However, the existing legislative safeguards in the 1991 Act prevent unauthorised disclosure of information for all CSA clients, not just those who qualify under section 6.

With those reassurances that we have in place a robust system that has been proved to work, I hope that the hon. Gentleman will seek leave to withdraw the amendment.

9 pm

Mr. Andrew George: I am encouraged by the Minister's response, by the sympathetic and helpful response that I received from each of the three Departments involved indirectly in the case that I raised, and by the fact that an interdepartmental body on domestic violence has been set up to ensure a joined-up approach from Government. I hope that, as a result of the Bill, the Department of Social Security will be involved in that body.

The Minister referred earlier to Mr. Justice Wall who, I understand, following the case to which I referred, will be leading a short inquiry into the treatment of domestic violence cases in the courts. I appreciate that the Government now accept that that is a matter of great concern, and, I hope, if necessary, to push the matter further.

The Ministers response to amendment No. 81 was partially reassuring. It is reassuring that there have been three scalps from the CSA staff as a result of action taken to ensure that confidential information is not divulged. However, I and my hon. Friends are concerned not only with human error on the front line, but with whether the system is sufficiently robust and rigorous.

Given our debate on amendment No. 76, although I am partially reassured by the Minister, we shall seek to withdraw amendment No. 81 in the hope that there will be another opportunity to reflect on both aspects of the matter as raised in amendments Nos. 76 and 81 in another place. On that basis, I am happy to seek leave to withdraw the amendment.

Amendment, by leave, withdrawn

Schedule 3

AMENDMENT OF ENACTMENTS RELATING TO CHILD SUPPORT

Amendments made: No. 49, in page 89, line 39, at end insert—

'The Army Act 1955 (3 & 4 Eliz. 2 c.18)

A1.—(1) Section 150A of the Army Act 1955 (enforcement of maintenance assessment by deductions from pay) shall be amended as follows.

(2) In subsections (1), (2)(a), (3)(a) (twice) and (4), for "maintenance assessment" there shall be substituted "maintenance calculation".

(3) In subsection (3) (twice), for "the assessment" there shall be substituted "the calculation".

The Air Force Act 1955 (3 & 4 Eliz. 2 c.19)

A2.—(1) Section 150A of the Air Force Act 1955 (enforcement of maintenance assessment by deductions from pay) shall be amended as follows.

(2) In subsections (1), (2)(a), (3)(a) (twice) and (4), for "maintenance assessment" there shall be substituted "maintenance calculation".

(3) In subsection (3) (twice), for "the assessment" there shall be substituted "the calculation".

The Matrimonial Causes Act 1973 (c.18)

A3.—(1) The Matrimonial Causes Act 1973 shall be amended as follows.

(2) In section 29 (duration of continuing financial provision orders in favour of children, and age limit on making certain orders in their favour)—

(a) in subsections (5)(a), (7) (three times) and (8)(a), for "maintenance assessment" there shall be substituted "maintenance calculation";

(b) in subsections (5)(a) and (b)(ii) and (6)(b), for "current assessment" there shall be substituted "current calculation";

(c) in subsection (6)(b), for "maintenance assessments" there shall be substituted "maintenance calculations"; and

(d) in subsection (6)(b), for "those assessments" there shall be substituted "those calculations".

(3) In section 31 (variation, discharge, etc., of certain orders for financial relief)—

(a) in subsections (11)(c) and (12)(a) and (c), for "maintenance assessment" there shall be substituted "maintenance calculation"; and

(b) in subsection (11) (twice), for "the assessment" there shall be substituted "the calculation".

(4) In section 52 (interpretation), in subsection (1), for "maintenance assessment" there shall be substituted "maintenance calculation".

The Domestic Proceedings and Magistrates' Courts Act 1978 (c.22)

A4.—(1) The Domestic Proceedings and Magistrates' Courts Act 1978 shall be amended as follows.

(2) In section 5 (age limit on making orders for financial provision for children and duration of such orders)—

(a) in subsections (5)(a), (7) (three times) and (8)(a), for "maintenance assessment" there shall be substituted "maintenance calculation";

(b) in subsections (5)(a) and (b)(ii) and (6)(b), for "current assessment" there shall be substituted "current calculation"; and

(c) in subsection (6)(b), for "those assessments" there shall be substituted "those calculations".

(3) In section 20 (variation, revival and revocation of orders for periodical payments)—

(a) in subsections (9A)(c) and (9B)(a) and (c), for "maintenance assessment" there shall be substituted "maintenance calculation"; and

(b) in subsection (9A) (three times), for "the assessment" there shall be substituted "the calculation".

(4) In section 88 (interpretation), in subsection (1), for "maintenance assessment" there shall be substituted "maintenance calculation".

The Family Law (Scotland) Act 1985 (c.37)

A5.—(1) The Family Law (Scotland) Act 1985 shall be amended as follows.

(2) In section 5 (variation and recall of decrees of aliment), in subsection (1A), for "maintenance assessment" there shall be substituted "maintenance calculation".

(3) In section 7 (agreements about aliment), in subsection (2A), for "maintenance assessment" there shall be substituted "maintenance calculation".

(4) In section 13 (orders for periodical allowance), in subsection (4A), for "maintenance assessment" there shall be substituted "maintenance calculation".

(5) In section 16 (agreements about financial provision), in subsection (3)(d), for "maintenance assessment" there shall be substituted "maintenance calculation".

(6) In section 27 (interpretation), in subsection (1), for "maintenance assessment" there shall be substituted "maintenance calculation".

The Insolvency Act 1986 (c.45)

A6. In section 281 of the Insolvency Act 1986 (effect of discharge on a bankrupt), in subsection (5)(b), for "maintenance assessment" there shall be substituted "maintenance calculation".

The Debtors (Scotland) Act 1987 (c.18)

A7.—(1) The Debtors (Scotland) Act 1987 shall be amended as follows.

(2) In section 72 (effect of sequestration on diligence against earnings), in subsection (4A), for "maintenance assessment" there shall be substituted "maintenance calculation".

(3) In section 106 (interpretation), in the definition of "maintenance order", in paragraph (j), for "maintenance assessment" there shall be substituted "maintenance calculation".

The Income and Corporation Taxes Act 1988 (c.1)

A8.—(1) The Income and Corporation Taxes Act 1988 shall be amended as follows.

(2) In section 347B (qualifying maintenance payments)—

(a) in subsections (8) and (9)(a) and (c), for "maintenance assessment" there shall be substituted "maintenance calculation";

(b) in subsection (9)(b) and (c), for "the assessment" there shall be substituted "the calculation"; and

(c) for subsection (11) there shall be substituted—

"(11) In this section "maintenance calculation" means a maintenance calculation made under the Child Support Act 1991 or a maintenance assessment made under the Child Support (Northern Ireland) Order 1991."

(3) In section 617 (social security benefits and contributions), in subsection (2)(ae), for "section 24 of the Child Support Act 1995 or under any corresponding enactment" there shall be substituted "any enactment corresponding to section 24 of the Child Support Act 1995".

The Finance Act 1988 (c.39)

A9. In the Finance Act 1988, in each of subsection (5A) of section 36 (annual payments) and subsection (8A) of section 38 (maintenance payments under existing obligations: 1989–90 onwards), for "maintenance assessment made" there shall be substituted "maintenance calculation or maintenance assessment made respectively".

The Children Act 1989 (c.41)

A10.—(1) Schedule 1 to the Children Act 1989 (financial provision for children) shall be amended as follows.

(2) In paragraph 3—

(a) in sub-paragraph (5)(a), (7) (three times) and (8)(a), for "maintenance assessment" there shall be substituted "maintenance calculation";

(b) in sub-paragraph (5)(a) and (b)(ii) and (6)(b), for "current assessment" there shall be substituted "current calculation";

(c) in sub-paragraph (6)(b), for "maintenance assessments" there shall be substituted "maintenance calculations"; and

(d) in sub-paragraph (6)(b), for "those assessments" there shall be substituted "those calculations".

(3) In paragraph 6—

(a) in sub–paragraph (9) (three times), for "the assessment" there shall be substituted "the calculation"; and

(b) in sub-paragraph (9)(c), for "maintenance assessment" there shall be substituted "maintenance calculation".

(4) In paragraph 16(3), for "maintenance assessment" there shall be substituted "maintenance calculation".

[Mr. Andrew George]

No. 50, in page 90, line 38, leave out from beginning to end of line 40 and insert—

', after "any application" there shall be inserted "made or treated as made".'.

No. 51, in page 92, line 35, at end insert—

'The Social Security Administration Act 1992 (c.5)

. In section 7A of the Social Security Administration Act 1992 (sharing of functions as regards certain claims and information), in subsection (6)(a)—

(a) after "application" there shall be inserted "(or an application treated as having been made)"; and

(b) for "maintenance assessment" there shall be substituted "maintenance calculation".'.

No. 52, in page 92, line 40, at end insert—

'(3) Section 24 (which provides for the making of regulations under which compensation could be paid for a reduction in child support maintenance attributable to changes in child support legislation, and which is now spent) shall cease to have effect.

Prisoners' Earnings Act 1996 (c.33)

. In section 1 of the Prisoners' Earnings Act 1996 (power to make deductions and impose levies), in subsection (4), in paragraph (d) of the definition of "net weekly earnings", for "maintenance assessment" there shall be substituted "maintenance calculation".'.—*[Mr. Rooker.]*

New Clause 9

EXTENSION OF INVALID CARE ALLOWANCE FOR BEREAVED CARERS

'.—In section 70 of the Social Security Contributions and Benefits Act 1992, there shall be inserted the following subsection—

"(10) The Secretary of State shall make regulations in respect of persons who cease to be in receipt of invalid care allowance as a result of the death of the person in respect of whose care the allowance has been claimed.

(10A) These regulations shall set the condition for the award to be satisfied for a period of eight weeks from the date on which that person ceased to be in receipt of invalid care allowance.".'.—*[Mr. Burstow.]*

Brought up, and read the First time.

Mr. Paul Burstow (Sutton and Cheam): I beg to move, That the clause be read a Second time.

The new clause is born out of an anxiety that Liberal Democrats share about the adequacy and effectiveness of the state second pension for carers today. Many carers will never benefit from the introduction of the state second pension. The new clause deals with a specific problem that affects carers who undertake caring responsibilities, and tries to ensure that additional money is put in their pockets to improve their lives now.

Approximately 120,000 people are long-term carers, who have been caring for more than five years; 32,000 carers have been caring for more than 10 years. Many of them will not receive any benefit from the state second pension. The new clause would therefore extend the payment of invalid care allowance for eight weeks after the death of the person who is being cared for.

We are considering bereavement and the way in which we acknowledge the sensitivities around bereavement. The system presents a cliff edge for carers. One day they have a caring responsibility, the next day the state completely withdraws the benefits that they receive for caring.

I shall explain why we believe that the matter deserves further attention. We want to highlight the problems that bereaved carers suffer. Hon. Members know that the majority of carers receive invalid care allowance for caring for relatives such as children, parents or partners. In the case of the death of a spouse, the new clause would financially help the surviving partner through the bereavement, in some small way.

It could be argued that there are no grounds for doing that and that such a provision would be unusual in the context of our benefit system. However, that is not the case. There is a precedent that applies directly to carers. The carers premium is paid on top of income support to those who are entitled to invalid care allowance for eight weeks after the death of the person who was cared for. It is more generous than the new clause because it establishes the right to a further eight weeks of payment when a cared-for person has moved into permanent residential care. We argue that the principle of the carers premium, which gives a breathing space to the carer, should apply to invalid care allowance in general.

If the provision worked in the same way as the carers premium, it would cost an additional £5 million per annum. Our proposal is not as generous—although we would like to be more generous—and should therefore cost less.

When such amendments are tabled, Ministers often express anxiety, perhaps understandably, about the constraints that the Government's ancient and rather decrepit information technology systems place on them when the administration of benefits is changed. In Committee, we had an interesting exchange about the number of releases that were being planned to CSA software. That led me to ask a written question to glean more information about releases.

I discovered through the written answer that two releases are planned in the next three years for invalid care allowance. One will deal with the production of restricted order books, which account for the recipient reaching retirement age, or changes to that person's disability living allowance or attendance allowance. That provides an opportunity to tackle another long-standing Liberal Democrat anxiety. Invalid care allowance should probably be extended to people of retirement age who continue to carry a caring burden.

The second release deals with a range of system administrative enhancements. That seems to be a general catch-all that could also apply to the new clause, enabling it to be given effect without requiring an additional release of the necessary software and systems. In that context, I hope that that concern can be overcome.

Our new clause would enable another concern to be addressed. Carers are presented with the fact that their ICA stops on the day that their partner dies. As a result, they have little income and have to go back to the jobcentre to sign on, which presents them with the prospect of the single work-focused gateway and an interview with the advisers who are now in place to help people back to work. Does the House want someone who has suffered a bereavement after many years of caring to face an interview with an undoubtedly well-meaning person who might mistakenly not defer that interview for

a time sufficient to acknowledge the bereavement? The option of paying ICA for a further eight weeks could overcome that concern.

The new clause would make sure that carers are not forced to move straight from the grave side to the jobcentre, which would be wrong. It is affordable, fair and would improve the lot of carers.

Mr. Pickles: I intend to speak for only a few moments, but first I apologise to the hon. Member for Sutton and Cheam (Mr. Burstow) for missing the early part of his speech. He did himself a disservice by saying that the proposal would cost £5 million a year. I am not sure that that is correct. I think that it would cost a little less. I may be wrong, but I understand that the carers premium includes a roll-on when a cared-for person goes into permanent residential care. I do not know the precise cost—the Minister may tell us—but I think that it would be less than £5 million.

The hon. Gentleman was kind enough to say implicitly that the Liberal Democrats have come round to the Conservative way of thinking on invalid care allowance policy and ensuring that the rule under which ICA stops being paid at 65 disappears. We welcome that.

Mr. Burstow: Will the hon. Gentleman give way?

Mr. Pickles: Of course. I am only too pleased to do so. Perhaps the hon. Gentleman is about to announce more policies on which he agrees with the Conservatives.

Mr. Burstow: I am grateful to the hon. Gentleman for giving way. As someone who will undoubtedly have made a great and close study of our previous general election manifesto, he will be aware that we have held the policy position that I annunciated again today for a very long time. We welcome the Conservative party joining us.

Mr. Pickles: Those remarks are not much of a guide as we are used to alternating, yin-yang policy from the Liberal Democrats. I was trying to be nice about their new clause and, despite that provocation, I shall happily go on to be so. I agree with the hon. Gentleman that our system can sometimes be a little harsh. A lot of benefits stop when one person dies and another is left to sort things out. We all have experience of winding up our parents' estates and people's minds are on all kinds of things at such a distressing time. This relatively modest proposal would provide a breathing space.

I was involved in a discussion in a statutory instrument Committee about the way in which we get bereaved people into the gateway. I was surprised to learn—even given the fact that the payments that we were discussing would end after a year—that those receiving bereavement benefits would enter the gateway so suddenly.

9.15 pm

I think it reasonable for a bereaved person not to have to engage in a single-gateway interview. In most cases, the carers allowance would stop immediately, and the financial circumstances of the bereaved person might well force that person to engage in a work-focused interview without being in an appropriate mental state. I do not believe that the Government want that to happen.

We have considerable sympathy with the new clause. The Government may want to reflect on the possibility of achieving its aim by other means. I do not know whether the hon. Member for Sutton and Cheam intended his new clause to be, as it were, a probing amendment, but we think it would be advisable to give the Government some time in which to consider the matter.

Genuine problems are experienced by bereaved carers. The close relationship that was involved makes it that much more difficult. Even if the Government do not wish to accept the new clause as it is drafted, they may want to try to relieve the burden experienced by carers in the critical first few months after a bereavement.

Angela Eagle: New clause 9 would extend the period of entitlement for all recipients of invalid care allowance to eight weeks after the death of the person who was cared for, and in respect of whose care the allowance was being paid. I have considerable sympathy with the intention, which is to help a small but vulnerable group of carers who receive ICA for looking after a disabled person who subsequently dies.

I am grateful for the opportunity to make clear the Government's agenda for carers, following publication of the report on the national strategy for carers last year. In his preface to the report, my right hon. Friend the Prime Minister said:

> Carers are among the unsung heroes of British life.

He said that they

> should be properly recognised and properly supported.

I suspect that all hon. Members endorse that view.

The national strategy put down a marker by stating that the Government would

> keep under review how financial support for carers—including Invalid Care Allowance—can best meet needs—

that is, the needs of carers. A few days later, the report of the royal commission on long-term care suggested that

> the system could do more to offer support for carers.

The Government are clearly committed to reviewing the financial support available to carers. In doing that, we must take account of the work being done to prepare our White Paper response to the royal commission's report. I can confirm that financial assistance for carers, including ICA, is being considered carefully. We will of course consult the Carers National Association and other representative groups as and when we have specific proposals to make.

Mr. Burstow: Is the review of the care allowance part of the review that will lead to the White Paper dealing with long-term care, or is it considered a separate matter, subject to a separate report? If there is to be a separate report, when can we expect it to be dealt with here?

Angela Eagle: I am always being asked to give exact dates in this context. As hon. Members will know, to give exact dates is to fall into a trap, because of the practicalities of government and the difficulty of securing agreement before delivering a honed Green or White Paper in a short time. However, the White Paper that responds to the royal commission must be written and developed with that in mind. My assumption is that they are separate documents. As I have said, the ICA itself and

[Angela Eagle]

the financial assistance that is given to carers are being looked at. The cut-off date is, by definition, one of the things that we are examining.

I emphasise that the group of carers that the amendment seeks to help is small—a point that the hon. Gentleman made—although none the less deserving of consideration. Bereavement is a universally difficult time for those of us who have experienced it. Inevitably, family finances must be re-examined in many circumstances—for example, with the loss of the disabled person's income. Financial advice, including benefit advice, as well as practical or work-related advice, may have to be sought.

In that context, the ONE process can be helpful. I reconfirm, given the comments by the hon. Members for Sutton and Cheam (Mr. Burstow) and for Brentwood and Ongar (Mr. Pickles), that there is a process whereby, if someone is bereaved and they say they could not cope with a work-focused interview, they will be given benefit advice and the interview will be deferred. There may be people in that position who would want such an interview to set some strategic goals. Different people react differently, but deferral is a possibility. That will be sympathetically considered in each individual case through the ONE process.

The amendment may not achieve as much as its supporters hope. There is already protection for many carers whose need is greatest: for example, those on low incomes who have lost a spouse. Carers who receive income support and the carer premium, which is the increase paid specifically for people entitled to ICA, have their benefit adjusted to take into account the loss of that ICA and will continue to receive the benefit, including the carer premium, for eight weeks. In addition, during that eight-week period, they are exempt from the need to be available for, and actively seeking, employment to qualify for income support. That leeway allows them time to adjust and to seek advice.

Where the death is that of a spouse, bereavement benefits are usually paid very promptly: within a few days of the claim. As such payments are made in preference to ICA, an ICA run-on would be of little or no material assistance for those carers.

For those who are most vulnerable and in greatest need, their income is already protected on the death of the disabled person for whom they have been caring, despite the loss of ICA. In practical terms, the amendment would help only those carers whose income is over income support level.

None the less, whether it is a well targeted proposal is a matter of judgment. I hope that I have made it clear that, in broader terms, the Government are strongly aware of the need for adequate financial support for carers. We are aware of the existing commitment to keep that under review in the context of longer-term care issues and the need to address the concerns of carers in the round. In the light of that, it would be difficult, for a number of reasons, to anticipate specific and piecemeal changes at this stage.

We are looking to examine the matter in the round and to take forward a strategy, not to tackle it piecemeal, as the amendment does. I hope that, in the light of those comments, the hon. Gentleman will see fit to withdraw the amendment.

Miss McIntosh: I make a brief point following the comments of my hon. Friend the Member for Brentwood and Ongar (Mr. Pickles) and the hon. Member for Sutton and Cheam (Mr. Burstow).

The Minister has been sympathetic to the amendment. I would be delighted to see it in the Bill in some shape or form, if not exactly as it appears at the moment. The Minister has been generous enough to say that the Government will look at the matter in the round. The amendment has the benefit of reflecting the policy of the official Opposition. It is obviously commendable for that reason. The support would be given only for a limited period and to an easily identifiable group of people.

As the Minister has admitted, the help would come at a time of particular vulnerability and difficulty for those people. It would be most generous if the Government, while not acceding necessarily to the precise words of the amendment, examined the matter in the round and saw fit to continue the level of support in the shape of that bereavement benefit. That would be most welcome.

Mr. Burstow: I am grateful to the hon. Member for Vale of York (Miss McIntosh) for supporting the new clause. As the hon. Member for Brentwood and Ongar (Mr. Pickles) rightly discerned, it was intended to stimulate debate and encourage the Government to put on record their thinking and the direction that they plan to take in modernising—to use their language—the invalid care allowance.

It has long been the view of the Liberal Democrats that the invalid care allowance should undergo a comprehensive reform, becoming a genuine carers' benefit that reflects their needs. The Minister was right to say that it is better to undertake such reforms in a comprehensive way.

Tonight we have focused on a particular concern that was raised in the royal commission report. The considerable sympathy that the Minister expressed is most welcome. However, it is important to recognise that there is a strong need to address financial issues affecting carers. Carers still want to know how long they will have to wait for the Government's definitive proposals to be enacted. That is the key. We are not talking about large sums of money for carers—it is only £39.95—but the savings for the taxpayer and the rest of society are considerable and we need to recognise that.

The new clause is a modest measure with a modest cost and it recognises the value of carers. However, in view of the Minister's generous response, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 26

MANNER OF PAYMENT OF BENEFIT NOT RESTRICTED TO AUTOMATED CREDIT TRANSFER

'.—In section 5(1) of the Social Security Administration Act 1992, at the end of paragraph (i) there is inserted ", but the regulations may not require automated credit transfer to be the only manner of paying a benefit.".'.—*[Mr. Webb.]*

Brought up, and read the First time.

Mr. Webb: I beg to move, That the clause be read a Second time.

A large number of hon. Members—representing five political parties—have put their names to new clause 26. For the avoidance of doubt, although the amendment paper lists the most recently added names and those who tabled the amendment, other hon. Members, some of whom are here tonight, have also put their names to the new clause, demonstrating the broad concern around the issue.

The future of the post office network is a matter of concern to all our constituents. The depth of public concern about the threat to the post office network caused by the intended movement of benefit payments to automated credit transfer has stirred communities up and down the land. My regional newspaper, the *Western Daily Press*, has led the way with a petition that now has more than 2 million signatures and is growing by thousands every day. That campaign has voiced the concerns of people in the west country, but it is now spreading across the country. People are responding because of the affection in which they hold their local post offices.

The new clause would include in the regulations that apply to the payment of benefits the notion that the Government could not require people to receive benefits by means of automated credit transfer. There is a question as to whether that is the Government's intention, and the answer seems to depend on whether one listens to the Department of Social Security or the Department of Trade and Industry. In the autumn of last year the Secretary of State for Trade and Industry wrote to the National Federation of Sub-Postmasters saying that by the end of the period 2003-05 all benefits would be paid by ACT. The letter was marked "for publication". Since then, the Government have softened their language a little, saying that there will be no compulsion, yet the Department of Social Security plans to save £400 million. The Department will not save £400 million unless pretty much everyone switches over to ACT. Regardless of whether the word "compulsion" is used, the sums involved imply the expectation that pretty much everyone will receive their money by that means.

New clause 26 seeks to restrain change until we—many other hon. Members and I—have assurances that the post office network will be safe. The critical backdrop to the debate is that the post office network is ebbing away. It has been ebbing away not only since 1 May 1997, but for a decade or two. What is very worrying, however, is that the pace of change is accelerating. In the past decade or two, about 100 post offices have closed each year. In the past couple of years, since the general election—I do not suppose that the two things are necessarily directly related—more than 200 post offices have closed each year. My hon. Friend the Member for Bath (Mr. Foster) met the Minister for Competitiveness and was told that, this year, there will be no fewer than 500 closures. If that figure is correct, it is horrific, and it certainly demonstrates the urgency of the issue. That many closures would wreak havoc in communities across the land.

9.30 pm

Mr. Paul Tyler (North Cornwall): Does my hon. Friend accept that, to some extent, it is academic whether the Government wish to employ some compulsion? If so many post offices have ceased to be viable in rural areas, there is really no access to post offices for many people.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. May I assist the House? As new clause 26 does not deal with post offices, we should not be talking in detail about post office closures. That issue can be raised in an Adjournment debate or by some other means.

Mr. Webb: I am grateful to you, Mr. Deputy Speaker. The connection that I am seeking to make—which I hope that you will feel is in order—is that, in the new clause, we are trying to prevent the Government from doing something that they seem to be threatening to do: require benefits to be paid by automated credit transfer. We believe that, if there were such a requirement, it would have a devastating affect on the post office network.

Miss McIntosh: Can the hon. Gentleman assist me in explaining to the one third of my constituents who do not have bank accounts what the impact would be if the Government were to proceed with payment by ACT? Would they perhaps lose out on that payment?

Mr. Webb: The hon. Lady highlights a very important grey area in the Government's proposals. We really do not know what will happen if ACT becomes the norm or compulsory. We do not know what the accounts will look like, or on what basis people will be able to withdraw money.

There is a critical point here. Ministers always say, "Don't worry, you'll still be able to go to a post office to get your money." However, that rather presumes that there will still be a local post office at which to get the money. The nub of the issue is that, if we move to compulsory ACT, it will so undermine the post office network that many of our communities will not have a post office to go to.

Mr. Bercow: Although the hon. Gentleman is correct to say that Ministers regularly offer the assurance in the House that people will still be able to claim in person, does he agree that communications from both the Benefits Agency and the Royal Mail have given the impression that there will eventually be no alternative to ACT, and that that is the source of grave anxiety for hundreds of thousands of people across the country?

Mr. Webb: The hon. Gentleman is quite right to say that there is grave anxiety. Very often, for benefits recipients, information on whether to choose ACT is presented in a very loaded manner. It is not really a free choice at all.

Mr. Browne: As the hon. Gentleman is explaining the thinking behind new clause 26 and the effect that it may have on poor people, and given his very obvious expertise on social policy, will he share with the House his view on whether the one third of unbanked people—who are denied access to a whole range of services—should be encouraged in proper social policy to have bank accounts and access to the United Kingdom's financial networks?

Mr. Webb: They should have access to financial services of an appropriate nature. My view is that those should be delivered ideally by the post office network. If the amendment is not passed and the Government go for compulsory ACT, that option may be closed, as the post office network may not be there to allow financial inclusion for just those people about whom the hon. Gentleman and I are concerned.

[Mr. Webb]

I have conducted a survey in my constituency, and I have the responses here—they can be independently verified, should that be required. I wrote to my sub-post offices on the subject of ACT, and asked what the implications of our failing to get the amendment through tonight would be for their businesses. I asked:

How would it would affect your business if the Government go ahead with plans to pay benefits into bank accounts?

That is an unloaded question, as one would expect. The first response I had was

It would close us down.

Others said that the post office and shop went hand in hand, and that one would not survive without the other on the basis of present turnover. Many sub-post offices depend on benefits transactions; not just the money that they get for handling benefit transactions, but the other business that that brings in. The one depends on the other.

Mr. Field: I am sure that the hon. Gentleman did not write the press release before he sent out the survey. Did he ask sub-postmasters whether they would favour a system in which the Government moved to ACT, but used some of the substantial savings that taxpayers would receive to make sure that all sub-post offices could run simple banking services? What would he write in the press release before he sent out that survey?

Mr. Webb: I am not convinced that the subject of my press release falls within the scope of the amendment. However, banking is seen as an important adjunct to what post offices do, and measures along the lines proposed by the right hon. Gentleman would be valued by the post offices.

Mr. Bercow: You rightly reminded us, Mr. Deputy Speaker, that we are talking not about post offices but about the possibility of compulsory automated credit transfer. Could the hon. Gentleman tell me how many people currently collecting in person—roughly, if not precisely—in the Northavon constituency would be affected in the event that his amendment were not successful?

Mr. Webb: I am glad that the hon. Gentleman takes such an interest in my constituency. The proportion of new pensioners who opt for ACT is about half, and the proportion is similar for child benefit recipients. However, it is significant that those two benefits are the two most likely to go for ACT. Given a loaded choice, only half the public choose to have those benefits paid through ACT. Only 10 per cent. of income support recipients go for ACT.

A Labour councillor wrote to my local paper to say that I was trying to force people to go to their post offices. This is not about forcing people; that is what we fear the Government are trying to do. We want to give people choice; not a loaded choice or compulsion, but a genuine free choice. If the Government reject the new clause tonight, they will leave open the option of compulsion. If they reject new clause 26—which says that the Government may not force people—the only possible reason is that they do want to force people. They want to leave open the option of forcing people, and that is what we oppose.

Mr. Jim Cousins (Newcastle upon Tyne, Central): It is clear from what he has said that the hon. Gentleman would be happy to accept the idea of ACT if the Post Office could offer a banking platform. That is not what the new clause says.

Mr. Webb: We are not happy to give the Government carte blanche to go ahead with ACT until we know what will make up for the loss of businesses that post offices will face.

Mr. Rooker: I do not want to provoke the hon. Gentleman, who has told us about his survey of post offices. However, what about his constituents? In his constituency last week, 20 people moved to ACT; another 20 will do the same this week. That is what is happening in every constituency, as it is the choice that people are making. Does he think that they are wrong, and would he like to stop them? Does he think that they should not have the right to make that decision?

Mr. Webb: I recently addressed a meeting of the Bristol branch of the National Federation of Sub-Postmasters, attended by about 60 or 70 angry people. They told me that people were confused by the communications that they receive from the Benefits Agency and from other bodies, and did not understand that they had a choice. Sometimes people who run sub-post offices are told by people whom they do not see very often that they have opted to get their money through their bank account. On being asked why, they say that they have received a letter from the Government saying that they had to.

The Minister must remember that we are talking about people who are not very sophisticated financially.

Mr. Rooker: Come off it.

Mr. Webb: The Minister says that, but in a recent Adjournment debate he accused sub-postmasters of telling porkies. That is what he said and it is on the record.

Mr. Rooker: Well, they did.

Mr. Webb: In a recent Question Time on this issue the Government accused Liberal Democrats of scaremongering. That is not what we are doing. The rate of closure of sub-post offices is accelerating every week.

Mr. Rooker: I am grateful to the hon. Gentleman for letting me in, and I will not intervene again. Is he seriously saying that pensioners—unknowingly and through confusion—choose to get their pensions four weeks in arrears, rather than every week? That delay happens when people move to ACT. Does he maintain that pensioners—all unknowing—say, "Oh, yes, I'll wait four weeks and get my money in arrears through the bank, but I don't understand why I can't continue to have it weekly."? That is abject nonsense, and the hon. Gentleman knows it.

Mr. Webb: Today, the Minister's Department has sent out 2 million letters to pensioners.

Mr. Rooker: No, it has not done so yet.

Mr. Webb: But it is planning to. Why are those letters being sent? Because pensioners are not claiming one of

their entitlements under the benefits system. One of the reasons for that is the complexity that they encounter in the system.

The form needed for transfer to ACT has a big blank space for bank details. The Minister has just said that no pensioners receiving the form will think that they are being instructed to fill in that space, but I assure him that they do think that, and that they fill in the space and send off the form.

I offer the Minister a challenge. If I can come up with the name and address of someone who has been misled in that way by the Government—even if not deliberately—will the Minister publicly apologise for accusing me of misleading the House on this matter? I should be happy to give way if the Minister wants to respond to that challenge.

We want to protect vital community facilities and to give people choice. The Minister asked whether we considered that those who opted for ACT were wrong to do so, but that option is absolutely fine for those who prefer it. However, we are interested in the people who do not mind too much whether their payments go into a bank account or are made through the post office. If the Government force people to move to automated credit transfer, there will be a critical mass that will make post offices unviable.

9.45 pm

We are most concerned about pensioners and disabled people, for whom the post office is often a lifeline. If they do not turn up, the postmaster or postmistress will know. They are thereby part of the community.

I happened to glance at the *Evening Standard* tonight in the Tea Room to see what the Government are doing for pensioners. I saw the headline "Ministers want trendy name for pensioners". The article says:

> Some of Whitehall's finest minds are working on the problem, while the Government is also seeking outside help to come up with the new title.

Mr. Deputy Speaker: Order. We have a new clause before us, and the hon. Gentleman should be speaking to it.

Mr. Webb: I am grateful, Mr. Deputy Speaker. We are trying to defend Britain's pensioners, considering that we have a Government who come up with nonsense like giving them 75p. We are tabling the new clause to protect the network of post offices that all our constituents have told us they value. I hope that the new clause will have the support of the House.

Mr. Field: The new clause will test whether political parties can see beyond the next press release and whether they are serious about the concern expressed on both sides of the House about the future of our sub-post office system.

The House has not yet had a lobby from outside which puts the fear of God into Members of Parliament representing marginal constituencies. Next month, when the sub-postmasters and postmistresses come to town, it is likely that some people may not feel that the result of the next election is quite as certain as they thought.

We want the Government to behave as constructively as possible. Concern has been expressed on both sides of the House about the future of our sub-post offices, not only because of the reasons outlined by the hon. Member for Northavon (Mr. Webb) about the effect on vulnerable groups, but because of the key role that those post offices play in keeping local communities together. Those local communities are as real in Birkenhead, which is formed of six villages, as they are in more traditional country areas.

The test is how to use our voices—perhaps not our votes—to further that goal tonight. I agree that, if we divide the House, there may be press releases in it for some people. We must judge whether, if we accept the new clause on the method of payments, we will secure the long-term future of our post offices more effectively. As we know, the Bill will go to another place, and it is inconceivable that an amendment such as this will not be moved there, probably successfully. By then, this Parliament will have been subjected to its first serious lobby. Some of my colleagues may realise for the first time that they may not have an automatic ticket back to the House of Commons after the next election. They may be more anxious to preserve their sub-post offices than they are at present.

I hope that the aim is not merely to preserve the method of payment. I had responsibility for the benefit card for 14 weeks, as I had for so many other issues in the Department of Social Security. It seemed that such gains would come from automated credit transfer that we should think positively about it. Because the gains were so great, it also seemed that we, as taxpayers, should put aside some of those savings to secure the future of sub-post offices, not merely by subsidies, but by ensuring that they were in a position to offer simple banking services. If they could offer those services, not only would they be able to participate in an ACT system, they could take on a role from which banks are progressively withdrawing in all our communities.

Mr. Patrick Nicholls (Teignbridge): Does it not amount to the fact that the Government have to convince the House—Labour Members more than Opposition Members, perhaps—that there is a real prospect that banks will open facilities for elderly people, who will want them only to receive their pensions and make disbursements at post offices? In the light of the right hon. Gentleman's experience, which spans a period far longer than 14 weeks, will he tell us whether there is any realistic prospect that banks will be prepared to do that unless compelled to do so by the Government? Does he think the Government will do that? That is the nub of the debate.

Mr. Field: I am not sure whether that is the nub of the debate, given the substance of the new clause. I am not against Governments trying to compel people but, if one takes that course, it is good to ensure that one can succeed. Two banks in Birkenhead have announced their closure. We could compel banks to provide certain services but, if they are not there, we are dealing only with theoretical circumstances.

I appeal to Opposition Members to make their voices heard as clearly as possible on the new clause. The Bill is only part of the way through its proceedings; it will go to another place. The House will shortly receive one of the more effective lobbies of this Parliament. If the other place tabled an amendment, the Government would have to accept it or make alternative proposals.

Our aim is genuinely not to score off the Government with press releases and so on but to win some advances for the most vulnerable people in our constituencies. The

[Mr. Field]

best way to do that is to convince the Government that we support the move to ACT, provided that some of the considerable gains that it will bring to taxpayers will be invested in our sub-post offices so that they can offer simple banking services. In that way, we shall keep the largest possible number of our sub-post offices; and financial exclusion, which now rightly seems to concern both sides of the House, will be tackled more effectively.

I realise that to follow the course that I advocate would be to deny some of us press releases. However, we may be denied them only for a few weeks, because, when we consider the Bill on its return from another place, we may be able to issue press releases stating that we have secured real advances for our poorest constituents, rather than that the Government have failed to accept a new clause.

I appeal to hon. Members: let us make our points as effectively as possible. Let us convince the Government that many of us may go into the Lobby against them on another occasion, if we do not obtain the changes that we want. Let that significant lobby of Parliament work on those with marginal constituencies. Let us return to the measure when the Government have had a chance to introduce more constructive provisions.

Mr. Pickles: You rightly ruled that this matter relates to automatic credit transfer, Mr. Deputy Speaker. However, ACT also relates to post offices and to the provision of banking services in various areas. To avoid any doubt, I declare an interest. My wife works for Barclays bank, although I suspect that my remarks will not endear her to the board.

It is a pleasure to follow the right hon. Member for Birkenhead (Mr. Field), although I lost count of the number of times that he told us about press releases and about what the Opposition are supposed to do tonight. I have always held the old-fashioned view that such nuances of political life as whether one presses a matter to a vote are among the few things best conducted by consenting adults in private. Nevertheless, the right hon. Gentleman chose to tell us with a megaphone what we are supposed to be doing. Believe me, we have worked out the tactics for ourselves. Whatever we, along with other hon. Members, decide to do about the Liberal Democrats' new clause, it will be in the best interests of ensuring that the Government have plenty of time to reflect on this important issue.

I am a little concerned because we are beginning to polarise into two groups. There are those who say that the matter is about post offices, and those on the sunlit upland, moving towards automatic credit transfer. The Prime Minister tells us of all the savings that are to be made.

Mr. Swayne: Will my hon. Friend give way on the point concerning the Prime Minister?

Mr. Pickles: I knew that I would provoke my hon. Friend by saying the words "Prime Minister".

Mr. Swayne: This afternoon, the Prime Minister told the House that the Government had inherited the proposals from the previous Administration. I heard my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley) say on the record in the House that the proposals were put to him but that he rejected them because he believed that the savings were illusory and that the social costs were far too great.

Mr. Pickles: My hon. Friend's recollection is absolutely correct. I caught only the latter part of Prime Minister's Question Time today, but it was pretty clear that the right hon. Gentleman was fairly flustered. I suppose that he can be forgiven for saying such a thing. I am sure that he will be at the Dispatch Box at the earliest opportunity tomorrow to correct it. My hon. Friend is right to say that my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley) rejected the idea—I know this because I have had discussions with him—because of the problems that it would cause rural post offices.

We know that, despite the steady trudge of the 20 people a week in the constituency of the hon. Member for Northavon (Mr. Webb) who have changed to automatic credit transfer—I hope that, before the debate is over, the Minister of State will name them, because we would like to know who they are—only one in 10 pensioners have opted for ACT and, even among new pensioners, only one in three have done so.

The rather glib statement that simple banking services will cure everything concerns me. Frankly, they will not. Simple banking services will not meet the needs of people who draw pensions or benefits. Let us look briefly at some of the problems. We know that a large number of recipients of pensions and benefits are described as the "unbanked". We know that part of the Cruickshank report, to which my hon. Friends have alluded, may contain a deal under which banks will provide services for everybody.

If that occurs, we shall need to consider several practical things. First, help in understanding the operation of a bank account, particularly the management of it and the withdrawal of cash, will need to be offered. Anybody who doubts that cannot have an accurate recollection of their constituency surgeries. I have had to deal with a relatively elderly and confused person who had never had a bank account and who was dreadfully worried about how ACT would operate and whether it would result in debt. Some serious thought must be given to offering such people assistance. The obstacle is not insurmountable, but it will remain an obstacle unless we are able to do something about it.

Quite a number of people have joint bank accounts. Will the money transferred reach the people for whom the benefit is intended? We debated earlier the problems of transfer of money from a parent with care to a child. There is a particular problem concerning accounts shared by those who are not husband and wife, which we need to address.

BUSINESS OF THE HOUSE

It being Ten o'clock further consideration of the Bill stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),

That, at this day's sitting, the Child Support, Pensions and Social Security Bill may be proceeded with, though opposed, until any hour.—*[Mr. Kevin Hughes.]*

Question agreed to.

Mr. Pickles: Will bank charges be imposed? Will people's pensions and benefits be eroded by bank charges? Will there be an overdraft facility on the bank charges and will benefit payments merely go towards reducing people's debts to the banks? What will happen if the payments of account holders infringe their agreements with the banks? What will happen if individuals do not qualify for a bank account or choose not to have one? We have to consider such questions if automated credit transfer is to be achieved.

Offering simple banking services will not in itself solve the problems of post offices. There must be a place where not only can people receive payments, but sums can be paid in. I had a discussion with one of my local sub-postmasters who told me about ACT. He said that he had noticed a trend and that people of 65 would use ACT. However, as they got older and moved into their 80s, they reverted to being paid over the counter. That sounds bizarre. Why should they do that? The answer is that they are frailer; they no longer feel competent to drive a motor car; journeys into town are expensive; and they feel safer and more secure going to the local post office to receive payments rather than receiving them through their bank account. It is easier to receive payments over the counter.

The Prime Minister thought—he may still—that ACT was a good idea. He recently announced that the Post Office would install 3,000 cashpoints in villages around the UK in co-operation with the high street banks and building societies; and that the cashpoints may be Post Office branded but will give people access to money and services from a number of different banks. I suppose that we should believe press reports. According to a report in *The Daily Telegraph* on 9 January—if it is in *The Daily Telegraph*, it must be true—the Post Office is now in secret talks with a series of Britain's top lenders in an attempt to win support for the plan and hopes not to charge customers a fee for using its cash machines unless it is forced to do so with the banks. Given the backdrop of what has happened in recent weeks, I am not entirely happy with the idea of a person's hard-earned pension money being paid out to the banks by way of cash transfer

The hon. Member for Northavon referred to the additional pension that will be received, so would it not be truly ironic if that were eaten up by the charges of the major high street banks to ensure that a person could withdraw cash?

Mr. Eric Martlew (Carlisle): The hon. Gentleman is attacking the banks.

Mr. Pickles: The hon. Gentleman is living in a time warp; he says that the Tories are attacking the banks. He has perhaps never understood that the Tory party is on the side of pensioners receiving a fair deal. I have obviously stirred him up, and it is nice to know that he has a view on things. I look forward to his contribution, which I am sure will be eloquent.

We have received advice from Geoffrey Leigh, who is the development manager with the Norfolk Rural Community Council and a man of some importance. He says:

> I cannot see how many of these cash points will end up in villages. And it doesn't help with many of the lower-income people in rural areas who don't have a bank account. Post offices with these will need additional security. It may make life worse for them. The Government has failed to get to grips with problems faced by rural communities.

He is absolutely right.

If the Prime Minister is to succeed in getting those 3,000 cashpoints put in, he will need post offices in which to install them. As the hon. Member for Northavon said, the rate of closure of post offices has accelerated. In 1993–94, sadly, 59 post offices closed; in 1995–96, the figure was 65; in 1997–98, 238 closed, and in 1999–2000, 232 closed. The hon. Gentleman said that this year the figure is likely to be 500. It seems that cash machines will be installed at the rate at which post offices are closing.

Mr. Bercow: Does my hon. Friend recall that there was a little controversy a few moments ago about the position of my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley)? Is my hon. Friend interested to learn that on 15 February, on Second Reading of the Postal Services Bill, at column 825 of *Hansard*, my right hon. Friend made it perfectly clear that he had received advice about the damaging effect of the compulsory payment of benefits into bank accounts and accordingly rejected the silly proposal that the present Secretary of State for Trade and Industry has inadvisedly accepted?

Mr. Pickles: Of course I remember that point in my speech: I would have appalling short-term memory problems if I had not retained that information. I am grateful to my hon. Friend because he has put on record exactly what the position was, and no doubt when the Prime Minister reads my hon. Friend's contribution over his cornflakes, he will say, "I must get to the House of Commons as soon as possible."

Mr. Field: Where is he?

Mr. Pickles: Where is the Prime Minister? Perhaps the Whip should go and summon him here now, but that would be an overreaction; tomorrow will be early enough for him to give the necessary apology.

Mr. Deputy Speaker: Order. If we dwell on this matter, we will be straying from the new clause.

Mr. Pickles: I am grateful to you, Mr. Deputy Speaker. I had wrung just about all the possible humour out of that point.

We have serious problems that will not be solved by the short-term fix of simple banking services. In this highly competitive world, major high street banks will not be worried about providing simple banking services. I support the new clause.

Mr. David Drew (Stroud): I cannot echo the remarks of the hon. Member for Brentwood and Ongar (Mr. Pickles), but this is an important debate, and although it concerns a particular new clause, it is one of a series of debates about the future of the Post Office. Although I can support the aims of my near neighbour, the hon. Member for Northavon (Mr. Webb), I am not sure that the new clause is the appropriate means of achieving them because it has not been thought through.

I took note of what my right hon. Friend the Member for Birkenhead (Mr. Field) said, and of course this debate is on-going in the sense that automated credit transfer is not yet assured because the technology being installed in sub-post offices must be proved to be not only economically viable but technologically capable.

[Mr. David Drew]

More important, I am worried about the important signals that the new clause would give out. First, it would send a signal to sub-postmasters and mistresses who are thinking about the future of their business. The most worrying aspect of the debate is that people's businesses are being put in jeopardy by loose talk. We are failing to give people confidence in their future. Those people have a future: every Member of Parliament believes that the national network is important; we are arguing about how to secure it, not whether to do so.

Negotiations are—or should be—taking place between the Post Office and the banks. That is where the arguments have to take place. The amendment worries me because it sends a signal to them to lay off, step back and procrastinate. When I meet the managing director of Post Office Counters Ltd. tomorrow, I shall ask him about some of the worrying rumours that I have heard. I shall ask him what negotiations he is engaged in, which banks he is talking to and what progress is being made toward the solution. Allowing people to delay for the next year or even longer will result in more sub-post offices being lost, along with confidence in the network, and that is the very thing we are trying to avoid. That is what worries me about the amendment. I can will the ends, but the means it employs strike me as counter-productive and potentially dangerous.

We are faced with two starkly contrasting options: adopt ACT, or leave things as they are. However, there is a third way, which is the inclusion of the smart card. We take no lectures from the official Opposition, who managed to make a complete hash of the Horizon system; it took years to get it up and running, then the swipe card had to be withdrawn because it never worked properly. We know that the smart card provides a potential answer, but the question is, who will pay for it? It cannot be paid for in full by any one party; a combination of different interests will be required.

I am worried about the outcome if we allow negotiations not to take place and we do not admit the potential of ACT and smart card technology. I am told that that technology is a killer application, which can be utilised, not only by the Benefits Agency, the Department of Social Security and local councils, but by other bodies who want people to have the opportunity to make payments through and into the postal network and sub-post offices. If we give any signal that those negotiations should not be conducted with the greatest urgency, we shall rue the day.

Mr. Webb: The hon. Gentleman is making a serious contribution to the debate, for which I am grateful. He appears to be saying that a saving made by the Department of Social Security should be spent, in part, on a matter that is the responsibility of the Department of Trade and Industry. Has he made any representations to the Department of Social Security, which thinks that it will save £400 million, that the money should come out of its departmental budget? Does he think that the Department would let go of the money?

Mr. Drew: That is the nature of the debate and it is what I expect to happen if we achieve joined-up thinking and joined-up action. We still await the report of the performance and innovation unit, which will consider in a cross-departmental context the whole issue of generating a future for sub-post offices. Now is not the time for the new clause. There is to be a lobby in a couple of weeks' time and people are worried now—they have every reason to worry, given that post offices are closing because of fears about their future viability. However, the new clause does not set out the way forward.

We need measured, proper negotiations between the Post Office and other parties, including the Government. Only that process can produce the correct outcome whereby the network survives and benefits are paid in the appropriate form. That means giving people a choice—the Government have always said that choice is paramount. We must allow matters to take their natural course. That is why the new clause is premature and should be withdrawn.

10.15 pm

Mr. Nicholls: The new clause is extremely well targeted. It has enabled us to concentrate on an issue that to date has not been the subject of a satisfactory answer from the Minister. The Government's position throughout is that we are engaging in a completely synthetic argument, that there is no problem and that after 2003 people will still be able to collect their benefits in cash from sub-post offices. The Minister of State wrote to me recently making exactly that point. It is one of those statements that politicians like and it is true as far as it goes, but it does not tell the whole story.

Yes, people will be able to continue to take their benefits in cash after 2003, but only if they have a bank account. Lest anybody be in any doubt, it is worth while considering the literature that the Government have issued. It may be that fashions have changed over the past two years or so, but when I was in government I insisted on seeing the documentation that was going out in my areas of responsibility. I wanted to know whether it would give a misleading view of Government policy on the one hand and what I intended on the other. I expected to see that documentation in my red box. Those who doubt the impression that people have been given should read the literature that is being sent to the public. There is not the slightest doubt that individuals must be extremely cute to realise that at times they are being given a choice.

The documents to which I shall refer are deliberately calculated to deceive. I know that and I recognise them. I am a lawyer, and I am paid to draft documents that are calculated to deceive. I see other lawyers on the Government Benches nodding. I am prepared to give due credit to those who drafted the documents to which I shall refer. They are people who are capable of deceit of a high order.

Despite the fact that the Opposition Whip said that he wanted a passionate and prolix speech, I shall not try you, Mr. Deputy Speaker, by delivering one. Instead, I shall refer to a document which states:

> Have your pension paid straight to your account.

That is the opening headline. I will read not the entire document but the following paragraph. It reads:

> Wherever you are you can draw your pension from any branch of your bank, building society or the post office if you have a Girobank or National Savings bank account. You don't have to make special arrangements if you are away from home for a few weeks visiting family or friends . . . And it's easier to get your pension abroad.

The key point is that someone can go to any branch of his bank, building society or the Post Office if he has a Girobank or National Savings bank account.

People are sent a form if they are applying for income support. It reads:

> You can choose where to have your income support paid. We can arrange to pay your money straight into a bank or building society account. Or we can arrange for you to get your money at the post office, either by direct payment into a Girobank or National Savings bank account or by order book. Please read these notes before you decide which option you want to choose.

We then go into

> Payment straight into an account.

The next form relates to those who are coming up for a retirement pension. The relevant pension reads:

> "Where do you want to be paid—you can choose.

I said that this was deceit of a high order, and indeed it is. The form states:

> You can choose where you want your Retirement Pension to be paid. We can arrange to pay your money straight into a bank or building society account. Or we can arrange for you to get your money at the post office, either by payment straight into a GIRO account or National Savings Bank account, or in cash by order book or Payment Card.

There are more of these documents, and they all say the same thing. They are designed to tell the individual the accounts into which the money can be paid.

Mr. Rooker: Obviously the hon. Gentleman's quotes are correct. Is he implying that the language in the documents that he has quoted has changed since 1 May 1997?

Mr. Nicholls: I shall move on to that.

The Government's line used to be, "We are better than you." Now we have someone of the Minister of State's reputation—the great progenitor of the Rooker-Wise amendment during those high moral days—reduced to thinking that he can hide behind the statement, "You're no better than we are." I shall deal with what the right hon. Gentleman is saying.

When the forms refer to the various accounts into which benefits can be paid, the Girobank sounds like a nice, homely account, but these days the Girobank is a current account run by the Alliance and Leicester bank. It is a bank account that comes with a cash card and a cheque book. Will such a bank, of its own free will, as an exercise in philanthropy, extend banking facilities to elderly people who want such facilities for the sole purpose of collecting their state pension and receiving it in cash? If the Minister of State or any other Labour Member thinks that banks behave in that way, three years of government should have disabused them of their naiveté.

The documents refer lovingly and cosily to the Girobank, but that will not work. They also refer to the National Savings bank. That is very clever indeed. Although I do not pretend that I have carried out a survey, as a member of the Liberal party would, I have spoken to the constituents who brought me these forms. A number of people thought that the National Savings bank was like the old Post Office book account, which no longer exists.

When the forms tell people that they can take their money through the National Savings bank account, that is just about correct, but only if they have an investment account with the National Savings bank. With an investment account, people can have their money paid in in an automated way. The problem is that they must then give four weeks' notice of their intention to draw it out.

Does anyone believe that elderly people, who are wholly dependent on state benefits and have never had a bank account in their life, will find it practical to open an investment account with the National Savings bank and then give notice in that way? It does not begin to stack up.

The documents are deliberately calculated to make people think that they have no alternative. We need to hear from the Minister tonight either that I am wrong, that he has been in contact with the Alliance and Leicester, and that it has assured him that it will be delighted to extend free banking facilities to the range of people in question, or that I am factually wrong and that it is possible to use an investment account at the National Savings bank in that way.

If that is the case, we need to hear about it because, as the Minister well knows, the ordinary account operated by the National Savings bank is a manual-based account. There is no way that money can be automated into it. The Minister knows that, because he has been briefed and he is an honest man. His honesty may be partial at times, but that is politics.

The Minister knows that the accounts mentioned will not be suitable vehicles for dealing with money. What does he intend to do? Either he must say—which even he will find it hard to do with a straight face—that there is a real prospect that, out of kindness, the banking industry will make facilities available to people who are on the poverty line, or he must say that the Government will compel them to do so.

I do not believe that, but it is not my problem—I am not a Minister any more. The Minister will have to come to the Dispatch Box and say that he will compel banks to do that, or that he believes that they will do so of their own accord. If he does not, there is a great, big lacuna in his argument.

In the Minister's letter to me, he states that after 2003 people will be able to take their money in cash. If he says that, he will know that that is a version of events which is incompatible with the truth. That is the politest way that I can put it.

Mr. Leigh: All the Minister has to say in answer to my hon. Friend is that people will be able to take cash at the post office, with no cost to themselves. That is the end of the argument, is it not?

Mr. Nicholls: I am not sure that I understood my hon. Friend. I do not think that it is the end of the argument. If people are to be able to take cash, they must continue to take cash from the post office, and the present arrangements must stay, but that is not what the Government are offering. The Government are saying that people can take cash, provided that they have an account through which to do so. That simply is not correct.

I want to make two further points, one of which has already been touched on by my hon. Friend the Member for Brentwood and Ongar (Mr. Pickles). I heard the Prime Minister at the Dispatch Box today do what he so often does. He says, "I can't help it. The Tories did this, and I must carry on doing it." He suggested that the arrangements proposed were what the previous

[Mr. Nicholls]

Conservative Government were in the business of doing. That is simply not true. It is not a matter of argument or of opinion. It is an absolute matter of fact. The Conservative Government intended to use swipe-card technology, but the Government abandoned that because of the job losses that it would have caused in the public sector.

When I heard the Prime Minister today I wondered how one could accurately describe what he had said in the Chamber, but I decided that it simply could not be done; it would be unparliamentary. When I returned to my office still seething, two messages were waiting for me from sub-postmasters in my constituency saying, "Did you hear what the Prime Minister said today? It was an absolute"— as I say, I do not want to dwell on that at any great length.

It has been suggested that the solution may be for banks to put cash points in sub-post offices. The figure of 3,000 has been mentioned, but what about the other 15,000 sub-post offices? Are we really expected to believe that banks will put cash points into other people's private premises when a business might collapse? Independent businesses can become insolvent for all sorts of reasons not related to this. For example, a sub-postmaster might die. It just is not commercially viable. The idea that that will happen is simply not true.

The Minister, as so often, will have got the tactics right. We want to hear no more nonsense about how the present arrangements will enable people after 2003 to obtain their money in cash. Tonight he must say that he, by force if necessary, will provide such facilities, or that the banks have privately assured him that they will do so. I just do not see it happening.

Mr. Browne: Will the hon. Gentleman tell the House the date that the leaflet that he described as being deceitful was drafted and approved? If it is the same leaflet as I have in my hand, entitled, "Have your pension paid straight to your account", it was last revised in November 1996, when his party was in government.

Mr. Nicholls: The hon. Gentleman digs a nice big hole and then throws himself into it. There is no doubt that at one stage the Conservative Government were thinking of going down this road and not using swipe-card technology, which they subsequently decided to adopt. That Government did what any decent Government would do; they listened to frail and vulnerable people who said that that would not work.

Mr. Browne *rose—*

Mr. Nicholls: I shall deal with the hon. Gentleman's first intervention and, if he cannot contain himself, I shall give him another shot at it.

I was told by those who gave me the form that I have quoted from today that it is still current. If the hon. Gentleman has other forms which say something entirely different, he had better give them to his right hon. Friend the Minister now, because that would be the best piece of news that his right hon. Friend could hear this evening.

Mr. Browne: I realise that most of us want to get home tonight, but I cannot possibly allow the hon. Gentleman to change his argument from the argument that he so confidently and articulately set out before the House when he was the only one who had one of these leaflets. He said that the leaflet's language was deceitful and he accused the Government of producing and circulating that leaflet. He was in government when the leaflet was drafted and circulated. His Government were responsible for the deceitful language, and it has not been changed since.

Mr. Nicholls: I must have spoken too quickly. I am sorry. The Labour party is now in government. *[Interruption.]* The penny has dropped. The Government are now responsible for the forms that they distribute. Let us be clear that the policy that the Government are trying to railroad through was not the Conservative Government's policy, which was to use swipe-card technology which would have dealt with the matter.

The fact is that, throughout Britain, our constituents have been receiving letters from the Minister saying that there will be no problem and that they can continue to get their money in cash. That simply is not true. If the Minister is to retain any credibility in the matter, he will have to explain to the House tonight how he will get out of a jam which is entirely of the Government's making.

10.30 pm

Miss McIntosh: I want to make a brief point, which arises from the comments of the hon. Member for Northavon (Mr. Webb) and those of the right hon. Member for Birkenhead (Mr. Field). The new clause deals with choice, which several hon. Members' speeches have covered this evening.

Consultations that I have held on the Bill with constituents in the Vale of York who receive the sort of benefit that we are discussing through CSA provisions show that they want to retain the choice that is currently available. That does not detract from the Minister's earlier comments about Labour Members' constituents, who may choose to change to automated credit transfer payments in a good-will gesture to the Government to whom they owe their allegiance.

A third of constituents in the Vale of York choose not to have a bank account. They have never had a bank account and they do not wish to have one. *[Interruption.]* From a sedentary position, the hon. Member for Lewisham, West (Mr. Dowd) makes a point about the 40 per cent. of my constituents who fall into a different category and choose to have a bank account. However, that choice has been taken from them. The speed with which bank branches have closed in the past two and a half years is disgraceful. Perhaps the hon. Gentleman will take that up with the usual channels from a non-sedentary position. He is in a privileged position if he wishes to do that.

It is no laughing matter, and it causes anxiety to those who live in villages in the Vale of York, especially people who live in towns such as Bedale and Easingwold, where there is not just one bank but a choice of banks. That choice may disappear.

Mr. Nicholls: My hon. Friend's constituents, like mine, have probably received a form on retirement pensions called BR1, which was revised in June 1999 and gave

them the impression that they had to accept that their money would be paid into an account through automated credit transfer.

Miss McIntosh: That is a helpful comment, which is worth placing on record. I am most grateful to my hon. Friend for making it.

I want to respond to the comments of the right hon. Member for Birkenhead by saying that most Opposition Members have been in regular contact with our sub-post offices in the past two and a half years. We have nothing to fear from a mass lobby, which we would welcome.

Mr. Field: I shall learn the lesson about walking around in hobnailed boots from the Opposition Front Bench spokesman who usually walks around the Chamber so gently. I suggested that it was the views not of Opposition Members but of Labour Members that were important tonight.

Miss McIntosh: I could not agree more. The right hon. Gentleman's comments this evening have been courageous. I simply want to underline the fact that the Minister should take account of the fact that consultations have taken place and that if the Government had been more mindful of people's anxieties, they would not face a mass lobby.

I share the anxiety of the hon. Member for Northavon about the future of the post office network, but I want simply to place on record that the majority of my constituents do not wish to move to automated credit transfer as the only way in which they can receive benefit. They would like to retain the current arrangements, whether they are with a bank in a market town or with remaining sub-post offices.

Mr. Rooker: I apologise for the delay in rising; I thought that the hon. Member for West Dorset (Mr. Letwin) wanted to contribute and I did not want to deprive anyone of the opportunity to speak.

I shall do my best to answer the debate. There will be some shortcomings in my response, and I shall not be able to answer all the points because not all the decisions have been made. I have to be as open as possible.

Mr. Pickles: Tell us now.

Mr. Rooker: No, that is not possible. It does not work like that.

I want to get a couple of points on the record. I gave the hon. Member for Northavon (Mr. Webb) the figure of 20 people a week changing to automated credit transfer. That was referred to, in her graceful way, by the hon. Member for Vale of York (Miss McIntosh), when she said that the change might be a good-will gesture to Labour Members. How did I get that figure? The reality is that every week, in every one of our constituencies, 20 people change to ACT. *[Interruption.]* There are not 600,000 members of the Labour party.

Mr. Leigh: People choose to make that change. So what?

Mr. Rooker: That is my point. People make that choice voluntarily, either as new beneficiaries of child support after the birth of a child or as new pensioners. Others swap from current weekly payment, for whatever reason. There is a move to ACT, on a pretty vast scale, but it is unplanned and unmanaged.

I followed the argument of the hon. Member for Teignbridge (Mr. Nicholls). I say to him honestly and sincerely that, when I asked my question, I thought that he was about to assert that he had discovered a change in the language or the terminology. I thought that I would have to answer an allegation, but he did not make one. I know that the language has not changed since May 1997.

We had difficulty last year over child benefit, which has always been paid every four weeks. Exceptions allow it to be paid weekly, but it was thought that too many people were receiving it on those terms instead of returning to a four-weekly payment after their need changed. I genuinely was not making a cheap point against the hon. Gentleman, his Government or his former ministerial role. However, he laboured the point about the language in the leaflets and the forms, and I thought that he was about to make an assertion.

Mr. Nicholls: My point is that the policy has changed and the language has not. The Minister has been writing letters implying that people will be able to get their benefits in cash from post offices after 2003. There is nothing wrong with writing letters, but people will be able to get their benefits in cash only if they have a bank account. It is unrealistic to expect that, on the evidence, unless the Government or the banks take action to make them open accounts. That is the simple point.

Mr. Rooker: I promise to address that important matter.

I have prepared statements to make because I want to get some remarks on the record. The hon. Member for Teignbridge laboured the point on the shortcomings of national savings accounts, although I accept everything that he said. Some of the manual books are ridiculous—they are from the ration book era—and the technology has not caught up. However, he did not mention the Co-op bank for a start. It does not have many branches, but it has hundreds of thousands—perhaps millions—of customers who operate successfully. I declare an interest. After Black Wednesday, when my bank speculated with the currency, I moved to the Co-op bank. I left after 33 years and my bank was so concerned about customers withdrawing standing orders and direct debits—I did all that myself—that it never once said, "By the way, it looks as though you have left us after 33 years. Have we done anything to upset you?" I was just a cog in the wheel. Lloyds bank did not give a tinker's cuss about the loss of a customer.

Mr. Pickles: It does now.

Mr. Rooker: That is right, but here is the other side of that coin, as I want to strike a balance and be fair. The hon. Member for Teignbridge laboured the point about national savings, but customers of Lloyds TSB and the Co-op can cash cheques and have full access at the post office. That is an important point to put on the record.

Mr. Leigh: This is a key question for pensioners. After 2003, will pensioners be able to go to their post office and draw their pension without facing bank charges?

Mr. Rooker: I shall come to that later, but I do not want to avoid answering the question. That is our

[Mr. Rooker]

intention—which is as near to a yes as could be provided. We intend that pensioners will be able to obtain their cash at post offices without incurring charges. We do not want the banks to take money out of the pensions of people who are a bit overdrawn, for instance.

The hon. Member for Brentwood and Ongar (Mr. Pickles) said that only one in 10 pensioners had opted for ACT. In fact, one in three new pensioners opts for it. According to figures issued in November last year, 35 per cent. of the Department's customers were paid by that method, 50 per cent. of new retirement pensioners chose it, and 54 per cent. of new child benefit customers chose it. I do not have all the figures with me, but I know that when I check I shall be able to confirm that 10 per cent. of income support recipients chose it.

I believe that income support is the latest benefit that can be claimed through ACT. When I dealt with a member of my family's circumstances back in the early 1990s, I had to go to the post office to claim the pension; it could not be paid into the bank, because income support was involved. In the last three or four years, however, I have dealt with the affairs of a friend whose income support was paid into the bank. Anyway, one in 10 income support recipients opts for ACT.

The hon. Member for Northavon (Mr. Webb) said that people did not realise that they had a choice. If he can find such a pensioner, I shall certainly acknowledge that he or she was misled, although pensioners can of course return to a weekly arrangement. I find it unbelievable that someone—probably confused, perhaps without much of a cash flow, perhaps without many savings, perhaps without two halfpennies to rub together—would say, "I will wait four weeks to have my pension in the bank, although I could claim it weekly at the post office".

Mr. Peter Bradley (The Wrekin): Is not one of the reasons for the number of confused people—especially pensioners and other vulnerable individuals, and especially in the south-west—the fact that both the Liberal Democrats and the Conservatives have pursued a scurrilous scaremongering campaign in regard to the proposals for the Post Office? Will my right hon. Friend join me in asking them to support the Government's effort to convey the correct information to pensioners, so that they can feel secure about their future?

Mr. Rooker: The issue of choice is important. We recently provided all sub-postmasters with two leaflets explaining the system of payments of benefits and pensions, entitled "You Have A Choice", in letters an inch high—I am old-fashioned; I was brought up on "tenths of a thou" in the factories where I worked. Some sub-postmasters, however, refuse to display the leaflets that explain that pensions can be paid through the bank or by them, across the counter. We must have a mature and adult debate about this, because there is a serious issue at stake, affecting both the future of the post office network and the choice that people have.

My right hon. Friend the Member for Birkenhead (Mr. Field) may remember, as I do, the last big rally and lobby of the House by the National Federation of Sub-Postmasters, in about 1981 in Westminster Hall. Most hon. Members who are present now probably were not here then. I was an Opposition Front Bencher at the time. There may have been a few such rallies since, but the problems that were raised then—

Mr. Archy Kirkwood (Roxburgh and Berwickshire): You were fomenting them.

Mr. Rooker: No, I was not!

My noble Friend Lord Orme and I were in Westminster Hall. I had never experienced a lobby or rally like it. I can honestly say that I have not experienced one like it since, so I am well aware of the—

Mr. Kirkwood: Newcastle will not be far enough away.

Mr. Rooker: My diary had me on ministerial business in Newcastle on 12 April, but I have insisted on being at the rally in London. I will have my own constituents coming to see me on that day. It is important to be in London.

10.45 pm

There is an important issue to be dealt with, which has been touched on by hon. Members on both sides of the House. We must take it on board.

Mr. Kirkwood: Will the Minister give way?

Mr. Rooker: I shall make a little progress and then I should be happy to give way.

New clause 26 is designed to retain people's current choice as to method of payment—it applies to the year after, really, irrespective of circumstances. We have announced that automatic credit transfer will be the norm for paying benefits from 2003. I cannot say in March 2000 what the rules and procedures will be. It is not possible. It will probably take the best part of the rest of this year before the negotiations are completed—they may go a little into next year—between the Benefits Agency and the Post Office, and between the Department of Trade and Industry and the Post Office.

There is much detail to go into, some of which I have alluded to. For example, we pay 1 million emergency payments a year. Emergency payments are emergency payments; the cash is needed. It may not be possible for ACT to be even a runner for such payments. That must be taken account of.

Some people will never be able to have, or to run, a bank account. The figure is a lot smaller than the percentage of people who do not have a bank account now, but some people are not allowed by law to operate a bank account. Clearly, we must take all that into account before we make those changes.

Mr. Pickles: Could the right hon. Gentleman help us? He says that he is in negotiation on this issue. Given that it is cross-departmental, is he doing the negotiation, or is the Department for Education and Employment doing it?

Mr. Rooker: No. The Department of Trade and Industry is the sponsoring Department for the Post Office. It is leading on the Horizon project. A departmental issue

is at stake, but we want some joined-up government, because it is obviously cross-departmental, as the hon. Gentleman implied.

The transfer to ACT is planned to begin in 2003 and to be completed by 2005. However, those who wish to continue to collect their cash at post offices will still be able to do so before and after the change in 2003.

Mr. Nicholls: Whether or not they have a bank account of their own?

Mr. Rooker: I emphasise: those who wish to collect their cash at post offices will still be able to do so before and after the change in 2003. At present, until the cash in the post office crosses the counter, it is, in effect, the Secretary of State's cash. With ACT, the bank has the cash the minute that it is transferred to the person's account, so it is their cash.

Mrs. Jacqui Lait (Beckenham): Taxpayers' cash.

Mr. Rooker: No. It is legal terminology. The money that would be accessed via a post office is already the cash—

Mrs. Lait: Of taxpayers.

Mr. Rooker: No. It is already the cash of the beneficiary—it is already in the beneficiary's account. It is no longer in the Secretary of State's account, it is no longer in the Benefits Agency and it does not belong to the Post Office. The cash is already in the account of the payee: the pensioner, the child benefit recipient, the mother. That is the point I am making. It will be the payee's cash. At present, the cash at the post office remains the Benefits Agency's cash until it is transferred.

Mr. Kirkwood: The Minister is trying to be helpful and I am sure that the House is grateful for that. In my understanding, the key piece of law that underpins all this—never mind the leaflets, the wording, the jargon and whether leaflets are being displayed—is the Social Security (Claims and Payments) Regulations 1987; I think that it is regulation 21, from memory. That makes payment by ACT a consensual act. The claimant has to opt in and the Secretary of State has to comply. The moment that the Government repeal that regulation without guaranteeing the sub-post office network an alternative stream of income, they will kill off the sub-post offices. The Minister can say that there will be arrangements and I understand that there will be negotiations. I hope that he will listen carefully to the representations that are being made, but he must be certain that the repeal of that legislation will potentially sound the death knell of the post office network.

Mr. Rooker: As the hon. Gentleman says, we must be very careful about how we implement the changes. We have to be sure that the system will work and that people will be able to get the money to which they have a right and which the House instructs the Government to pay. We are unable to make proposals for changing primary legislation and regulations because we do not have answers to all the questions. We need those answers before the changeover.

Mr. Nicholls: Will the Minister give way?

Mr. Rooker: Let me make some progress before I give way again.

Let me remind hon. Members why the changes are necessary. The current system belongs to the days of ration books. The technology has hardly changed at all. The Department has to look at the best use of taxpayers' money. We spend £2 billion a week—or £100 billion a year—on issuing benefits. The running costs amount to some £3.5 billion a year. An ACT costs 1p in transaction costs compared with 49p for an order book foil and 79p per giro cashed. The overall costs to the Department are 1p per ACT, 54p for an order book transaction and £1.36 for a giro. Those costs include the paperwork, the production and the printing. The transaction costs vary slightly, but giros are more costly. We have to take that big jump into consideration. In addition, we estimate—we can only estimate—that we lose about £150 million a year in fraud such as counterfeiting and forgeries. I am not saying that there is not, and will not be, any fraud in ACT; it is fraud of a different nature. Obviously, we would have to adjust the anti-fraud programme to make sure that we do not lose what we have gained.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Are not the pensioners who want to receive their cash over the post office counter the same people who have contributed over the years to the creation of my right hon. Friend's Department? Might they not find his arguments about the cost of each transfer singularly unconvincing when they are faced with the difficulty of either having to run bank accounts that they are unable to maintain or being required to use an artificial machine to obtain their cash?

Mr. Rooker: I could argue that all machines are artificial. I was simply explaining the costs to the Department. We do not know what sub-postmasters receive; that is commercially confidential information between themselves and the Post Office. We pay an annual fee to Post Office Counters of some £400 million to £500 million. How it pays sub-postmasters is a matter for the Post Office.

What is happening now is unplanned and unmanaged. More people are choosing to use the banking system in an unplanned and unmanaged way.

When I was at that rally, in 1981, there were 22,000 sub-post offices. That figure stuck in my mind. We have fewer than that number now—but more than 18,000—and we have heard the figures on the losses. They are all independent private sector businesses. As I understand it, they are all also on a three-month contract. They could all disappear. The Government do not run them or own them. They are operated by individual business people, doing a first-class job. Some of them are more dependent than others on what they receive for benefits transactions.

If nothing happens—if no action is taken at central level by the Government and by the Post Office headquarters, and if the current changes continue—in a few years, we could lose the post office network. That change would have been unplanned and unmanaged, and every hon. Member would ask, "How on earth did it happen? Why didn't we do something about it?" The very purpose of our change is to provide planning and management. We want a transfer to ACT that will in turn protect the post office network. The Government are determined to help maintain a post office network.

My hon. Friend the Member for Stroud (Mr. Drew) mentioned work being done across government. The transfer is not being dealt with or led by the Department

[Mr. Rooker]

of Social Security or by the Department of Trade and Industry. As was mentioned earlier in the debate, the Prime Minister asked the performance and innovation unit to do work on the post office network. It has been doing that work since October 1999, and it will report fairly soon. That important work is being chaired by an independent Minister who has no role at either the DTI or the DSS. We should take that important fact on board.

The Government want to retain a post office network, which is crucial in rural areas. I take second place to no one in making the important point about the contribution of the rural post office in villages that have been deserted by the banks. The network is crucial. A post office may not always be in the right location to ensure its economic viability, but that is a consequence of the current lack of planning. We certainly want to be able to provide that planning.

We have to have a more modern system and to bring both the Post Office and the benefits system into the 21st century. They are certainly not there yet. The way in which we pay benefits, with orders books and old-fashioned giros, and the way in which the Post Office has been operating have not been consistent with a modern service delivery programme. There is no question about that. However, what we do not want to do is to lose post offices by accident—by lack of management and lack of foresight.

There will be no quick or easy fix, but we are attempting, first, to modernise the benefit service, which is important; secondly, to save public funds in administering that service, which is crucial—if we cannot, the Public Accounts Select Committee and other people will want to know why we are not using the best available economic processes; and, thirdly—but equally important—to maintain a viable post office network in rural areas and in urban areas. That is not to say that there will not be change. There will have to be change if the post office network is to survive. That is the reality of this debate.

I therefore hope that hon. Members will think twice before they consider pressing the new clause to a vote.

Mr. Webb: We have had quite an extraordinary response to the debate from the Minister. I should like very briefly to consider the logic, such as it was, of his argument.

The Minister said that there is a drift—or something faster than a drift—towards ACT. He said—I think that the record will show this—that, for the sake of the Post Office, the Government want to hasten ACT and make it compulsory. That statement will cause hollow laughter in sub-post offices across the land. They will simply not believe that Ministers are telling them that forced ACT is for their own good. I think that the record will show that the Minister said something very similar to that.

The hon. Member for Stroud (Mr. Drew), who has taken a serious interest in the issue, raised a key point about the savings that the DSS will make from the change. It is good to see the Secretary of State for Social Security, in a rare lapse, in the Chamber while I am speaking. I would be happy to give way to the Secretary of State if he wanted to offer a share of the £400 million savings to be made from ACT to the DTI to keep post offices open. If he could guarantee that that money would not just go to the Department, we would feel more comfortable. However, that is not what is planned.

11 pm

If ACT is happening already out of choice, why is there a need to force the pace? If it is causing damage to post offices—which it obviously is—why speed it up? Why not let it go on as people choose, because choice is the key? If we let it go slowly, that gives the post offices more time, as the hon. Member for Stroud said. Stopping forcing people, but letting the drift happen, gives the post offices more time to adjust.

I take seriously the remarks of the right hon. Member for Birkenhead (Mr. Field), who will chair an all-party group on sub-post offices. It is critical that we build up an all-party consensus on the issue. Those who suggest that this is scaremongering in the south-west ought to open their eyes to the closures of post offices. Our constituents do not ask why we are making all this fuss; they say that their post offices are being threatened, and they ask what we are going to do about it.

Mr. Peter Bradley: In typical Liberal fashion, the hon. Gentleman is conflating two separate issues; one is the future of post offices—which is not the subject of the debate this evening—and the other is how pensioners and other benefit claimants will receive their payments in future. Will he confirm my understanding that, in future, according to the new arrangements, pensioners will not have to open bank accounts; that those who do receive ACT through their bank accounts will not incur additional bank charges; and that pensioners who do not choose to receive their benefits by ACT will still be able to go to the post office and draw their pensions in cash over the counter? Those are the facts as the Minister has stated them. Does the hon. Gentleman accept them or not?

Mr. Webb: No, I do not accept that. A post office is needed for people to be able to get the cash from. The point is that the switch to ACT is hastening the closure of post offices. It is no good having the option of going to a post office if the nearest one has closed and one has to go miles to another. It is not a worthwhile choice if the post office network has been undermined. That is the consequence of the Government's policy.

There are people who want to choose ACT, and that is fine; there are people who do not want anything to do with bank accounts and will still go to the post office; and there are people in the middle—they are critical to the survival of post offices—who do not care very much but, if they are forced to go to ACT, will tend more and more to get their money from a bank, and that will kill the post offices. That is what we are trying to stop with the new clause.

Mr. Field: Although there is clearly a dispute on what the Minister did or did not say—even on this side of the House—was not the crucial thing that my right hon. Friend said that the key date is 2003? If so, is it not worth thinking about how we could most effectively use our votes?

Mr. Webb: The right hon. Gentleman is chairing an all-party group on sub-post offices, and the hon. Member for West Dorset (Mr. Letwin) will be a leading light in that campaign.

Mr. Martlew: That will be a first.

Mr. Webb: I say to the hon. Gentleman that, because we are not trying to make party politics out of this, and

because we want to bring all parties on board for the sake of post offices, we will not force him into the Lobby to commit himself to force people to go to ACT. We want to give time for all-party work to save the post offices. We hope that the other place will come up with something that will unite all parties and allow us to say that we together saved the post offices.

I beg to ask leave to withdraw the motion.

Motion, and clause, by leave withdrawn.

Clause 57

LOSS OF BENEFIT FOR BREACH OF COMMUNITY ORDER

Angela Eagle: I beg to move amendment No. 26, in page 61, line 6, leave out—

'Part I of the Criminal Justice Act 1991'

and insert—

'the Powers of Criminal Courts (Sentencing) Act 2000'.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendment No. 27.

Angela Eagle: These amendments make two technical changes to clause 57. They introduce no policy changes but reflect the consolidation of existing legislation, and I commend them to the House.

Mr. Alan Simpson (Nottingham, South): I am grateful to be able to address the House briefly on this matter. I support the amendments, but I hope that my hon. Friend the Minister will address some of the loopholes and contradictions that remain in clause 57 and its associated clauses.

I declare a personal interest in this matter. More years ago than I care to remember, I was responsible for setting up the pilot schemes for non-custodial treatment of offenders. In the context of the aims of that programme and of the operation of community services in the interim, I want to point out some of the gaps that remain in the amended clause that will progress for consideration in another place.

By way of background, let me say that one of the elements of the community service by offenders scheme that the House should recognise is that it was introduced to pursue entirely laudable aims. We wanted to find positive alternatives to incarceration, and to find ways of reducing the cost to the public purse—although at that time we did not anticipate a time when it would cost some £2 billion a year to keep people in prison. That amounts to about £30,000 per person, per year.

However, we also wanted to study notions of social reparation. The clauses that I am interested in address the question of obligation in the reparation process. The scheme that I set up also had the objective of trying to break the cycles of criminality.

Mr. Deputy Speaker: Order. I think that the hon. Gentleman may be somewhat mistaken about the scope of the amendments. His remarks seem to be going rather wide of the minor changes that the amendments entail. They would have been more suited to a general debate on the clause, or to a debate on new clause 29, had that been selected. I must ask the hon. Gentleman to confine his remarks to the very specific amendment before the House.

Mr. Simpson: I checked with the Clerks a little earlier, Mr. Deputy Speaker, to make sure that it would be legitimate to ask the Minister to address the loopholes that remain and that ought to be considered when the Bill moves on to another place. I was advised that this was the most appropriate slot for drawing the Minister's attention to those loopholes.

Mr. Deputy Speaker: The hon. Gentleman may know that I did not make up the guidance that I gave him out of my own head. The advice that I am giving him is as up-to-date as it can possible be. Therefore, I am not sure that this is the opportunity that he thought that it might be.

Mr. Simpson: I am not entirely clear how to proceed, Mr. Deputy Speaker, but I am sure that you will give me guidance if I stray further than is legitimate.

My point has to do with the pursuit of new policies on constraint and obligation. Such policies are usually evidence based, and that is quite right. I am worried that we have yet to show that the existing system does not work, and that the amendments under discussion will close the loopholes that remain. My concern about this is that we will be left with a clause that does not make it desirable, workable or necessarily even legal. I hope that the Minister will address the specifics of three points that I hope can still be incorporated into that framework when it comes back to this House.

First, can the Minister demonstrate and spell out how the clauses, as amended, will be consistent with the European convention on human rights, particularly article 6 on fair trials, article 7 on no punishments without law and article 14 on non-discrimination? It appears that article 7 is breached on the basis—

Mr. Deputy Speaker: Order. I have given the hon. Gentleman some run, and I am sorry if he feels that he may have been misled by previous advice. The fact is that this is the only amendment to clause 57 that we have before us. The hon. Gentleman may have gained the impression that, because it was the only amendment, it would be the convenient amendment to which to relate his remarks. I am afraid that he is going far too wide, as he is talking about the clause as a whole and even beyond the clause. I really cannot permit this to go on. He has made one point and, if the Minister is disposed to comment on it, he will have to be content with that.

Angela Eagle: This is a very narrow technical amendment, as my hon. Friend has pointed out. I do not want to go out of order by responding in detail to the issues that he has raised. However, I refer him to *Hansard*. We had long and detailed debates about these matters in Committee, and it is in *Hansard* that he will find his answers.

Amendment agreed to.

Amendment made: No. 27, in page 61, line 14, at end insert—

'( ) In relation to any time before the coming into force of the Powers of Criminal Courts (Sentencing) Act 2000, the reference to that Act in subsection (9) shall be taken to be a reference to Part I of the Criminal Justice Act 1991.'.—*[Angela Eagle.]*

Schedule 7

HOUSING BENEFIT AND COUNCIL TAX BENEFIT: REVISIONS AND APPEALS

Amendment proposed: No. 15, in page 116, line 9, leave out paragraph (b).—*[Angela Eagle.]*

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Government amendment No. 16.

Amendment No. 80, in page 116, line 24, at end insert—

'2A. The Secretary of State shall by regulations provide that any child support maintenance received by a parent with care shall be disregarded in calculating her (or her partner's) entitlement to housing benefit and council tax benefit.'.

Government amendments Nos. 17 to 25, 13 and 14.

Amendment No. 78, in clause 66, page 68, line 5, at end insert—

'(2) Section 175 of the Social Security Contributions and Benefits Act 1992 shall be amended in accordance with Schedule (*Housing Benefit (General) Amendment Regulations 1996*).'.

New schedule 1—'*(Housing Benefit (General) Amendment Regulations 1996)*—

In the Social Security Contributions and Benefits Act 1992 after section 175(10), there shall be inserted—

"(11) The Secretary of State shall by order amend the Housing Benefit (General) Amendment Regulations 1996 in accordance with the following provisions—

(a) In regulation 12A of the principal Regulations (requirement to refer to rent officers) leave out paragraph (1B);

(b) In regulation 11 of the principal Regulations (maximum rent) leave out paragraph (3A).".'.

Mr. Burstow: I am grateful to the Minister for moving the amendment formally so that we can have a debate in some detail on these important matters.

The amendments cover two separate issues. Amendment No. 80 deals with an issue that my hon. Friend the Member for St. Ives (Mr. George) and I raised in Committee, and I do not intend to go into great detail about it. However, I intend to spend some time debating amendment No. 78 and new schedule 1 which raise another matter that I believe needs urgent attention, and that I wish to deal with first.

The purpose of the amendment and the new schedule is to abolish the single room rent restriction on housing benefit payable to single people under 25 in private rented accommodation. The restriction was introduced in the House in 1996 by the previous Government. When they consulted about their proposed draft regulations, the Social Security Advisory Committee said:

We do not agree with the principle of making rates of benefit which distinguish those age 25 or over and those under 25. We consider that the consequences of the proposals could well be that some people dependent on benefits will face a choice between homelessness and living in accommodation of an unacceptably poor standard.

The Minister will be aware of the widespread support among organisations with experience of dealing with homelessness and housing for the repeal of that regulation and the legislation that underpins it. Organisations such as Shelter, Centrepoint, the Child Poverty Action Group, the Local Government Association, NACAB—the National Association of Citizens Advice Bureaux—and many others recently wrote to the Chancellor of the Exchequer, urging him to do that.

11.15 pm

There is growing evidence from the Government and other bodies that increased hardship is being caused by the single room rent restrictions. I am sure that Ministers are aware that there is a wealth of research on the matter. The Government's research, published in April 1999, examined several case studies. It considered a west-country city, a seaside town, a northern city, an inner and an outer-London borough and a market town, without giving their names.

The findings were disturbing. There were widespread shortfalls between housing benefit and rents. Indeed, 90 per cent. of the survey respondents reported such shortfalls—ranging from £10 to more than £20. The report concluded that one in five of those people owed more than £500 in back rent. Two thirds of them did not know of the existence of exceptional hardship payments.

In a written answer of 20 March, I was told that 62 per cent. of the Government's contribution of £20 million towards exceptional hardship payments in 1998–99—£12.51 million—had not been spent. People are not claiming that money; they do not know about it. That is hardly surprising because even the Government's research acknowledged that there was inadequate information and a lack of consistent practice between housing benefit offices in different local authorities.

However, it is not only Government research that gives cause for concern. Research by Shelter and Centrepoint found that there was a lack of accommodation matching the single room rent definition. Many landlords refused to let accommodation to young people—a fact picked up by the Government's research. Many people feel trapped in expensive accommodation from which they cannot afford to move. There is no affordable or cheap accommodation in their locality, which creates great difficulty for them.

When the Conservative Government introduced the single room rent restrictions in 1996, the Labour Opposition rightly opposed them and secured debates on the matter. The hon. Member for Manchester, Withington (Mr. Bradley), who was then an Opposition Social Security spokesman, moved the motion initiating the debate. At that time, the Opposition were very much in new Labour mode and were being exceedingly prudent as to their spending commitments before a general election.

The hon. Gentleman said:

Under these proposals, many young people will suffer the double disadvantage of a cut in their housing benefit, leaving potentially large rent payments to be made up out of an already reduced income support level . . . Again, we share that view. We share the concern that the response of landlords is likely to be to withdraw from providing accommodation for young people.

The hon. Gentleman made a point that is entirely germane to this debate when he stated:

We believe that the draconian regulations to restrict housing benefit to single people under 25 further constitutes a form of age discrimination within the means-tested benefits system, and is likely to force young people into unsuitable housing and lead to an increase in youth homelessness.—[*Official Report*, 5 June 1996; Vol. 278, c. 619-23.]

The hon. Gentleman was right, as were the present Prime Minister, Chancellor and Deputy Prime Minister and the many other Labour Members who voted against

the regulations. I hope that they will do the same thing tonight. It is time that the regulations were removed from the statute book and replaced by a rent and housing benefit support system that offered equality of treatment for everyone.

The matter was dealt with in some detail after the election. I pay tribute to the Government for taking the opportunity in June 1997, when given the chance to extend the scope, to revoke the regulations that had been introduced by the Conservatives. Although I fully acknowledge that, as we did at the time, the Government have been reviewing and considering the matter for three years. Three years is a long time, especially for people who have been clocking up rent arrears and living in unsatisfactory accommodation. That is why we ask the Government to move on the matter—if not through the amendment, through other means. We feel strongly that they should take action now.

Amendment No. 80 proposes that maintenance should be disregarded for the purposes of calculating housing and council tax benefits. That is an entirely separate matter, which takes us back to the debate on the Child Support Agency and the simplified formula. Parents with care receiving tax credits have all their maintenance payments disregarded. However, the disregard on housing and council tax benefits remains at £15. That means that up to 85 per cent. of any maintenance over £15 is lost in the extra rent and council tax that the parent with care must pay. A parent getting £30 a week, for example, keeps just £17.25 of that. The value of a more generous tax credit disregard is therefore eroded, and the Government fall short of their goal on child poverty.

We propose, with the support of the Child Poverty Action Group, that maintenance should be completely ignored for the purposes of housing and council tax benefits. That would better align practice with the goals that the Government have set.

Amendment No. 78 and new schedule 1 give hon. Members the opportunity to make it absolutely clear that they wish to see the end of such a pernicious set of regulations, which penalise the under-25s and cause many to suffer homelessness or to find themselves in inferior, inadequate accommodation. It is time, after three years, that the review ended and the action began.

Angela Eagle: Amendment No. 78 and new schedule 1 would remove the restriction on the amount of rent that can be used to calculate housing benefit for most single young people under the age of 25 living in the private rented sector. As has been said, the restriction was implemented by the previous Government in October 1996 and we have pledged to review it in the context of our wider housing benefit agenda. I thank the hon. Member for Sutton and Cheam (Mr. Burstow) for having the grace to thank us for not extending that rent restriction to those under the age of 60, as would have happened under the Conservatives.

We understand the concerns raised about the restriction and are looking very carefully at the effects of it as part of our welfare reform agenda. We shall issue our Green Paper on housing soon; all interested parties will have the opportunity to comment on it. I can tell the hon. Gentleman that the issue will be addressed in the Green Paper.

Amendment No. 80 would mean that parents with care would have any maintenance disregarded when entitlement to housing and council tax benefits is calculated. Currently, £15 of any maintenance is ignored for the purposes of those benefits.

Concern about the impact of specific elements of the housing benefit system, which is expressed through both amendments, is understandable. Indeed, many such impacts must be considered—all of which we have been considering, in respect of and in parallel with housing policy. It is not wise merely to consider housing benefit issues in isolation from housing policy. We shall be publishing the Green Paper in due course following such consideration.

Mr. Jeremy Corbyn (Islington, North): Will the Minister be more specific about when the Green Paper will be published and in exactly which terms it will assess the questions of housing benefit, applicability and administration?

Angela Eagle: I understand my hon. Friend's impatience and I hope that we shall be able to reward as quickly as possible any patience that he may show between now and the publication date. The Green Paper will be published soon. It will have a tremendous sweep and he should be reasonably satisfied with its scope when it appears.

Mr. Pickles: Surely the Minister can be a little more forthcoming. The Government have suggested that the Green Paper will not be produced until July, so why does she not say so?

Angela Eagle: Because that would not be accurate. The Green Paper will be published soon—I have to stick to that mantra. I ask the House to be patient, because there is a serious debate to be had on housing policy and housing benefit. That debate will include—my hon. Friend the Member for Islington, North (Mr. Corbyn) will be pleased to learn—discussion of its administration. That is a vital part of the benefit, as we all realise from the constituents who visit us. We will have a much fuller debate on these issues once the Green Paper is published, and that will be soon.

Amendments Nos. 17 to 25 make minor changes to clause 65, which provides for funding of the new discretionary housing scheme and the housing benefit and council tax benefit revisions and appeals that appear in schedule 7. The amendments do not introduce any policy changes. They iron out the slightly deficient technical wording. They remove certain duplicate or otherwise unnecessary measures and make other minor or technical changes. I commend them to the House.

In the light of the imminent Green Paper, which will appear soon, I ask Liberal Democrat Members to withdraw their amendments.

Mr. Burstow: We have heard "soon", and "in due course"—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Gentleman needs to seek the leave of the House.

Mr. Burstow: With the leave of the House, Mr. Deputy Speaker, may I reply? I am grateful to you and to the House.

We have heard the Minister say soon, in due course and imminent. They are not the same; they mean many different things. If she had said that the Green Paper would be

[Mr. Burstow]

published in a matter of days or weeks, we might have been persuaded. However, after three years of review, the offer of its being published soon is not adequate.

A Green Paper leads to a White Paper and a White Paper will lead to legislation after a general election. Four or five years of this Parliament without sorting the matter out is not acceptable. We wish to press amendment No. 78 to a vote. We believe that the House should have the opportunity to divide on it.

Amendment agreed to.

Amendments made: No. 16, in page 116, line 14, leave out "or (b)".

No. 17, in page 121, line 1, leave out sub-paragraph (2).

No. 18, in page 121, line 46, at end insert—

'( ) In sub-paragraph (2)(d) the reference to a different case—

(a) includes a reference to a case involving a different relevant authority; but

(b) does not include a reference to a case relating to a different benefit unless the different benefit is housing benefit or council tax benefit.'.

No. 19, in page 122, line 37, leave out from court" to end of line 39.

No. 20, in page 123, line 20, at end insert—

'( ) In sub-paragraph (1)(b) the reference to another case—

(a) includes a reference to a case involving a decision made, or falling to be made, by a different relevant authority; but

(b) does not include a reference to a case relating to another benefit unless the other benefit is housing benefit or council tax benefit.'.

No. 21, in page 123, line 27, leave out from "court" to end of line 29.

No. 22, in page 124, line 18, after "Commissioner;" insert—

'( ) the reference in sub-paragraph (1)(b) to a different case—

(i) includes a reference to a case involving a different relevant authority; but

(ii) does not include a reference to a case relating to a different benefit unless the different benefit is housing benefit or council tax benefit;'.

No. 23, in page 126, line 40, leave out sub-paragraph (1).

No. 24, in page 126, line 46, leave out "that" and insert "the Administration".

No. 25, in page 127, line 41, at end insert—

'( ) For the purposes of this Schedule any decision that is made or falls to be made—

(a) by a person authorised to carry out any function of a relevant authority relating to housing benefit or council tax benefit, or

(b) by a person providing services relating to housing benefit or council tax benefit directly or indirectly to a relevant authority,

shall be treated as a decision of the relevant authority on whose behalf the function is carried out or, as the case may be, to whom those services are provided.'.—*[Angela Eagle.]*

Clause 65

GRANTS TOWARDS COSTS OF DISCRETIONARY HOUSING PAYMENTS

Amendments made: No. 13, in page 67, line 16, after "discretionary" insert "housing".

No. 14, in page 67, line 33, leave out from "64" to end of line 34.—*[Angela Eagle.]*

Clause 66

RECOVERY OF HOUSING BENEFIT

Amendment proposed: No. 78, in page 68, line 5, at end insert—

'(2) Section 175 of the Social Security Contributions and Benefits Act 1992 shall be amended in accordance with Schedule (*Housing Benefit (General) Amendment Regulations 1996*).'.—*[Mr. Burstow.]*

Question put, That the amendment be made:—

The House divided: Ayes 34, Noes 260.

Division No. 132] **[11.28 pm**

AYES

Allan, Richard
Ashdown, Rt Hon Paddy
Baker, Norman
Ballard, Jackie
Beith, Rt Hon A J
Brake, Tom
Brand, Dr Peter
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Campbell, Rt Hon Menzies *(NE Fife)*
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Harris, Dr Evan
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kirkwood, Archy
Livsey, Richard
Maclennan, Rt Hon Robert
Moore, Michael
Morgan, Alasdair *(Galloway)*
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve

Tellers for the Ayes:
Mr. Don Foster and
Mr. Andrew George.

NOES

Ainger, Nick
Allen, Graham
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beggs, Roy
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chaytor, David
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Corbett, Robin
Corbyn, Jeremy

Corston, Jean
Cousins, Jim
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Elman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Flint, Caroline
Flynn, Paul
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Henderson, Ivan *(Harwich)*
Heppell, John
Hill, Keith
Hinchliffe, David
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Khabra, Piara S
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Meale, Alan
Miller, Andrew
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ryan, Ms Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. Jim Dowd and
Mr. Robert Ainsworth.

Question accordingly negatived.

Further consideration adjourned.—[*Mr. Pope.*]

Bill, as amended in the Standing Committee, to be further considered tomorrow.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Sir Alan Haselhurst): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Terms and Conditions of Employment (Scotland)

That the draft Public Finance and Accountability (Scotland) Act 2000 (Transfer of NAO Staff etc.) Order 2000, which was laid before this House on 3rd March, be approved.

International Immunities and Privileges

That the draft Organisation for Joint Armament Cooperation (Immunities and Privileges) Order 2000, which was laid before this House on 7th March, be approved.

Audit Commission

That the Code of Audit Practice for Local Authorities and the National Health Service in England and Wales, which was laid before this House on 9th March, be approved.

Environmental Protection

That the draft Air Quality (England) Regulations 2000, which were laid before this House on 9th March, be approved.

Local Government Finance

That the Local Government Finance (England) Special Grant Report (No. 60) on 1999–2000 Special Grant for unaccompanied asylum-seeking children (HC 330), which was laid before this House on 13th March, be approved.—[*Mr. Pope.*]

Question agreed to.

PETITIONS

Housing (Hampshire)

11.40 pm

Mr. Desmond Swayne (New Forest, West): It is my privilege to present a petition in the name of my constituent, Mrs. Pamela Combes, which has been signed by some 750 of my constituents. The petitioners are concerned about proposals for new housing in Hampshire, equivalent to the building of a settlement the size of Southampton. They believe that that will devastate vast tracts of countryside, overwhelm the health, leisure and education services, cause massive congestion and overwhelm the life of rural communities.

The petition states:

Wherefore your petitioners pray that your honourable House ask the Deputy Prime Minister to totally reject the advisory panel's proposals to build 169,000 new houses in Hampshire.

To lie upon the Table.

Farmers (Midlands)

11.41 pm

Mr. Patrick McLoughlin (West Derbyshire): It is my privilege to present a petition to the House that was given me yesterday at a crisis rally of Derbyshire farmers and other farmers from the midlands, on the eve of the summit that the Prime Minister is to hold tomorrow.

The petition states that farmers in the midlands

wish to draw the attention of the House of Commons to the plight of farmers.

They call upon the House to support positive action to provide the viable production of true British food and ensure the maintenance of the British countryside.

The petition is signed by some 2,400 people, and is a sign of the growing concern about the Government's treatment of the countryside.

To lie upon the Table.

Telecommunications Mast, Brill

11.42 pm

Mr. John Bercow (Buckingham): It is my privilege to present a petition tonight on behalf of Mr. Tim Andrew and 541 other residents of the parish of Brill in my constituency. The petition objects to the proposed erection by Orange Communications Services Ltd. of three antennae on the fire station drill tower in Temple street or in any other densely populated area of the village, because of the villagers' concern about the health risks that the erection of the antennae could pose.

The 542 petitioners represent the overwhelming majority of those canvassed on the subject. They state:

The Petitioners therefore request that the House of Commons urge the Secretary of State for the Environment, Transport and the Regions to do all in his power to prevent the erection of the said antennae.

To lie upon the Table.

Pain Management

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Pope.]*

11.43 pm

Mr. Paul Burstow (Sutton and Cheam): My interest in the subject of pain management was first aroused by correspondence from constituents—people writing with concerns and complaints about the fact that they were having difficulty securing access to services locally, and in particular that they were waiting a considerable time.

From those initial inquiries and the correspondence that I had with the local NHS trust, I began to develop an appreciation of the pain management services available to my constituents—their value and their potential.

One person who, I know, values the help and support that she received from the centre of pain education at Sutton hospital, which is part of the Epsom and St. Helier NHS Trust, is Denise. She even wrote a poem to the staff to show how much she appreciated their efforts. Denise was first diagnosed as having rheumatoid arthritis in 1977, when she was just 21 years old. She has lived with pain ever since. With the exception of the period following the initial onset of the disease, she has managed to hold down a full-time job and the running of a household. As she says in her own words:

> Pain rules everything you do. It affects your relationships, as you become irritable and self-obsessed. It affects your social life, as outings have to be carefully planned to take account of your mobility, comfort, etc. It also prevents you joining in with many everyday events because of your special needs.

However, pain management has transformed Denise's life.

I have not sought this debate because I have a beef with the Government. Rather, I hope to encourage the Minister to consider pain management, particularly the management of back pain, as a candidate for development and investment as part of the Government's NHS modernisation programme. I believe that investment in pain management services would substantial dividends for individuals, their families, their employers and society as a whole.

In preparing for the debate, I have been grateful to the patients and staff at the centre of pain education at Sutton hospital for their help and advice. I am also grateful to BackCare, which is the only national charity concerned solely with back pain and reducing its impact. BackCare has done an excellent job of collating a wide range of facts and figures about the prevalence and causes of back pain, many of which exist within Department of Health statistics, but it has brought them together in a way that makes them more comprehensible. I appreciate the work that it has done.

From that work, it is clear that back pain is clearly the No. 1 cause of disability in Britain. More than 1 million people are disabled by it. But back pain can affect us all. The most recent figures suggest that two in five of the adult population—more than 16 million people—have had back pain lasting for more than a day. One in five of the UK adult population have had pain which lasted for more than four weeks. For 2.5 million people, back pain is constantly with them, day in, day out, without respite.

Back pain costs the UK some £6 billion a year. As much as two thirds of that is accounted for by 180 million lost working days every year. The cost to the NHS alone is put at between £360 million and £640 million a year, with 900,000 hospital bed days per year being taken up by people with back pain.

The longer someone is off work with back pain, the greater are the odds that they will never return to work. In one in three cases of back pain the condition becomes chronic. For many long-term sufferers, their condition is not susceptible purely to physical interventions or medication. Often psychological or social factors are at play.

I am interested in how effective care pathways can be devised to integrate primary and secondary care to treat acute back pain with earlier diagnosis and appropriate medication and treatment. Were such pathways developed, the number of people suffering chronic back pain could be reduced significantly.

Since the UK Clinical Standards Advisory Group reported in 1994 and recommended a number of treatments for back pain, research has found that the availability of pain management services throughout Britain is patchy—perhaps another case of the previous Government's postcode legacy.

Research for the Medical Research Council and BackCare by the Wolfson Institute of Preventive Medicine concluded that efforts to improve access to those services should be focused on health authorities and primary care groups.

This month's issue of *Professional Nurse* features an article entitled "Early management of patients with back pain" by Jan Austin of the James Paget Healthcare NHS trust. The author puts it this way:

> The focus of early management should be to relieve symptoms of pain and prevent disability by prescribing simple analgesia, encouraging the person to take up appropriate activities and arranging physical therapy. At the same time, the GP should encourage the patient to think positively about his or her recovery and return to work, providing advice, reassurance and support using appropriate terminology to avoid the negative effect of poorly chosen language.

It is worth stressing that bed rest is not recommended. In fact, in many cases, it makes matters worse. But GPs are still recommending that course of action to as many as one in four of the people who come to see them about back pain. That is crazy. Such bad advice fuels a vicious circle of disability. Less activity leads to less mobility, which in turn leads to more pain and greater disability, and so on.

The fact that such poor advice is being given is worrying, because in 1996 the Royal College of General Practitioners issued guidelines on the management of acute lower back pain, which explicitly ruled out bed rest for back pain. Despite that, studies have found that the management of back pain by GPs falls well short of the guidelines.

I understand that work is in hand by the National Institute for Clinical Excellence's orthopaedic protocols advisory group. The referral protocols that it is drawing up for back pain will be crucial to further progress. I hope that the Minister may be able to give some idea of how that work is proceeding and when it will be concluded and published.

Aside from the wider benefits of investment in pain management and the benefits for the individual, there are, as I said, savings for the NHS. Evidence from an evaluation of pain management for chronic lower back

[Mr. Paul Burstow]

pain conducted by the centre of pain education at Sutton hospital in 1995 found that every 100 people who completed its pain management course produced a saving of £32,000 on analgesics and epidurals. The evaluation also found that seven out of 10 people completing the course had no further appointments with or referrals to consultants.

The centre of pain education, or COPE, runs 10 out-patient pain management courses a year for people who live with back pain on a daily basis. The programme is provided through a multi-disciplinary team, which comprises a psychologist, a physiotherapist and a nurse, who, under the medical supervision of a pain consultant, use and teach a wide range of techniques for managing pain. Physiotherapy, acupuncture, aromatherapy, relaxation and counselling feature in the COPE armoury.

The COPE philosophy is holistic and can have a powerful effect. It delivers results. When I recently attended a COPE support group meeting, one person who had been on the course described it to me as coming to an accommodation with pain. COPE has six clear objectives: to reduce depression and anxiety; to increase independence; to review and reduce use of analgesic medication; to reduce absence from and promote return to work; to increase self-confidence in managing pain; and to reduce dependence on the NHS.

In 1997, 147 people were referred to the unit; in 1998, a further 136 referrals were made; and 120 more people were referred in the first six months of last year. Demand for the service and, consequently, waiting times, have increased. COPE evidence and the testimony of people who have attended the course show that it can change lives.

The courses stop the downward spiral of increasing use of ever stronger drugs, with all the side effects that that may involve. They give people the confidence and knowledge to ask about their medication. As one course attender described it to me:

> Too familiar is the patient that started off with back pain and ended up by going into renal or liver failure or both.

Perhaps that is a stark view, but it is echoed by many members of the support group whom I met.

I should like COPE to develop an outreach programme, perhaps on a pilot basis, in Sutton. It would be based at GP clinics, thus providing easier access and education for patients as well as support for GPs. Such an approach could cut waiting times and allow earlier interventions to occur.

In the same way, collaboration between GPs, practice nurses and pain management services could lead to guidelines being drawn up on the use of pain relief drugs. A common protocol would go a long way to helping patients who suffer from chronic pain to secure access to effective drug regimes and, if they so desired, strategies for coping with pain with fewer or no drugs.

COPE currently provides a service only for those who suffer from lower back pain. However, a pilot scheme last year expanded that to include other sites of pain. It showed that other groups of patients responded well to its philosophy. I wonder whether the Minister will therefore encourage such co-operation between primary and secondary care, not only in my constituency, but in other places, especially on developing common protocols and outreach work.

As a participant in the COPE programme put it to me:

> Having attended the 8 weekly visits to Sutton Hospital COPE Unit my overwhelming regret is that I was unaware of how much difference the skills of the team could have made to my life had I known of them three years ago.

That person suffered three years of constant pain. Like many other sufferers, she needed primary and secondary care to collaborate closely.

The article in *Professional Nurse* to which I referred summed up the point:

> Working within guidelines ensures that patients are referred to the most appropriate point of secondary care, preventing a journey through services with long waiting times and resulting delays in assessment, diagnosis and rehabilitation. Delays fuel frustration and despair, with the patient often waiting months or even years for a referral to a pain clinic when other disciplines have discharged them. Illness behaviour and pain is by then well-established and more difficult to manage.

Managing pain can make a dramatic difference in the quality of a person's life. It can reduce their dependence on drugs and help them to get back to work; it also has knock-on health benefits.

I shall end where I began, with Denise. In a letter that she wrote to me, she painted a good picture of what pain management meant to her. One of the passages in her letter particularly struck me and underlined the way in which pain management makes a difference at a personal level. She said:

> One other part of the course that sticks in my mind was the day when we were invited to bring a close relative or friend to one of the sessions. My partner, who has been with me for 17 years, came to the meeting. We realised that although we had coped with my problems for all those years, we had never actually talked about it! He said he learnt a lot about what I had to cope with and I learned how much more he wanted to help me. I realised that I had been struggling needlessly due to a sort of pride and embarrassment. We felt closer afterwards, and since.

There are beacons of hope and good practice. The Centre of Pain Education in my constituency is one of them. We now need clear guidance to GPs and primary care groups and trusts to build and signpost the care pathways and ensure that the necessary people-centred services are commissioned and provided in primary and secondary care.

The final sentence of the Clinical Standards Advisory Group 1994 report gave a stark warning. It stated:

> If we do nothing to improve the situation, total social costs of back pain in Britain are likely to continue to increase by up to £0.5 billion per annum.

We need to do something about that; I hope that the Government will be able to do so.

11.55 pm

The Parliamentary Under-Secretary of State for Health (Ms Gisela Stuart): I congratulate the hon. Member for Sutton and Cheam (Mr. Burstow) on securing this debate on pain management and I am pleased to have the opportunity to address the issues that he raised.

Pain is a major problem and a common consequence of ill health. Indeed, it is a major cause of ill health. It affects us all at some point in our lives and the experience is always unpleasant and often emotional. It is therefore important that good quality pain management is provided to patients to improve their health care and their quality of life. The debate is timely. The hon. Gentleman mentioned the work of the Clinical Standards Advisory

Group and he may be pleased to learn that tomorrow we shall publish its last four reports, including one on pain management. I reassure him that that is purely coincidental, although I congratulate him on brilliant timing.

When pain strikes, it does so in a very individualised way. Therefore, the management of pain must be customised to meet individual needs. The hon. Gentleman raised the case of his constituent, who is suffering from chronic rheumatoid arthritis. Denise's testimony is moving, but, unfortunately, not uncommon in the circumstances. We take the concerns of such people very seriously. The treatment and management of her pain will be very different from the management of pain experienced by a patient recovering from surgery.

If we experience pain, most of us can get quick relief simply by taking a pill. For some patients—those with hip or joint pain associated with osteoarthritis, for example—a pill offers only temporary respite. Permanent relief may come with a hip or other joint replacement operation, but sadly there is no permanent cure for some people. The group of people with chronic pain conditions such as back pain are sent to specialist pain management clinics, often after entering the national health service system in other specialties and being referred on.

In this country, pain management began some 50 years ago. In those early days, the pioneer anaesthetist responding to the needs of other doctors would carry out nerve blocks through local anaesthetics that blocked the nerves carrying the pain messages to the brain. However, in the 1960s clinicians and patients began to recognise that pain relief was effective in treating debilitating and distressing illness. As demand grew, the NHS began to establish formal clinics dedicated solely to managing pain in multi-professional teams.

The Pain Society, which was then known as the Intractable Pain Society of Great Britain, first met in 1962. Virtually every clinician working on pain relief attended—all 17 of them. Today, some 40 years on, almost every acute hospital has a pain service, although there are still considerable local variations in how those services are staffed and the range of treatments that they offer. However, next week's meeting of the Pain Society at the university of Warwick will be attended by more than 700 health care professionals.

I say this to show how far we have come. In many places, the development of chronic pain services was ad hoc, which has led to some extreme variations in services. Not every health authority can claim to provide the type and range of multidisciplinary services offered at the Centre of Pain Education in Sutton. I congratulate all the people working there on their great dedication and the way in which they have co-ordinated their services in the interests of the patients in that health authority. However, the increasing availability of services means that more patients can be treated. In England in 1998–99, there were more than 82,000 new referrals and more than 236,000 subsequent attendances in pain and anaesthetic clinics compared with some 71,000 new patients and slightly more than 211,000 subsequent attendances in 1996–97.

Let me now deal with the epidemiology of back pain. I do not argue for a moment with the figures given by the hon. Gentleman, which come from reputable sources and were used to support the clinical standards advisory group's study of the epidemiology and cost of back pain in 1994. That is still an important document, which underpins our strategy for dealing with back pain.

An issue on which the hon. Gentleman and I might disagree is the number of back pain cases that become chronic. That may depend on how we define "chronic". I would argue that back pain is often short-lived and able to right itself without the need for medical treatment; only in a comparatively small number of cases does it become chronic. However, for those in whose cases it does become chronic it is very serious, and merits full attention.

Back pain is not only tragic for individuals, but the biggest single cause of sickness absence. It accounts for an estimated 12 million GP consultations. Some estimates put the cost to the NHS at as much as £480 million, and refer to some 880,000 out-patient attendances. Some identify a £5 billion cost to industry, and the loss of 11 million working days. That represents a considerable economic loss to the community.

One way in which we are tackling the occupational health problems is through our "back to work" initiative, which is intended to encourage employers to help us to reduce the incidence of back pain. We also want employers to be more helpful, and to behave more flexibly to patients suffering from back pain on their return to work. I was interested by the hon. Gentleman's observation that the longer someone is off work with back pain, the more difficult it becomes to go back to work. Last month, we announced funding for 19 successful projects to tackle the problem of back pain in the workplace, committing nearly £700,000.

The clinical standards advisory group's 1994 report on back pain made many practical recommendations about NHS services. It supported the multi-professional approach, and a rehabilitation programme including education and training in back function as well as the teaching of relaxation and coping strategies. The type of service that the hon. Gentleman encountered at the Centre of Pain Education in Sutton would fit its model very well. It is a highly acclaimed local service, with a multi-disciplinary pain management programme running 10 courses per year for patients with back pain for whom current medicine has been unable to find a cure.

Following the 1994 report, the Department of Health provided funds for a multi-disciplinary working group, led by the Royal College of General Practitioners, to implement some of the recommendations. The hon. Gentleman mentioned those.

The hon. Gentleman may be interested to learn that today a new set of guidelines was launched, sponsored by Blue Circle and based on work carried out under the auspices of the Faculty of Occupational Medicine and the Royal College of Physicians. The aim is to improve understanding and management of back pain at work.

As I said earlier, tomorrow we will publish the report of the Clinical Standards Advisory Group on Pain Services. One of the most striking aspects of the report is the fact that it highlights the variations in care and health services across the country—an issue that Ministers are committed to tackling. While we can offer the very best in many areas, in others services we have a long way to go. One of our aims, as part of the modernisation and extra resources announced in last week's Budget statement, is to ensure equal access to good services.

[Ms Gisela Stuart]

I share the hon. Gentleman's concern about adherence to professional guidelines aimed at improving the treatment of acute back pain and preventing longer-term problems. That is why we shall underpin the reports of the clinical standards advisory group and the guidelines of the Royal College of General Practitioners with advice from the National Institute for Clinical Excellence.

The hon. Gentleman asked about the timetable for the work being undertaken by NICE. We have asked NICE to produce protocols offering advice to GPs on when to refer patients with acute lower-back pain to specialists. We recognise that variations in referral practices can make a marked difference to individual patients. Patients' access to the service and to secondary care may be delayed because the system becomes clogged up owing to inappropriate referrals, but there are those who, although they have been referred at the right time and to the right place, end up waiting longer. By proper management of the system, they could find relief and have better and faster treatment elsewhere.

The aims of the NICE protocols will be to define the condition itself more clearly, to set out precisely what specialists can offer and to set out criteria for prompt referral. Key reasons why a patient should not be referred must be equally clearly defined. Last but not least, the aim will be to set levels of urgency for each referral criterion, so that those in the most urgent need will receive treatment at the earliest opportunity. NICE is looking at a range of issues, but I have been assured that its work in that area will be completed later in the spring.

It should not be forgotten that, although chronic, intractable pain is primarily a physical, rather than a mental, health problem, the psychological consequences can include severe depression, anxiety and relationship difficulties. I could not have put it better than the hon. Gentleman's constituent, who described what it did not just to her life, but to her relationship with others and, in consequence, their life. People can have problems sustaining a job and a life. As was demonstrated, they can become very dependent on others.

Psychological approaches, particularly cognitive behavioural approaches, have been shown to be highly effective in helping chronic pain patients to regain some independence. Systematic reviews provide strong evidence of their efficacy. Psychologists are increasingly employed as team members to support staff in their delivery. I have seen in some centres of pain management the use of alternative therapies, whether aromatherapy, reflexology or acupuncture. A whole range supplements allows patients to manage their condition much more effectively.

I support the need for a collaborative approach to pain. I trust that the additional £8.64 million for Merton, Sutton and Wandsworth health authority, part of a total allocation of £600 million that was announced in the House earlier this week by my right hon. Friend the Secretary of State for Health, will allow the authority to develop pain services in Sutton further. Our plans to modernise the NHS include making all parts of the health care system work better together, delivering better health and fast, fair and convenient services that depend on what is wrong with a patient, not where a patient lives.

We support the adherence to the CSAG guidelines on back pain, which still apply, despite the fact that they were first published in 1994. Those are backed up by further work and by wider use of the Royal College of General Practitioners guidelines on back pain. Those will soon be underpinned by the NICE referral protocols.

I hope that the hon. Gentleman will feel that that provides him with some reassurance that we are taking the matter seriously. Although there are no straightforward answers or easy solutions, there are possibilities through a co-ordinated approach to allow people suffering from chronic pain to manage their condition and to live a much fuller and more useful life.

Mr. Burstow *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): I think that the Minister has concluded her speech.

Question put and agreed to.

Adjourned accordingly at eight minutes past Twelve o'clock.

House of Commons

Thursday 30 March 2000

The House met at half-past Eleven o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

LONDON LOCAL AUTHORITIES BILL *[LORDS] (BY ORDER)*

Order for consideration, as amended, read.

To be considered on Thursday 6 April.

KENT COUNTY COUNCIL BILL *[LORDS] (BY ORDER)*

MEDWAY COUNCIL BILL *[LORDS] (BY ORDER)*

MERSEY TUNNELS BILL *(BY ORDER)*

Orders for Second Reading read.

To be read a Second time on Thursday 6 April.

Oral Answers to Questions

TRADE AND INDUSTRY

The Secretary of State was asked—

Rover Cars

1. **Mr. Michael Fabricant** (Lichfield): If he will make a statement on the future of Rover's Longbridge plant. [115660]

The Secretary of State for Trade and Industry (Mr. Stephen Byers): As the House knows, on 16 March BMW announced that, due to escalating losses, it intended to sell Rover Cars. Since then, BMW has said that it will do all it can to minimise the number of jobs to be lost. BMW has also committed itself to co-operating with the taskforce, which has as one of its objectives the development and regeneration of the Longbridge plant.

Mr. Fabricant: Given that the Transport and General Workers Union estimates that 40,000 jobs will be lost in the west midlands with this Alchemy deal, why has the Secretary of State consistently refused to make a statement in the House so that he can be questioned on the Floor of the House for a sustained time? Does he not realise that there have been clear signs since September that Rover would be losing at least 2,000 jobs, quite apart from the collapse of Longbridge? If he denies that—and it seems that he does—will he now undertake to publish all correspondence between the Department of Trade and Industry and Rover-BMW and any minutes of meetings between Rover and the DTI?

Mr. Byers: This clearly is an important issue and the House needs to address it. That is why I answered a parliamentary question just the other day, and why I am answering questions here today. It is an opportunity for the House to consider these matters. As the hon. Gentleman will know, the Select Committee on Trade and Industry is taking evidence on these matters. I will be giving evidence before the Committee next Wednesday, which I think will be the appropriate time to put on record the dealings between myself, my Department and BMW.

Mr. Richard Burden (Birmingham, Northfield): Does my right hon. Friend share my disappointment that the hon. Member for Lichfield (Mr. Fabricant), in talking about the impact on the west midlands, did not give his support to the rally that is taking place this Saturday in Birmingham in support of Rover? Has not the most appropriate comment on who knew what over the past few months come in the past few days from Professor Milberg at BMW, who said on Tuesday that although he felt that he had been entirely open over the months, he now realised, with the benefit of hindsight, that his statements may have been interpreted differently? It seems that BMW itself recognises that it has not been entirely straight.

Is it not important that we move on and give BMW a clear message that its decision about the future of its plants is not simply a commercial decision, but one which affects the communities in which its workers live, and that it should take the interests of those communities into account when making its decisions?

Mr. Byers: My hon. Friend, as the constituency Member of Parliament, makes an important point. In all of this, the Opposition will try and score cheap political points, while we are concerned about protecting as many jobs as we can for those workers affected by BMW's decisions.

My hon. Friend also makes the important point that BMW executives have, in the past two days, gone on the record. Professor Milberg, the chairman of BMW, said on Tuesday that with hindsight he could have been clearer. Just yesterday, before the Select Committee on Trade and Industry, Professor Samann, who is head of Rover in the United Kingdom, said that the DTI had not been informed because the information was market sensitive. Those are on the record comments by senior executives at BMW.

Mr. John M. Taylor (Solihull): One of the concerns at Longbridge, and in the Rover group generally, is about the future security of the pensions of retired employees. Will the Secretary of State use his good offices to procure a reassuring public statement about that, bearing in mind that there are retired employees of Land Rover in my constituency?

Mr. Byers: The hon. Gentleman makes an important point. Present and former employees are clearly concerned about their pension entitlement. We have raised the issue within government with the Department of Social Security. I also raised it specifically with Professor Milberg last Thursday, when I met him to discuss the

consequences of BMW's decisions. He gave assurances about the pension funds. I will, after Question Time, be in touch with him again, and will ask him to make a public statement on this matter.

Mr. Martin O'Neill (Ochil): When some of us visited Longbridge yesterday, one of the most telling remarks that we heard was that major contracts were still being signed for the development and construction of new parts of the plant until three weeks ago by senior management. Is that not evidence that even those responsible for Longbridge did not know what would happen? To suggest that my right hon. Friend the Secretary of State should have some additional information is both ridiculous and misleading.

Mr. Byers: My hon. Friend makes an important point, which confirms what Professor Milberg said at the Geneva motor show on 28 February, just a few weeks before BMW's decision. He said:

> I have absolute, serious and steadfast commitment to Rover and the United Kingdom.

Only later did BMW begin to discuss the possible disposal of Rover.

Dr. Vincent Cable (Twickenham): Does the Secretary of State still subscribe to the belief that an overvalued exchange rate was just an excuse for BMW management, or does he agree with the leaders of the Amalgamated Engineering and Electrical Union and the Transport and General Workers Union who said this morning that the overvalued exchange rate is the biggest difficulty facing the British car industry?

Mr. Byers: BMW's record is clear: it says that the strength of sterling was one of the reasons for escalating losses. However, just 20 miles down the road in Coventry, Peugeot is enjoying record production and record exports, showing that some car firms in the UK are highly successful. That must lead us to ask about BMW's overall approach towards Rover.

Ms Julia Drown (South Swindon): My right hon. Friend knows that the future of many workers is linked to the future of Longbridge. They include 2,500 Rover workers in my constituency and that of my hon. Friend the Member for North Swindon (Mr. Wills). Will my right hon. Friend ensure that the help that the Government are offering Longbridge will be available to tackle the uncertainties and difficulties facing those workers?

Mr. Byers: I fully understand the concerns of workers in Swindon about the uncertainty created by BMW's decisions. I hope that BMW will be able to give those workers some guarantees about the future. If a decision is taken that affects those workers' livelihoods, the Government will provide support in the same way as we are providing it for those affected at Longbridge by BMW's decisions.

Sir David Madel (South-West Bedfordshire): Suppliers to the midlands car industry whose plants lie outside the midlands—including those in Bedfordshire—are extremely concerned about what is happening at Rover. Will the Secretary of State ensure that both management and unions working in those plants are involved in the new taskforce that he is setting up to try to solve the problem?

Mr. Byers: Yes. There must be great concerns about the effect down the supply chain of the decision taken by BMW. When I met BMW management last week, I asked the company to disclose an inventory of its suppliers so that we could contact them. That information has been provided, and contact will be made with engineering companies and manufacturers—wherever they are located, including outside the west midlands—which will clearly be affected by BMW's decisions.

Mr. David Winnick (Walsall, North): Will my right hon. Friend bear it in mind that there is deep concern and anxiety about jobs throughout the west midlands, not least in the black country where there are many suppliers of components for the motor industry? Perhaps the principal reason for concern about jobs in the west midlands is the memory of what happened in the 1970s, 1980s and early 1990s, when thousands of jobs were destroyed as a result of the policies of the previous Government. We should not forget that for one moment.

Mr. Byers: My hon. Friend makes an important point. Just 10 years ago, about 1 million manufacturing jobs were lost because of the Conservative party's policies. We must not lose sight of the fact that we should be asking today about the future of those affected by BMW's decisions. That is what a responsible Government would do, and that is what we are doing. The Conservative party might want to divert us down a different road for party political reasons of its own. So be it. The efforts of the Department of Trade and Industry will be clearly committed towards securing a future for the people affected by the BMW's decisions.

Mr. John Redwood (Wokingham): The Secretary of State must be feeling very nervous today without there having been a word of comfort or support from the Prime Minister yesterday. So bad is his position that he was not even said to be unassailable. Will he now tell us the truth? Either he knew full well that Rover was in difficulty and BMW had to take radical action, in which case he misled and let down the workers of Longbridge, or he knew nothing about it, in which case he is totally incompetent and should not be in the job. Does he now accept that the decent thing to do would be to go before more damage is done? Let us have a truthful Secretary of State who understands the needs of manufacturing industry.

Mr. Byers: That was a bid for the shadow position held by the hon. Member for Tiverton and Honiton (Mrs. Browning). I say to the right hon. Gentleman, in all seriousness, that I have a degree of respect for his position because at least he has tabled questions to me about the issue, whereas the hon. Lady has not tabled a single question—*[Interruption.]* Not a single question. *[Interruption.]* She has not—

Mrs. Angela Browning (Tiverton and Honiton): That is not true.

Madam Speaker: Order. The House must come to order.

Mr. Byers: The right hon. Gentleman raised the important question about who knew what, when and why. I know that yesterday the Leader of the Opposition, at Prime Minister's questions, spoke about a report in the *Daily Mail* from an unnamed source claiming that on 20 December Professor Milberg told me:

> We may have to reconsider our whole investment in Britain altogether.

Professor Milberg has made no such statement in any telephone conversation or letter. Moreover, there was no telephone conversation between us on 20 December.

Mrs. Browning: Having just heard the Secretary of State's wholly inaccurate response about tabled questions on the subject of Rover, he has only confirmed what we all suspected—that not only does he never read newspapers or his own papers, he does not read parliamentary questions either. He knows that it is grossly unfair to have said something which he must know is inaccurate. [HON. MEMBERS: "Apologise."] The right hon. Gentleman continues to claim that all this has come out of the blue—*[Interruption.]*

Madam Speaker: Order. I want to hear the hon. Lady.

Mrs. Browning:—yet since last December there have been newspaper articles with headlines:

> DTI to fight Brussels' veto on the aid to Rover
>
> DTI denies Brussels may block aid package
>
> Brussels places Longbridge plan in doubt

and

> Longbridge fears dent Labour support

Does not the Secretary of State or anybody in the Department of Trade and Industry read newspapers and think that if an article is about something that they have brokered a deal on, it might be common sense to pick up a telephone and initiate a call to see exactly what is going on? Can the Secretary of State now, as a rehearsal for the scrutiny that he will receive next Wednesday from the Select Committee, answer one straightforward question: on what date did he personally first realise that the future of Longbridge was in doubt?

Mr. Byers: I think that that is the sort of question that Members will not take seriously. The reality is that one does not take decisions based on newspaper reports. The hon. Lady will be well aware that the degree of speculation about the future of Rover and BMW is well known in the media. There is speculation before every supervisory board meeting. As Secretary of State, I speak on the telephone to the chairman of BMW, I hold meetings and talk to the company, and I ask questions to find out about the situation.

At a meeting on 10 March, six days before the supervisory board meeting, I raised specific questions about how the company would tackle its escalating losses. I received assurances about the steps that were to be taken. None of those steps involved the disposal of Rover by BMW.

Mrs. Browning: I hope, then, that the Secretary of State will reassure not only the House, but the Select Committee on Trade and Industry—which has, I understand, asked for transcripts from his Department and from BMW of those telephone calls.

Will the right hon. Gentleman comment on remarks made on the "Today" programme this morning? Dr. Garel Rhys of Cardiff university—an authority on the car industry in this country, as the Secretary of State will know only too well—said:

> You can't share a confidence with this Administration as it leaks.

If the right hon. Gentleman's claim that he was deliberately kept in the dark is accurate, does he think the reason for that is because business does not trust this Administration or this Secretary of State? They have lost the confidence of business, and the workers at Longbridge will pay the price.

Mr. Byers: There has been no suggestion from Conservative Members about how we can provide assistance and support to those workers affected by BMW's decisions. That is a matter of great regret.

Many businesses share confidences with the Government—without leaks. We deal with market-sensitive information daily. When I have the chance to make the matter clear, in an hour and a half session before the Select Committee, the record will show that, unlike the claim made by the Leader of the Opposition yesterday, Professor Milberg did not say:

> We may have to reconsider our whole investment in Britain altogether.—[*Official Report*, 29 March 2000; Vol. 347, c. 333.]

There was no telephone conversation on 20 December, so I hope that the Leader of the Opposition will withdraw the comments he made yesterday. They were inaccurate and untrue. We must move forward to put the interests of the work force at Longbridge first. That is what the Government intend to do.

Scientific Research

2. **Dr. Phyllis Starkey** (Milton Keynes, South-West): What recent discussions he has had concerning science with Ministers in other Departments which sponsor scientific research. [115661]

The Minister for Trade (Mr. Richard Caborn): My right hon. Friend the Secretary of State, DTI Ministers and I hold regular discussions with colleagues in other Departments on all manner of issues, many of which have a science dimension. My noble Friend the Minister for Science set up the ministerial science group in 1998. That built on the ministerial foresight group.

Dr. Starkey: I thank my right hon. Friend for that response and welcome the work of the ministerial scientific group. May I urge my right hon. Friend to be even more persuasive in convincing his colleagues in that group of the value of scientific research? In particular, will he draw the attention of the Agriculture Minister to the fact that it is not entirely sensible to reduce his research budget at a time when research could lead to new options that would help to inform the diversification that is being urged upon farmers by his Department?

Mr. Caborn: I know that my hon. Friend has a history in the field of science and that she is well respected for her work. Last December, the Government announced

13 cross-cutting reviews as part of the 2000 spending review, one of which is to examine how the science spend across Departments can be more joined up. The Ministry of Agriculture, Fisheries and Food is spending about £30 million on its research and development budget. My noble Friend the Minister for Science has held discussions with Agriculture Ministers.

Let me put the matter against the backcloth that, in the comprehensive spending review, the Government are investing about £20 million in science, engineering and technology over three years. That represents a £1.5 billion increase for the pre-CSR outturn. That is commendable. If the Conservatives had shown similar foresight when they were in government, we might not be experiencing some of the current problems in industry.

Mr. Stephen O'Brien (Eddisbury): Specifically on the question of scientific research, may I ask about the Secretary of State's catastrophic decision for my constituents and for the north-west to award the Diamond synchrotron project to Oxford rather than to the existing facility at Daresbury? There has been complete confusion about the Government's reasons for that decision. Initially, the reasons were given as pressure from the French Government and the Wellcome Trust, but yesterday, in a debate initiated by my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady), the Minister for Competitiveness said in a debate in Westminster Hall that the decision was made for scientific reasons only. Will the Minister confirm the true reasons, and will he reverse this perverse and damaging decision?

Mr. Caborn: I respect what the hon. Gentleman says—he should convey his views to his right hon. and hon. Friends on the Opposition Front Bench. They are sitting on the fence on this issue. The point made in the Westminster Hall debate was that science was one of the issues, but the partnership with the Wellcome Trust and the actions of the French Government also brought about the decision.

Mineworkers' Pensions

3. **Mr. Eric Illsley** (Barnsley, Central): What representations he has received regarding surpluses in the mineworkers' pension schemes. [115662]

The Minister for Energy and Competitiveness in Europe (Mrs. Helen Liddell): I have received a number of representations on the subject of coal miners' pension surpluses. Some have called for a re-examination of the deficit guarantee-surplus sharing arrangements that were established in 1994 to safeguard members' pension entitlements; some have drawn attention to pension entitlements in respect of pre-1975 service, and others have urged greater access to early pensions.

Mr. Illsley: I am grateful to my right hon. Friend for that reply. Is she aware of reports from the coalfield communities campaign that the Government are about to take about £4 billion from the mineworkers' pension scheme surplus, which is their entitlement under the 50 per cent. division rule? Is that the case? Does she agree that as the mineworkers' pension scheme will no longer be in deficit and the Government will no longer have to guarantee a deficit, it is time to negotiate the 50:50 split of surpluses and allow more money to be retained in the pension scheme to enhance the pre-1975 low pension entitlements?

Mrs. Liddell: I studied in some detail the document from the coalfield communities campaign. It is very interesting and quite perceptive about the changes that have taken place in the industry over time. I have to say to my hon. Friend that the agreements arranged at the time of privatisation were made with the full support of the industry and the unions. As a consequence, the Government have to date received £519 million from the two coal miners' pension schemes—not just the mineworkers' pension scheme—and, over a 10-year period, will be paid about £1,670 million. In return, the Government give a guarantee about miners' pensions. That has allowed for a much more aggressive investment strategy, leading to 20 per cent. increases in miners' pensions. The trustees of the scheme are happy with the arrangement. Indeed, it is the envy of many mature pension schemes.

A revaluation of the scheme is now taking place. I have asked the trustees to consider whether there are other ways in which, in particular, those on extremely low pensions under the pre-1975 arrangements can receive assistance from the scheme. I will certainly keep the matter under constant review.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): Is it not the case that the Government will never be called upon to meet the guarantee? Although the Government may be legally in the right, they are certainly morally in the wrong.

Mrs. Liddell: The hon. Gentleman should do his homework. The Government have already paid £400 million into the coal miners' pension schemes since 1994. Some £132 million was paid into the mineworkers' pension scheme to meet deficiency contributions in respect of the additional cost of benefits payable to members made redundant, and an additional £268 million was paid into the staff superannuation scheme to provide early pensions.

E-Commerce

4. **Mr. Geraint Davies** (Croydon, Central): What assessment he has made of the impact the internet will have on overall levels of productivity in the next two years. [115663]

The Minister for Small Business and E-Commerce (Ms Patricia Hewitt): All the indications are that e-commerce will help to drive up productivity, but we have in hand a programme of research to measure its impact, including the impact on productivity.

Mr. Davies: I welcome my hon. Friend's response. She will be aware that United States productivity in leading manufacturing sectors, such as steel instrument production and the manufacture of electronic goods, increased by 5.7 per annum between 1990 and 1996. Does she think that that evidence points towards a renaissance in productivity in British manufacturing? Is she, like me, concerned about a possible digital divide between the haves and the have nots? Individuals, sectors and regions should have access to new technology so that we are able

to boost productivity across the industrial base and so that all of us in Britain can benefit from the new prosperity that such technology promises.

Ms Hewitt: My hon. Friend is right on both points. I am certain that the impact of e-commerce will help to create this country's 21st century manufacturing base in all sectors. On Tuesday, I published the Government's strategy for countering the digital divide and for ensuring that, in every part of our community, children and adults will have access to the internet and the skills and confidence to use it.

Mr. Ian Bruce (South Dorset): Has the Minister noted that Three Com, which supplies equipment to the Department of Social Security, the Ministry of Defence and many other Departments, has announced that it will no longer be supporting the products that it has sold to the Government? What effect will that have on the productivity of computer systems that are already under pressure and not working properly? Will the Minister make a statement on that? The Government may need to have urgent talks with Three Com about the future of government computing and its productivity.

Ms Hewitt: I am not aware of the specific announcement or the contracts to which the hon. Gentleman refers, but next week we shall publish our strategy for e-government. We are also undertaking a review of IT procurement within government to learn the lessons of what were, frankly, disastrous IT procurement projects undertaken by the previous Government.

Textile Industry

5. **Mr. Vernon Coaker** (Gedling): What assessment he has made of the future of the textile industry in the east midlands. [115664]

The Minister for Competitiveness (Mr. Alan Johnson): The textile industry in the east midlands faces strong competitive pressures which, regrettably, have led to a number of closures and job losses. However, there remain many companies which, with the Department's help, are responding to the competitive challenges through investment in new technologies and design.

Mr. Coaker: Is my hon. Friend aware that tens of thousands of jobs nationally and many thousands in the east midlands have been lost? If all those jobs had been lost in one day and from one plant, the furore would have been far greater. I urge my hon. Friend to do all that he can to ensure that a positive message goes out about the future of the textile industry in the east midlands. Will he do everything possible, in the various trade talks that he attends, to continue the Government's work to find new markets for the textile industry?

Mr. Johnson: My hon. Friend takes a close interest in these matters and I commend him on his work on behalf of the textile industry. There are outstanding textile companies in the UK which compete on quality alone in a difficult competitive world. We have set up a textile and clothing strategy group, which has produced 25 recommendations that we are considering carefully. We will, of course, do all that we can to make the British textile and clothing industry as competitive as possible in difficult world conditions.

Mr. John Bercow (Buckingham): Given that between September 1998 and September 1999 no fewer than 36,000 textile and clothing workers lost their jobs and that the projection is for a further 100,000 job losses in the next four years, why does not the hon. Gentleman understand that to burden businesses with £30 billion of extra taxes and regulations in this Parliament represents a death sentence for small textile businesses throughout the east midlands?

Mr. Johnson: I had not realised that Buckingham had moved to the east midlands. The problems in the textile industry did not start on 1 May 1997. There are difficult problems, but in the textile and clothing strategy group, on which I sit with right hon. and hon. Friends, the question of the additional costs to which the hon. Gentleman refers has not arisen. The problems relate not to various employment relations Acts, but to the difficult world market in which our companies are trying hard to compete.

Mr. Dennis Skinner (Bolsover): Is my hon. Friend aware that one of the main reasons for textile company closures, including the recent closure at Shirebrook in my constituency, is that Marks and Spencer and other big stores have changed their purchasing policy and are moving away from British goods to plants outside the United Kingdom where there is cheap labour and all the rest of it? However, another reason is that many textile manufacturers, not content with their factories in Britain, are setting up plants in Morocco, the far east and various other places. They are the same people who employ the British textile workers, who are mainly women, and they are throwing them out of work because of the money they make overseas. That is the reason—it has little to do with anything else.

Mr. Johnson: My hon. Friend as always makes an important point. In the east midlands, we are working through the enterprise grant fund to assist SMEs in the textile and clothing industry to compete in difficult circumstances. Marks and Spencer's decision did not help our cause at all.

India

6. **Mr. Jim Cunningham** (Coventry, South): What steps he is taking to encourage UK exports to India. [115665]

The Minister for Trade (Mr. Richard Caborn): India offers a wealth of opportunity for British trade and investment, and is therefore designated a campaign market for trade promotion by British Trade International. During the visit of my right hon. Friend the Secretary of State in January, he announced a target of a 20 per cent. increase in bilateral trade. Only last week, I hosted an extremely positive inaugural meeting of the Indo-British

Partnership's business council. The council members come from Rolls-Royce, PowerGen, British Airways, JCB and the financial services.

Mr. Cunningham: I thank my right hon. Friend for that answer. Given that many of us have constituents with connections with India, what financial resources have the Government committed to trade with India?

Mr. Caborn: British Trade International has one of the key markets. I think that the investment level is about £800,000. With private sector involvement and joint ventures, we expect the total to be in excess of £1 million. That investment will be aimed very much towards medium-sized companies. My right hon. Friend the Secretary of State announced global enterprise initiatives, and has set a target of 200 partnerships, especially with small and medium-sized companies, where we believe there is a tremendous opportunity in India within the next two years.

Mr. Eric Pickles (Brentwood and Ongar): Does the right hon. Gentleman agree that motor cars are a great potential export to India? Does he recognise that if we are to export them, we need a motor manufacturing industry, and that Rover is not the only problem? Setting aside nuances about what the Secretary of State heard or did not hear, will the right hon. Gentleman tell me when he last had discussions with Ford about the future of car production at Dagenham? What was the date, and what assurances did he receive about the future of—

Madam Speaker: Order. The export of cars to India is a good subject. I am sure that the Minister can reply to that question.

Mr. Caborn: It was two days ago.

Small Business Service

7. **Mr. Michael Jabez Foster** (Hastings and Rye): When the Small Business Service payroll facilities will be available to small businesses in Hastings and Rye; and if fees will be charged. [115666]

The Minister for Small Business and E-Commerce (Ms Patricia Hewitt): Following extensive consultation with small businesses last year, the Inland Revenue has expanded its new enterprise support initiative to provide a payroll service from April 2000, free of charge to small businesses.

Mr. Foster: I thank my hon. Friend for that response. In my constituency, small business has provided an enormous number of jobs over the past two and a half years, halving long-term unemployment and enabling two thirds of young people to be in work. That has all been achieved as a result of small business, because there is no big business in Hastings and Rye. Will the Inland Revenue be giving assistance with matters such as the working families tax credit within its payroll service?

Ms Hewitt: My hon. Friend is quite right. We have 100,000 more businesses now than we had in May 1997, and that is very welcome. The Inland Revenue will certainly be giving advice to small businesses on the working families tax credit. Last week's Budget announced incentives to small businesses to go online, which will make it even easier for them to process their PAYE returns and to administer the working families tax credit and payroll generally.

Euro

8. **Dr. Julian Lewis** (New Forest, East): What assessment he has made of the implications for small businesses of future British non-participation in the single European currency. [115667]

The Minister for Energy and Competitiveness in Europe (Mrs. Helen Liddell): I talk frequently to small and medium-sized enterprises and business groups as part of the Government's ongoing assessment of the impact of the euro on UK SMEs while the UK remains out. As euro use increases as we come nearer to the introduction of notes and coins on 1 January 2002 in the first wave, there will be increased pressure on UK SMEs because of increased price transparency. There will also be significant new opportunities for SMEs, and it is the aim of my Department to ensure that small firms benefit from them.

Dr. Lewis: Is the Minister aware that the result of the latest ICM poll, which was commissioned by the commonsense Conservative keep the pound campaign, shows yet again that more than 60 per cent. of the British people do not wish Britain to join the single currency and that only 28 per cent. do? Does the right hon. Lady realise that the proportion of the British people who are against joining the single currency is much higher than the average among small businesses? Why do she and the Government persist with their arrogant disregard for the opinion of small business men and the British people as a whole on this crucial issue?

Mrs. Liddell: The phrase "commonsense Conservative" is a contradiction in terms. The hon. Gentleman should reflect on the views of those on his own Front Bench. The hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) said on 17 June last year in the Standing Committee considering the Finance Bill:

> Whether our party changes its policy will depend on what the right policy is.—[*Official Report, Standing Committee* B, 17 June 1999; c. 659.]

I suppose it depends which part of the Conservative party one is a member of.

The Government recognise that a single currency exists, and we will ensure that United Kingdom small firms get the full benefit of the opportunities that it offers, whether Britain is in or out. We will ensure that the people of this country get an opportunity to decide whether Britain should join a single currency when the economic circumstances are right.

Mr. Dale Campbell-Savours (Workington): My right hon. Friend should ignore rigged Tory polls, which are what the hon. Member for New Forest, East (Dr. Lewis) cited. Business men in my constituency are making their position clear. They want to join the euro because they

believe that it will create better employment conditions in Britain, and they want an early referendum, so that the real arguments can be put before the British people.

Mrs. Liddell: My hon. Friend makes a valid point. More than 40 per cent. of United Kingdom SMEs already export to the euro zone. There are significant opportunities for them in that zone, but it is important for the entire UK economy that we make sure that the economic preconditions are right before the Government recommend to the people of this country, in a referendum, entry to a single currency. The Government have the commonsense approach; the Opposition's attitude is increasingly turning into xenophobia.

Mr. Dafydd Wigley (Caernarfon): I speak as president of a small business in my constituency which employs 130 people in the food manufacturing sector. Does the right hon. Lady accept that that sector, along with agriculture, from which we get our raw materials, and tourism, to which we sell a proportion of our product, are being undermined by the strength of the pound against the euro, and that there is a crying need for us to go into the euro at the correct rate, to give those sectors, along with sectors such as steel, the opportunity of a future in an export market?

Mrs. Liddell: I am very interested to hear about small firms that have presidents—an unusual development in the British small firms sector. It would not help any company, large or small, for the Government to take decisions that were not based on the best economic preconditions. That is why my right hon. Friend the Chancellor has set five commonsense tests that will have to be met before the Government could recommend to the country that we should join a single currency.

In the meantime, the existence of the euro zone means that the United Kingdom's small and medium-sized enterprises must look to their marketing and the consequences of increased price transparency. That is why in my Department we are concentrating on exports, the euro and electronic commerce, so that SMEs know the benefits of all three.

Aerospace

9. **Dr. Doug Naysmith** (Bristol, North-West): What support his Department has given the aerospace industry since May 1997. [115668]

The Secretary of State for Trade and Industry (Mr. Stephen Byers): I announced on 13 March that the Government would provide launch investment for the A3XX. Since 1997, the Government have made two other launch investment commitments, and we continue to support research and innovation.

Dr. Naysmith: I thank my right hon. Friend for that reply and for the repayable launch aid for the A3XX project. That is of great value to my constituents in Bristol, North-West and to the rest of the UK, where firms in the supply chain will feed into that international collaborative project. What support and help can my right hon. Friend give to firms that want to contribute to that sophisticated high-tech engineering project, and get a share of the action and of the work that will become available?

Mr. Byers: My hon. Friend raises an important point and I was pleased to visit Filton to see the excellent work being done at the plant. The aerospace industry is one in which Britain has a real lead in terms of worldwide development, which is one reason why we were prepared to make the launch investment available. We recognise how important and significant that is—it will safeguard about 62,000 jobs and create about 22,000 new ones. That is real investment and those are real jobs, which is what people want.

Mr. John Wilkinson (Ruislip-Northwood): While I have every sympathy for the project and hope that it goes well—the A3XX should fill the biggest niche in the market—can the Secretary of State explain why he did not announce the loan aid to the House? It is the biggest provision of loan capital of its kind for years and it has major implications for the industry as a whole. Will he assure the House that he is still in a position to give launch aid to other companies in the aerospace sector, if appropriate, and that other projects, such as the A400M, are still worthy of consideration?

Mr. Byers: I was unable to come to the House because the information was market sensitive and the stock market had to be informed first, which it was at 7.30 am. The reply to the parliamentary question was consequent on that. Those are the formalities that we had to complete and it is wholly appropriate that we did so. The hon. Gentleman raises an important point about a further order that may come to the Airbus consortium. Clearly he will be aware that there are strong arguments about why that project should be supported as well.

Mr. Barry Jones (Alyn and Deeside): My right hon. Friend deserves great credit for obtaining massive sums for the industry, but does he know that 4,200 Airbus workers in my constituency are incandescent with rage at the refusal of a regional grant? Has he had any discussions with the First Secretary as to how he might disgorge a modest sum to ensure that 1,400 jobs remain in my constituency? He might know that that decision is the most careless in the history of government in Wales—a kick in the teeth. All north Wales is contemptuous of a wretched decision that will do no good for the Assembly in Wales.

Mr. Byers: I understand my right hon. Friend's concerns. Yesterday evening, I met the First Secretary to discuss the situation in the light of his decision to refuse regional selective assistance. He has now agreed to meet the company and the representatives of the work force to try to identify whether there is a different way forward that can give support to the project from the Welsh Assembly, although not in the same way as originally proposed. I think that he now recognises the significant part that that can play and he is more than willing to have discussions with the company to identify a way forward.

Mr. Nick St. Aubyn (Guildford): At Dunsfold, on the edge of my constituency, nearly 1,000 jobs are being lost as a result of the closure of British Aerospace's plant.

Does not that also emphasise the Bank of England's projection that the manufacturing sector is heading for its second downturn in three years? For many people in manufacturing whose jobs are going, the Government's claims to have abolished the cycle of boom and bust have a hollow ring.

Mr. Byers: When the hon. Gentleman has the chance to refresh his memory of the manufacturing figures, he will see that there is no return to the days of boom and bust and that manufacturing has underlying strengths, which are coming to the fore. It is not good for manufacturing when people like him talk manufacturing down. There is much that is good in United Kingdom manufacturing and I am sure that he knows as well as I do that it does not want a return to the Conservative days of boom and bust, when 1 million manufacturing jobs were lost just over 10 years ago.

Manufacturing (Worcestershire)

10. **Mr. Michael J. Foster** (Worcester): If he will assess the competitiveness of manufacturing industry in Worcestershire. [115669]

The Minister for Trade (Mr. Richard Caborn): The west midlands economic strategy was published in autumn last year. It examined the competitiveness of the whole region, including Worcestershire, and recommended five priority actions to address issues that it identified. The economic strategy takes a wide view of the issues that bear on competitiveness, rather than concentrating solely on manufacturing. It identified the need for an increase in skills, support for innovation and a number of business clusters that could be developed in that area.

Mr. Foster: I thank the Minister for that answer. What support will be given to Worcestershire's manufacturing industry following BMW's decision to sell Rover?

Mr. Caborn: My right hon. Friend the Secretary of State has answered a number of questions that were raised—

Mr. Michael Fabricant (Lichfield): Not enough.

Madam Speaker: Order.

Mr. Caborn: Thank you, Madam Speaker.

A taskforce has been established and will report in the next few weeks. The Government will draw up their policies following its recommendations.

Mr. Alan Duncan (Rutland and Melton): Many manufacturers in Worcestershire are heavily reliant on their business with Rover. They will be none too pleased with the Labour Government's completely incompetent handling of the Rover issue: they raised hopes and then showed their naivety by being taken for suckers. What is the latest on the Secretary of State's proclaimed mission to find another buyer for Rover? To whom has he spoken? Who is on his nice little shortlist? What are the prospects for a different deal? What exactly has the beleaguered Secretary of State done—or was it just a Quixotic outburst?

Mr. Caborn: If Conservative Members had developed the industrial infrastructure of this nation when they were in power, we would not be facing these problems. I have no doubt that, if they were in power now, they would dispense with the committee that is considering the position of Rover, because Conservative Front Benchers intend to abolish the region development agencies. Conservative Members dismiss the plan for competitiveness that the RDA has proposed with the support of all the stakeholders in the region. The Conservatives have no track record on manufacturing.

Car Manufacturing (West Midlands)

11. **Mr. Peter Luff** (Mid–Worcestershire): What recent discussions he has had with Advantage West Midlands about the future of car manufacturing in the west midlands. [115670]

The Secretary of State for Trade and Industry (Mr. Stephen Byers): I met Alex Stevenson, chairman of Advantage West Midlands, on Friday 17 March, when I asked him to lead a taskforce to deal with the consequences of BMW's decision on Rover. I met members of Advantage West Midlands when I attended the first meeting of the taskforce on 18 March, and I met Mr. Stevenson again on 23 March.

Mr. Luff: As the Minister for Trade said in response to a previous question, Advantage West Midlands is leading the Longbridge taskforce. Does the Secretary of State recall telling the Sandwell and Dudley chamber of commerce recently that Advantage West Midlands came in the bottom half of the performance league of regional development agencies? Indeed, he hinted that it was one of the three underperforming agencies. Is it not bad enough to have the future of Rover handled by a Secretary of State who does not know what is going on, without his recklessly entrusting so much of the future of Longbridge and the whole of the motor manufacturing industry in the west midlands to such an incompetent organisation?

Mr. Byers: The taskforce has an important role to play. The way in which it has already conducted itself by bringing the partners together is a good lesson in how to respond positively to the difficult situation that we face in the west midlands. I believe that there is a lot of confidence in the taskforce. It has the serious job of economic regeneration and job creation. We should judge it on the programme that it produces, and should not talk it down, because that will not help anyone. We should plan constructively for the future. That is what Advantage West Midlands is about, and, more importantly, what the taskforce has been charged with doing. I am confident that it will do precisely that.

Mr. Lindsay Hoyle (Chorley): It was stated earlier that Professor Rhys does not believe that sensitive information should be shared with the Government. When pressed, he could not produce any evidence of that, and had to state honestly that it was merely his personal hunch. When the taskforce considers how to save jobs in the west midlands,

will the Secretary of State also have regard to the component industry outside the west midlands, especially suppliers from Lancashire?

Mr. Byers: I agree with my hon. Friend. What was interesting in the evidence given yesterday by BMW executives to the Select Committee were the many references to nods, winks and hunches and to the time on the face of a clock. That is really no way to do business. I think that, when the evidence is clearly before the Select Committee, people will be able to judge who said what and when, and the actions that were taken as a result. I will welcome that.

My hon. Friend's important point on components was well made. The fallout from BMW's decision goes beyond the west midlands. Clearly, the west midlands is more seriously affected than any other region, but the supply chain is across the country. What we have to do—we are able to do it now because of the inventory that we have from BMW—is to identify those manufacturers and engineering companies that are part of the supply chain, so that we can give them help and assistance when it is appropriate to do so.

Mrs. Angela Browning (Tiverton and Honiton): I wonder whether the Secretary of State could explain a bit about this taskforce that he has set up. Is its remit—in the light of his own remarks, on 16 March, that he believed that Longbridge had a "viable long-term future"—to try to keep the Longbridge operation as it is now? When he last spoke to the House on the subject, he seemed to be somewhat sceptical of the Alchemy deal. Is the taskforce working with Alchemy, or is it looking for alternative options for Longbridge?

Could the Secretary of State also explain how the taskforce committee has been set up? Concerns have been expressed that Bromsgrove council, for example, has not been included in the taskforce, although its council area covers one third of the Longbridge site. Why is it not included? The council clearly has an interest in the long-term future of Longbridge.

Mr. Byers: If the hon. Lady has suggestions about how the taskforce can be improved, I would be more than happy to take them on board. It is important that we have a taskforce in which everyone has confidence. If there is an issue about Bromsgrove not being represented on the taskforce, I should be more than happy to reflect on that and to ensure that there is appropriate representation.

I am particularly pleased that the right hon. Member for Sutton Coldfield (Sir N. Fowler) has agreed to be part of the taskforce. It is important that we have cross-party representation on the group, because there is a serious job of work to be done. The taskforce has a very important role, and I want it to be successful. I hope that all hon. Members will agree that that is the best way forward.

Mrs. Browning: I hope that the Secretary of State will consider the representations that he received, before the crisis broke, from my colleague, Mr. Malcolm Harbour MEP. Mr. Harbour wrote to me—on 27 February, before the Secretary of State knew that there was such a serious problem at Longbridge—asking me to read and agree to a letter, which I certainly did. I should add that he is not only the MEP for the West Midlands, but a former Rover director. He wrote to the Secretary of State saying:

> My purpose in writing to you now is to confirm that I would be pleased to join you for your meeting with Mr. Monti, both to demonstrate the cross party support for the aid package—

to Rover—

> and also to contribute my experience as a former senior Rover executive.

On 27 February, my colleague Malcolm Harbour was so concerned about the situation at Rover that he, with the support of official Opposition Front Benchers, offered the Secretary of State that expertise. Why has it not been taken up?

Mr. Byers: For the simple reason that it was a matter of the Government talking to the Commissioner. As the hon. Lady must know from her own experience as a Minister—certainly the right hon. Member for Wokingham (Mr. Redwood) will know from his experience as a Cabinet Minister—when there are Government to Commission meetings, one does not involve Members of the European Parliament. That is not the way in which business is done, and I am sorry that the hon. Lady is not aware of that. The right hon. Member for Wokingham is nodding in agreement.

Mr. John Redwood (Wokingham) *indicated dissent.*

Mr. Byers: The right hon. Gentleman knows that that is the way these things work. I am sorry that the hon. Lady is ignorant of these matters, but that is the reality of the situation.

Redundancy

12. **Dr. Ian Gibson** (Norwich, North): How the UK Government will respond to representations on its implementation of the collective redundancies directive. [115671]

The Minister for Competitiveness (Mr. Alan Johnson): The Government are satisfied that United Kingdom law fully and correctly implements the collective redundancies agreement.

Dr. Gibson: I thank my hon. Friend for that answer. He will be aware that the directive is quite strong and quite clear on the need to consult workers' representatives before redundancies are made, to improve the prospects of an agreement. Will he ensure that representations are made to the European Commission on trying to ensure that United Kingdom employment law prevents workers from discovering their fate in the morning newspapers or on the radio? Several trade unions are already making such representations. Will he support them?

Mr. Johnson: Thanks to the improvements that we introduced last year, employers who fail to inform and consult in good faith with a view to reaching agreement on matters, including the one which my hon. Friend cited—finding ways of avoiding redundancies, or mitigating their effects—are breaking the law.

Although there is no requirement for the consultation process to begin before the announcement of proposed redundancies, there is a requirement, in accordance with the directive, for the announcement to be made and the process to begin in good time. It will not normally be appropriate for dismissal notices to be issued before sufficient meaningful consultation has taken place. That is the position under existing law.

Business of the House

12.30 pm

Sir George Young (North-West Hampshire): Will the Leader of the House give the business for next week?

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): The business of the House for next week is as follows:

MONDAY 3 APRIL—Conclusion of remaining stages of the Child Support, Pensions and Social Security Bill.

TUESDAY 4 APRIL—Progress on remaining stages of the Freedom of Information Bill.

WEDNESDAY 5 APRIL—Conclusion of remaining stages of the Freedom of Information Bill.

THURSDAY 6 APRIL—Remaining stages of the Armed Forces Discipline Bill *[Lords]*.

Opposition Day [7th Allotted Day] Second Part. There will be a debate on "The Patten Commission Report on the Royal Ulster Constabulary" in the name of the Ulster Unionist party.

FRIDAY 7 APRIL—Private Members' Bills.

The provisional business for the following week will be as follows:

MONDAY 10 APRIL—Motion on Standing Committee on Regional Affairs.

Second Reading of the Nuclear Safeguards Bill *[Lords]*.

Remaining stages of the Royal Parks (Trading) Bill.

Second Reading of the Television Licence (Disclosure of Information) Bill.

TUESDAY 11 APRIL—Second Reading of the Local Government Bill *[Lords]*.

WEDNESDAY 12 APRIL—Opposition day [9th Allotted Day], there will be a debate on an Opposition motion. Subject to be announced.

THURSDAY 13 APRIL—Debate on Armed Forces Personnel on a motion for the Adjournment of the House.

FRIDAY 14 APRIL—Private Members Bills.

The House will also wish to be reminded that on Tuesday 4 April there will be a debate on Banana Imports in European Standing Committee A. Also, on Wednesday 12 April, there will be a debate on the White Paper on Food Safety in the European Union in European Standing Committee C. Details of the relevant documents will be given in the *Official Report*.

[*Tuesday 4 April 2000:*

European Standing Committee A—Relevant European Union document: 13048/99, Banana Imports; Relevant European Scrutiny Committee Reports: HC 23-v and HC 23-x (1999-2000).]

[*Wednesday 12 April 2000:*

European Standing Committee C—Relevant European Union document: 5761/00, White Paper on Food Safety in the European Union; Relevant European Scrutiny Committee Report: HC 23-x 1999-2000).]

Sir George Young: I thank the Leader of the House for giving us next week's business, and an indication of the business that will be dealt with in the following week. I particularly welcome the announcement of the first of the three armed services debates for which I asked last week. There is concern in all parts of the House about the pressure on our armed forces, and the debate will give the House an opportunity to air its worries.

I am also grateful for the right hon. Lady's response to the request that I made last week for next Thursday's business to be thinned out. She has removed Second Reading of the Sea Fishing Grants (Charges) Bill. That is the good news; the bad news is that the following Monday now looks rather congested. We must first debate, for an hour and a half, a motion on a new Standing Committee; then we must debate Second Reading of the Nuclear Safeguards Bill, the remaining stages of the Royal Parks (Trading) Bill, and Second Reading of a Government Bill. At a time when the right hon. Lady is under pressure from her own colleagues to ensure that the House does not sit too late, is it sensible to table so much business for one day?

In view of the widespread problems in agriculture and the expectations aroused by today's meeting at No. 10 Downing street, might we expect a statement from the Government on the outcome of the farming summit?

Last week, when I asked for a statement about BMW, the right hon. Lady replied, referring to the Secretary of State for Trade and Industry:

> 'I anticipate that he will do what he can to keep the House informed on the progress of any discussion in which he is engaged.—[*Official Report*, 23 March 2000; Vol. 346, c. 1113.]

The exchange that took place at Question Time an hour ago was not sufficient. I believe that the Government owe the House nothing less than a full day's debate on the future of Rover.

Mrs. Beckett: I thank the right hon. Gentleman for his recognition of the steps taken by the Government to provide some of the discussions that the House has been seeking, and for his recognition of the fact that, in response to his representations, we have thinned out Thursday's business. I undertake to look at next Monday's business, but I must point out that, in a cumulative sense, none of it amounts to more than a normal day's business. It involves useful but relatively minor measures, with which we can deal with no difficulty in the course of an ordinary sitting day. That is what I hope and anticipate that the House will do.

The right hon. Gentleman also asked for a statement on the outcome of the farming summit. I anticipate that my right hon. Friend will seek a means of making information available. He may well answer a question later today and make back-up information available to the House.

Finally, the right hon. Gentleman asked for a statement on BMW. We have just had Trade and Industry questions and I understand that the issue took up a considerable amount of time. As for a longer debate, although I was not able to be here throughout Question Time, my understanding from my hon. Friend the Member for Bolsover (Mr. Skinner), who is a good judge of such matters, is that it might not be to the Conservatives' advantage to have the matter discussed at greater length.

Mr. Paul Flynn (Newport, West): Proof of the power of business questions came in yesterday's long-awaited

[Mr. Paul Flynn]

announcement on the take-up of the minimum income guarantee—an issue that has been raised in this forum and in early-day motion 2:

[*That this House applauds the Government's intention to ensure that all pensioners entitled to income support receive it, making it a genuine minimum income guarantee; notes that, although the minimum income guarantee was introduced in April 1999, the promised national programme of measures to maximise take-up is still awaited; and urges the Secretary of State for Social Security to announce that claims made by pensioners after the date of that announcement will be treated as having been made on that date and that arrears of benefit will be paid accordingly.*]

Unfortunately, we have not had a chance to debate this important Government initiative, but as it has been delayed for more than a year, can we debate the possibility of giving those who have been denied the minimum income guarantee for a year the opportunity to have their claims backdated, just as pension payments delayed by the Government are backdated?

Mrs. Beckett: When I heard the public announcement of the campaign, I immediately thought of my hon. Friend and thought that it had disposed of at least one business question. I should have known better. My hon. Friend should rest on his laurels for a little while. It was an important announcement and we all very much hope that it will solve a serious problem that has existed under successive Governments of all political shades. I cannot undertake to find time for a further debate on the subject in the near future. He will know that it is constantly discussed and kept under review.

Mr. Paul Tyler (North Cornwall): The Leader of the House has just said that her right hon. Friend will make a statement on the outcome of the farming summit. Will she clarify which right hon. Friend? As the Prime Minister has made it clear for many weeks that the issue is a personal initiative and he is chairing the meeting this afternoon, can we be assured that he will demonstrate the severity of the crisis and the seriousness with which the Government are facing it by making a statement himself at the earliest opportunity? Answering a written question late on a Thursday afternoon is not sufficient to recognise the scale of the crisis.

Secondly, will the right hon. Lady clarify how the Government intend to handle the two days of debate on the Freedom of Information Bill? She will be aware that Front Benchers and Back Benchers on both sides of the House have tabled amendments, some of which have been jointly tabled. The management of that debate is extremely important for the interests of Back Benchers, for whom she has responsibility.

Thirdly, will the right hon. Lady undertake, as she has in the past, to look again at the issue of buck passing of Members' correspondence and questions? I draw her attention to a new twist in that tangled web. I wrote to the Minister of Agriculture, Fisheries and Food about meat inspection charges, which are very important to the agriculture industry. The Ministry sat on the question for a few days and then sent me a letter saying that, after 1 April, the issue will be the responsibility of the Food Standards Agency. By sitting on the question, the Ministry has passed the buck to a non-ministerial source. Hon. Members on both sides of the House will recognise that that is a new feature. If the Minister is accountable for the issue now, surely he must answer the question.

Mrs. Beckett: I cannot agree with the hon. Gentleman that we should hold on to the outcome of the discussions rather than answer a written question this afternoon, as I anticipate that my right hon. Friend the Minister of Agriculture, Fisheries and Food will do, and make the back-up information available to the House as speedily as we can. The hon. Gentleman says that that is not satisfactory, but this is where we are—it is Thursday afternoon now. Unless he does not want the farming industry to discuss the issue over the weekend, I see no solution to his problem. The discussions are under way and they will be properly reported to the House. As Madam Speaker has often pointed out, to make a statement by way of a written answer is a perfectly acceptable means of providing information to the House.

Mr. Eric Forth (Bromley and Chislehurst): No, it is not.

Mrs. Beckett: The right hon. Gentleman is being uncharacteristically foolish. There is nothing wrong with it in any way, shape or form. I remind him that Madam Speaker has stated that repeatedly. It is not true that there is something wrong with providing information through a written answer to the House. Indeed, usually, hon. Members complain that they do not get information through written questions.

The hon. Member for North Cornwall (Mr. Tyler) asked about the handling of the two-day Freedom of Information Bill debate. I agree that it will be important to try to manage the debate well. It will be possible in that time to air the issues that are genuinely of concern and to have a properly conducted debate. However, when a number of hon. Members wish to take part and there are a number of important issues to discuss, that requires management. As ever, the Government remain more than willing to discuss how that debate might be structured, so as to ensure that Back Benchers have the chance to make their concerns heard.

Mr. Gerry Steinberg (City of Durham): May I pursue the subject of the miners' pension fund, which was discussed earlier today at Question Time? My right hon. Friend will be aware that the previous Government and the trustees of the fund came to arrangements in 1994 after privatisation. The fund is now in excess of £23 billion and makes huge surpluses for the Treasury. Does she believe that it is time to look again at the distribution of those surpluses and to redistribute them more to retired miners—some of whom receive less than £10 a week—and to old coalfield communities, where there is still much devastation? May we please have a debate on that subject to discuss the obvious need to look again at the distribution of those funds?

Mrs. Beckett: I am grateful to my hon. Friend for raising what is a matter of great concern and interest, particularly in coalfield areas. I believe that the Minister for Energy and Competitiveness in Europe, my right hon. Friend the Member for Airdrie and Shotts (Mrs. Liddell),

is looking into the matter, and has undertaken to discuss it with the trustees and to report back. Until those discussions have taken place, I do not anticipate being able in the near future to find time in the House for such a debate, but I remind him of the existence of Westminster Hall, where he might find that those concerns can be well aired.

Mr. Nigel Evans (Ribble Valley): I know that the Leader of the House thinks that it is in order for an answer to be given to a written question on the agriculture summit today, but it is not appropriate for my farmers, who are suffering the worst crisis in years. Farmers in the Ribble Valley are going broke, dairy farmers are getting lower farmgate prices for their milk and the industry is reeling. That covers a lot of people: not just farmers, but others in business who provide goods and services to the farming industry. Please will she ask the Prime Minister to come to the Dispatch Box? We know that he does not like the House of Commons, but will he make a statement, so that we can personally question him on what assistance he will give to our farming industry?

Mrs. Beckett: The farming industry is interested in the outcome of today's discussions, and in practical advice, assistance and support, which it looks for from the Government. I do not think that it is nearly so interested in the grand standing of Opposition Members or, indeed, in expressions of concern. I do not see why the industry should be grateful to them for one second for delaying an important announcement that the farming industry wants to hear, so that they can have their day in the House at prime time. That is not what we are here for.

Mr. Gordon Prentice (Pendle): May we have an early debate on the hugely significant report from the Police Foundation, which was published on Tuesday and which fundamentally alters the rules about drugs? I do not want the report to be kicked into the long grass, so to speak.

My right hon. Friend will be aware that, throughout continental Europe, the laws are changing: in Portugal and Spain, cannabis is being decriminalised; in Ireland, people cannot be sent to prison for using it. The report was two years in the making. There were eminent members on the commission, including two chief constables, many scientists and pharmacologists. It would be a tragedy if the report were sidelined. It should be given debating time in the Chamber.

Mrs. Beckett: I do not think that anyone has any intention of sidelining the report, let alone of kicking it into what my hon. Friend so aptly called "the long grass". The report is thorough and contains a large number of recommendations, and it includes an endorsement of the Government's national drugs strategy. I have no doubt that the Government will want to give it very careful and thorough consideration, and that they will report in due course. However, in all honesty, I must say to my hon. Friend that I do not anticipate that that will be in the next few days.

Mr. Nicholas Winterton (Macclesfield): The right hon. Lady is a leading and distinguished member of the Government but, as Leader of the House and Chairman of the Select Committee on Modernisation, she also has duties to the House. When will she find time for a debate on the Procedure Committee's report on the Government's expenditure plans, to which she has replied, on behalf of the Government, in a way that is, sadly, very negative? The recommendations of the Procedure Committee were picked up in the report from the Liaison Committee, so when will she find time for the House to debate how important issues are discussed in the Chamber and in Select Committee, and the restoration of the House's authority and integrity?

Mrs. Beckett: I am confident that the hon. Gentleman will agree that it would not be right to suggest that the House's integrity and authority had been undermined, but I accept that the Liaison Committee and the Procedure Committee have made some proposals that they consider would lead to improvement. The hon. Gentleman will appreciate that every Government at this time of year naturally concentrate on getting legislation through. However, although I am mindful of the importance of the debates that he seeks, I cannot give him a date in the near future.

Mr. Jim Cousins (Newcastle upon Tyne, Central): I congratulate my right hon. Friend on the proposal to establish the Standing Committee on Regional Affairs, for which I have asked persistently. I also wish to place on record my acknowledgement of my right hon. Friend's personal work in the Modernisation Committee to bring that about. I do not want to anticipate the debate on the matter that we are due to have in 10 days' time, but can she assure the House that the Committee will genuinely allow hon. Members from the English regions to put forward items of business, and that there will be no inhibition against Ministers having to account for their actions in the regions?

Mrs. Beckett: I thank my hon. Friend for his remarks. Although we discussed the matter at the Modernisation Committee, and our debate was very helpful, the proposal to revive the relevant Standing Order that is already on what might be called our statute book stems from the Government. However, I certainly believe that the Committee will be a forum that will offer a genuine additional opportunity for debates focused on the concerns of the English regions. Knowing hon. Members, I have no doubt at all that the debates will be without inhibition.

Mr. Oliver Heald (North-East Hertfordshire): May I ask about the timing of the Report stage of the Regulation of Investigatory Powers Bill? The right hon. Lady will know that there has been a barrage of criticism of the technical requirements and possible cost burdens that will be placed on internet service providers by the Bill. In Committee, the Minister of State, Home Office, the hon. Member for Norwich, South (Mr. Clarke), has said that he is having consultants prepare a technical document that will deal with those issues. Given the importance of knowing what the costs and technical burdens are, will the Leader of the House speak to the Minister to see whether it is possible to hold the Bill's Report stage after the consultants' report has been published, so that hon. Members can see the true picture?

Mrs. Beckett: Certainly, I take on board the hon. Gentleman's remarks, and I shall draw them to the attention of my hon. Friend the Minister of State. I fear

[Mrs. Beckett]

that, without notice, I cannot undertake to accede to that request, as I shall have to make inquiries to discover the relative time scales, but I shall discuss the matter with my hon. Friend.

Mr. David Watts (St. Helens, North): The Wellcome Trust appears to have been able to blackmail the Government into deciding to remove the synchrotron from the north-west, and seven of its trustees seem to have been involved in the decision even though they did not declare their professional and financial interests in it. Given that background, will my right hon. Friend the Leader of the House ask my right hon. Friend the Secretary of State for Trade and Industry to make a statement about the Wellcome Trust's involvement in the future of Britain's science?

Mrs. Beckett: My hon. Friend expresses an anxiety that is felt on both sides of the House and is shared by the Government, as my right hon. Friend the Secretary of State has frequently made clear. I fear that I cannot undertake to ask my right hon. Friend to return to the Dispatch Box for a special statement, especially when he has only just had Question Time. The Government understand the concern expressed and will do all that we can to address it with other proposals for the science base.

Rev. Martin Smyth (Belfast, South): I would not want to delay farmers gaining knowledge of what is going on today, but would it be possible for the First Lord of the Treasury to come to this House and make a statement in relation to early-day motion 551?

[*That this House notes that the deadline for the Government to submit this year's claim for agrimonetary compensation is the end of April; recognises that agriculture is going through a very difficult period, not least because of the high value of sterling against the euro; sees agrimonetary compensation as a directly relevant way of ameliorating this problem; notes that all EU states, with the exception of the UK, have over recent years claimed the EU-funded share of agrimonetary compensation; and calls on the Government to submit a full claim before the end of April.*]

It deals with the drawing down of agrimonetary compensation. At a time when the farming community is under severe threat, the right hon. Gentleman might be able to tell us why, for the second year in succession, farmers in Northern Ireland—who should have had payments several months ago—have been told that they can get nothing until after 5 April, despite the Government's present surplus.

Mrs. Beckett: As the existence of the meeting today confirms, the Government are aware of, and sympathetic to, the difficulties that farmers have been experiencing. The hon. Gentleman may know that, by the end of 2001, the Government expect to have paid £529 million in agrimonetary aid since 1997. We continue to keep the matters under review. I cannot undertake to ask my right hon. Friend the Prime Minister to come to this House to make a statement, but I can assure the hon. Gentleman that the Government are more than anxious to make the news of what is proposed and discussed with farmers available to hon. Members and to the farming community.

Shona McIsaac (Cleethorpes): I have served on the Committee scrutinising the Freedom of Information Bill, where there were some full debates. In order for us to have meaningful debates in the Chamber, could the remaining stages of the Bill be discussed on a timetable motion?

Mrs. Beckett: Whether we have a timetable for the debate on a programme motion has to be agreed across the House. The Government are more than willing to engage in discussions in the hope that we can get a good structure for the debate, so that hon. Members can be confident that they will have the opportunity to air their concerns.

Mr. Eric Forth (Bromley and Chislehurst): At the risk of incurring the wrath of the Leader of the House, could I have the temerity to suggest a debate in the House of Commons in Government time? I know that that thought increasingly appals the right hon. Lady, but it strikes me that it would be useful—indeed essential—following today's questions to have a full debate in Government time on Rover. The Secretary of State for Trade and Industry was only too happy to trumpet what he regarded as the success of his lashings of taxpayers' money for the Rover group at the time. He now seems remarkably silent on the subject, and unwilling to divulge the relationship between him being persuaded to give a lots of taxpayers' money to Rover and, a few months later, having to admit that the whole thing has turned into a fiasco. Can we get to the bottom of this by having a debate on the Floor of the House in Government time, with the Secretary of State here?

Mrs. Beckett: I am sure that the right hon. Gentleman or someone else will correct me if I am wrong, but I do not recall having a debate in Government time when the funding was made available for Rover, although it was properly announced in the House, as the House would expect. I fear that I cannot undertake to find time for a debate in Government time in the near future on BMW, although it is a matter of great concern. The House is anxious about the future and welfare of people at Longbridge and in the west midlands. Everyone on this side of the House is anxious to do all that we can to assist and support them, and I hope that that is true also of the Opposition.

Mr. Barry Gardiner (Brent, North): Can my right hon. Friend advise the House when the draft Bill on commonhold and leasehold reform will be published? Will she consider establishing a scrutiny committee for that Bill, given that it will establish a new form of property tenure in the law of England and Wales?

Mrs. Beckett: My hon. Friend makes an interesting and important point. I cannot at the moment give him a date for the likely publication of the Bill. However, as he knows, the Government are keen to promote pre-legislative scrutiny and good discussion, especially of Bills that are not only important but contain technical matters. My hon. Friend makes a very interesting suggestion, and I undertake to consider it.

Mr. Peter Brooke (Cities of London and Westminster): Given the mystification of my old-age pensioner constituents that the concessions for the over-75s on the television licence appear to have made no

practical progress so far, will the Leader of the House accept that my constituents will regard it as wholly in line with their mystification that the Television Licence (Disclosure of Information) Bill is not to be published until after her statement today, and that it also seems as if it will be debated in the middle of the night?

Mrs. Beckett: To be honest, I do not think that the right hon. Gentleman's constituents care when the Bill is debated as long as it goes through and they get their free television licences.

Helen Jones (Warrington, North): Could my right hon. Friend find time for a debate on the Benefits Agency medical services, particularly the role of Sema Group Medical Services in arranging medical examinations and the instructions that it gives its doctors? In view of the number of cases that I and, I am sure, other hon. Members have seen in which doctors have spent as little as 15 minutes on an examination, including the paperwork, is it not time that the House had a proper debate about what is happening in these examinations? In that way, we can ensure that people claiming disability benefits get a fair deal and that there is a proper complaints process when the system goes wrong.

Mrs. Beckett: I know that all right hon. and hon. Members have, from time to time, experienced cases of this kind in which difficulty or resentment is caused. I believe that my right hon. Friend the Secretary of State for Health has given an undertaking that he will look at such issues if they are raised, and I will draw my hon. Friend's remarks to his attention.

Mr. Richard Shepherd (Aldridge-Brownhills): As we already have a Standing Committee on Regional Affairs, and as under Standing Order No. 117 it has the widest possible remit and enables every Member representing an English constituency to attend, why is it necessary to bring forward a motion? Could the Leader of the House not save the time of the House by not doing so?

Mrs. Beckett: I believe that the existing Standing Order on the Regional Affairs Committee, as it is on our statute book, so to speak, was devised by a previous Labour Government in the hope that devolution on that occasion would successfully reach the statute book. It has lain in desuetude in the intervening period. The Government believe that there is the potential for improvement in the proposals that were made then, particularly in building up a degree of expertise among a core membership who may specialise in regional affairs per se. The purpose of reviving an existing facility of the House which has not been used for many years is that any Member who sits for an English constituency will be able to attend and take part in those discussions. That is the worth of reviving the proposal.

Mr. Desmond Browne (Kilmarnock and Loudoun): Has my right hon. Friend had an opportunity to read the excellent and commendably short third report of the Select Committee on Science and Technology entitled "Scientific Advisory System: Diabetes and Driving Licences"? The report is highly critical of the arbitrary nature of the application of driving licence regulations to insulin-treated diabetic drivers, and makes important recommendations. There are 100,000 insulin-treated diabetic drivers in the United Kingdom. Does my right hon. Friend think that she could find some time in the near future to discuss these important recommendations?

Mrs. Beckett: My hon. Friend makes an important point. I fear that I cannot undertake to find time, which is always at a premium, on the Floor of the House for such a debate. However, I remind him that one of the principal reasons for the proposal to have extra sittings in Westminster Hall was to find more time for debate and scrutiny, particularly of Select Committee reports. May I recommend that course to him?

Mr. Tim Collins (Westmorland and Lonsdale): Can the right hon. Lady find time for a debate on tourism? The recent decision by the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Sunderland, South (Mr. Mullin), to confirm a ban on motor sports on Lake Windermere is likely to cost around 500 jobs in my constituency. Will the Government look constructively at the case advanced by Cumbria tourist board and other organisations for assistance to those likely to lose business or their jobs?

Mrs. Beckett: I am aware of the proposal endorsed by my hon. Friend the Under–Secretary. I appreciate that it raises concerns for some people, but it is a step that others have long sought. I see the hon. Gentleman assenting to that. I cannot undertake to find time for a debate on the Floor of the House, but shall draw his remarks to my hon. Friend's attention. I recommend to the hon. Gentleman the facilities of Westminster Hall.

Mr. Jonathan Shaw (Chatham and Aylesford): Is my right hon. Friend aware of press reports suggesting that the Home Office has made up its mind on the successful applicants for the prestigious city status awards? Outrageously, the press has suggested that the Medway towns, which, as I am sure she will agree, have made the finest bid, are not in the running. She will share my joy that the Under-Secretary of State for the Home Department, my hon. Friend the Member for North Warwickshire (Mr. O'Brien), has told me that that is not the case. The criteria have not yet been written and no announcement has even been timetabled.

Those who have made applications have been kept too long in the dark. Local people make a lot of effort to present the best of their areas, and it is time we heard from the Home Office when an announcement will be made. I should be grateful if my right hon. Friend could pass on that message.

Mrs. Beckett: I certainly cannot tell my hon. Friend when an announcement will be made. I can, however, confirm that the document reported in the press had not been seen by Ministers and was not even official advice to them. I entirely understand my hon. Friend's strong argument in favour of his own locality, but, with my hon. Friend the Member for Hove (Mr. Caplin) sitting behind me, he will understand that it is more than I dare do to endorse any applicant bid. I shall certainly draw his concerns to the attention of the Home Office.

Mr. David Chidgey (Eastleigh): The Leader of the House may recall that the Select Committee on Foreign

[Mr. David Chidgey]

Affairs published its first annual report on human rights in January. The Government are responding to that report today. The Committee drew attention to the fact that a loophole in the law makes it possible for British firms to manufacture and export leg irons and shackles. The Foreign Secretary acknowledged the fault and said that new legislation would be prepared to close the loophole. Two months have since passed. Will the right hon. Lady let us know when that legislation will come before us, and what form it will take?

Mrs. Beckett: Of course I recognise the serious concerns contained in the report, which are shared across the House. Two months is not long in which to consider legislative change, and it is never right for me to anticipate future decisions about the form of legislation. However, I take the hon. Gentleman's point on board and shall bear it in mind.

Mr. David Taylor (North-West Leicestershire): Concern has been rightly expressed today about cars, agriculture and mining. May I bring to the attention of the Leader of the House the position of the United Kingdom's snack and biscuit industry, which employs tens of thousands of people, including the 11,000 employed by United Biscuits, which has more than 3,000 workers on three sites in Ashby de la Zouch in my constituency? They face a takeover bid by a consortium that includes an American equity finance firm with a slash-and-burn reputation that would warm the cockles of the hearts of Conservative Members. Several thousand jobs are in peril. Will my right hon. Friend please find time for a debate and urge my right hon. Friend the Secretary of State for Trade and Industry to review that takeover bid?

Mrs. Beckett: I certainly undertake to draw my hon. Friend's concern to the attention of my right hon. Friend the Secretary of State for Trade and Industry. Whether my right hon. Friend calls in bids is a delicate matter requiring careful consideration. I fear that I cannot undertake to find time in the near future for a debate in the House, and I recommend Westminster Hall to my hon. Friend.

Mr. Patrick McLoughlin (West Derbyshire): Can the Leader of the House understand the concern of Members who represent rural constituencies about a written question on farming on the Order Paper, tabled by a Member who represents a Bristol constituency? Given that the Government pretend to have many Members representing rural constituencies, it does not warm hearts that they have had to get a Member from Bristol to ask a question on this matter. No doubt this evening the Minister of Agriculture, Fisheries and Food will give numerous interviews on television and the radio, but Members of this House, elected to represent their constituents, will not have the chance to question him. Why can we not have a statement at seven o'clock tonight?

Mrs. Beckett: The hon. Gentleman's first point is more than a little bizarre. My understanding of the Bristol economy is that it has always had many links with the farming community which, in many ways, surrounds it. It is a rather strange concern to express. Of course I accept that the matter is of interest to the whole House. The farming industry wants to have those discussions and to know the outcome, which we hope will be constructive and with which it will be able to work. If it is possible, it is always desirable to structure every discussion that takes place in Government so that it can be reported in the middle of the week and the House can more readily address it, but we cannot bring government to a halt on the days surrounding weekends so that the House has the opportunity to hear a statement at a convenient time. The decisions and outcome are most important. Of course it is also extremely important that Members have those properly reported to them and have an opportunity to pursue them, and that opportunity will come.

Mr. Peter Bradley (The Wrekin): In the light of persistent rumours that the list of new peers will include Mr. Michael Ashcroft, will my right hon. Friend arrange for a debate on the honours system? Could she conceive of any circumstances in which the Labour party would nominate for a peerage a man who has been a tax exile for the best part of 20 years, is an overseas resident and a representative of a foreign Government at the United Nations? Could she arrange, too, for proper scrutiny of the Scrutiny Committee which, apparently, only a year ago rejected his nomination but, if the rumours are accurate, has now rolled over in the face of disturbing lobbying from the Tory party which is, clearly, bankrupt in more ways than one? Does she agree that this episode illustrates beyond doubt that the party that now pioneers cash for coronets has sunk to depths previously unplumbed?

Mrs. Beckett: I fear that I cannot find time for a debate of the kind that my hon. Friend seeks. I am happy to say that I have no knowledge of whether the constant rumours that one reads are true. The particular characteristics of Mr. Ashcroft, including his representation of another power, are so unusual that his nomination would be unprecedented from any party. His is an unusual, if not unique, situation. Further than that, I will not go.

Mr. Bob Russell (Colchester): Can the Leader of the House find time for a debate on Wembley stadium and, in particular, on the Wembley taskforce? She must be aware that this subject is controversial—so controversial that the two Departments do not know which one is responsible for the taskforce. On Monday, I had a question tabled to the Department for Culture, Media and Sport, which was kicked into touch because that Department ruled that it was a matter for the Department of the Environment, Transport and the Regions. Does she agree that the House is entitled to debate Wembley stadium and every aspect of the taskforce's work?

Mrs. Beckett: Of course the House is entitled to debate the taskforce and its work. Nobody would contest that. I am sorry if there has been a delay in answering the hon. Gentleman's question because of the confusion that he has identified. I shall draw the matter to the attention of my right hon. Friends.

Mr. Phil Hope (Corby): My right hon. Friend will be aware that last week the Government's social exclusion unit published a wide-ranging report on young people. It is a comprehensive analysis of the position facing

young people today and makes several far-reaching recommendations about the creation of a ministerial group on young people and a youth card—a smart card for discounts on travel and other benefits. It calls on the Government to produce a comprehensive strategy to respond to the needs of young people. It is a vital report, yet it has not received much attention in the media. It has been overlooked, so may we have an urgent debate on the Floor of the House to raise the profile of the needs of young people in Britain today?

Mrs. Beckett: I share my hon. Friend's view that the report is interesting; it raises several important matters that will need to be discussed. Of course, as the report is important, weighty and worthy of consideration, it has not received much media coverage. However, I fear that I cannot undertake to find time for a special debate on it in the near future. My hon. Friend may find opportunities today, or on another occasion, to raise some of the issues that it sets out. They require the thorough consideration and debate that I am sure they will receive.

Mr. John Wilkinson (Ruislip-Northwood): Why cannot the Leader of the House find time for the Secretary of State for Foreign and Commonwealth Affairs to announce in debate a success for his ethical foreign policy? Does the right hon. Lady realise how earnestly such a success is sought—most notably by the white farmers of Zimbabwe, who daily face forcible expropriation of their farms? Many of those farmers are British, and the House is entitled to know how the Secretary of State's foreign policy will curtail the lawless excesses that are being perpetrated in Zimbabwe, especially as that country is a recipient of British overseas aid and one to which Britain has exported armaments.

Mrs. Beckett: The hon. Gentleman must be aware of the Government's concerns about some of the things that have been happening in Zimbabwe and about the behaviour of the Zimbabwean Government. Only recently, we had to make strong protests to them. I hope that the hon. Gentleman will also be aware that the staff in Zimbabwe have—I understand—been increased to provide continuing help and support. The Government will maintain that role.

Mr. David Chaytor (Bury, North): In view of the welcome ministerial statement earlier this week, announcing the deferral of the decision on the public-private partnership for British Nuclear Fuels plc; in view of the continuing pressure applied to BNFL by utilities in Japan, Germany and Sweden; and in view of the pressure to close Sellafield now being applied by the Governments of Ireland, Iceland and Denmark, does my right hon. Friend agree that there is an irrefutable argument for holding a debate in Government time on the future of nuclear energy and, in particular, of nuclear reprocessing in this country?

Mrs. Beckett: I understand my hon. Friend's interest in this difficult and complex subject. May I pick him up on one point? He mentioned the calls about Sellafield from the Irish and Danish Governments. I think that I am right in saying that those Governments are not calling for the closure of Sellafield. It is not possible to close Sellafield, which is an important facility where large quantities of material need to be held and managed safely. Those Governments are calling for no further reprocessing and we have that matter under review.

My hon. Friend will know that BNFL has some current difficulties with its customers; those are for the company to resolve. Until there has been some progress on that, I cannot undertake to find time for a debate on the matter in the short term.

Mr. Graham Brady (Altrincham and Sale, West): Last week, the Commissioner for Public Appointments published a report which made important recommendations for ending what she found to be a systematic process of politicisation in NHS appointments under the Labour Government. Will the Leader of the House tell us when there will be either a debate on the report or a Government statement on when and how those recommendations will be implemented?

Mrs. Beckett: Of course, I am aware of the commissioner's report. I am a little surprised that the hon. Gentleman is so keen to highlight the comments to which he referred, as the system under which those appointments are made was set up by the previous Conservative Government. He should be aware that the sifting and interviews for such appointments are undertaken by a panel with an independent assessor, and that the process is not open to Ministers. Nor have Ministers appointed anyone—

Mr. Brady *indicated dissent.*

Mrs. Beckett: I do not know why the hon. Gentleman shakes his head. Those are facts, not matters of opinion. Ministers are not in a position to appoint anyone who has not been through that process. The hon. Gentleman should be aware of that; if he is not, that is no doubt why he continues to raise a matter that is erroneous.

Dr. George Turner (North-West Norfolk): I am sad to tell the House that, for the second time within a few months, Barclays will close a branch in my constituency—this time, in Terrington St. Clement. Yesterday, the Prime Minister made it clear that the Government believe that when banks close, communities can be served by post offices. Last night's debate, in particular, made it clear that while there is uncertainty, there will be mischief making from Conservative Members about the future of the Post Office. The report that we await from the performance and innovation unit will be very important. Will my right hon. Friend undertake to provide an early opportunity, following its publication, for a proper and thorough debate in the House on its contents?

Mrs. Beckett: Of course I am aware of the concern that my hon. Friend has repeatedly raised in the House on behalf of his constituents about the impact of such closures. I know that that concern is shared by many Members and in many parts of the country, and the issue was discussed in Westminster Hall yesterday. We await the publication soon of the report to which he referred, but I cannot undertake to find time for a debate on it in the near future in this Chamber. However, no doubt to the despair of Opposition Members, I recommend to him that it is a matter that can be pursued in Westminster Hall.

Mr. Owen Paterson (North Shropshire): Today's replies from the Leader of the House on agriculture show

[Mr. Owen Paterson]

the real problem. With my hon. Friend the Member for Eddisbury (Mr. O'Brien), I represent the largest milk-producing area in western Europe. World demand for dairy products is increasing by 10 per cent. a year, but 10 or 12 quota holders in that area are applying to get out of the industry and people are emigrating to Saskatchewan. If the Prime Minister is going to devote time to the summit that has raised hopes in the farming industry, will he make time to come to the House so that we can see whether he has understood the issues?

Mrs. Beckett: With respect to the hon. Gentleman, it is important for Members to put the case on behalf of their constituents. However, people in the farming industry probably think that they are capable of putting their concerns across in person to my right hon. Friend the Prime Minister. That is why they are meeting him today. I accept that Members will wish to pursue any announcements that are made and to raise issues on behalf of their constituents. I remind the hon. Gentleman that Members can today table questions for the next Agriculture Question Time, which will be held on 13 April.

Mr. Desmond Swayne (New Forest, West): When I was at school, if a boy showed unnatural inclinations, he was taken in the most sensitive way to see a shrink. *[Interruption.]* Now the Headmasters Conference has been told that, under the Government's human rights legislation, headmasters must tolerate openly homosexual relationships among their pupils. Today's newspapers carry reports that the Lord Chancellor is considering ways of protecting the legal system—and the English way of life—from the deluge of law suits that are about to hit it. Can we have a statement on the work that the Lord Chancellor's Department is doing in that respect?

Mrs. Beckett: I am afraid that, such was the reaction to the hon. Gentleman's remarks, that I was not able to follow them as readily as I might have wished. Therefore, I will simply say to him that of course I recognise that some of the legislative steps that have been taken will have implications for the future handling of cases and for the law courts. However, I was under the impression that the general moves were supported on both sides of the House.

Mr. Michael Fabricant (Lichfield): Will the right hon. Lady please impress on her right hon. Friends that this place is a Parliament where people are meant to parley? *[Interruption.]* For those Members who have not learned basic French, that means to talk. It will really not do, when there is such an important issue as Rover, for a Secretary of State to say that a written answer will suffice. At Question Time today, the Secretary of State for Trade and Industry refused to make public any of the correspondence that he has had with Rover or with BMW. More worryingly, the Chairman of the Select Committee on Trade and Industry has announced in his question that, in effect, he has already concluded what his inquiry findings will be. Will the right hon. Lady please either insist that we have a full-day's debate or use what influence she has to ensure that the Secretary of State for Trade and Industry comes to the House to make a full statement?

Mrs. Beckett: Given what seem to be the rather chauvinist tendencies developing among Conservative Members, the hon. Gentleman is taking his life in his hands by using a foreign language in the Chamber, but that is a matter for him. I did not hear the exchange between my right hon. Friend the Secretary of State and hon. Members about the subject to which he refers, but the Select Committee's conclusion is a matter for the Committee, and one that it will discuss. My right hon. Friend keeps the House informed, as he can, about the progress of discussions, and I am sure that no hon. Member would want him to do so in a way or at a time that might jeopardise the future success of such discussions.

Mr. John Bercow (Buckingham): May we have an early debate, in Government time, on regional aid to the British car industry? Does the Leader of the House agree that such a debate would be an ideal opportunity for the Secretary of State for Trade and Industry to explain to the House when he will be able to produce a regional aid map that is acceptable to his masters in the European Commission in Brussels, or simply to own up to the House that for all his charm and affability, he is not up to the job of Secretary of State and will speedily make way for someone who is?

Mrs. Beckett: Not only is it nonsense to suggest that my right hon. Friend is not extremely successful and effective in the post of Secretary of State, where he is doing a good job, but I remind the hon. Gentleman that my right hon. Friend has served in the job for longer than any of his 15 predecessors.

Dr. Julian Lewis (New Forest, East): Opposition Members sympathise with the right hon. Lady, who is obviously still suffering from the effects of her severe cold, but at least it gave her the advantage of being able not to be present to hear the dismal performance of the Secretary of State for Trade and Industry commenting on Rover. She will not therefore have heard him, when he was challenged over his refusal to make a statement to the House on this crucial matter, say by way of an excuse that he was evidently taking it seriously and that was why he was answering the question asked by my hon. Friend the Member for Lichfield (Mr. Fabricant).

Does the right hon. Lady accept that it is the duty of Ministers to answer the questions of those hon. Members who are fortunate enough to be drawn high up in the ballot, and that it simply will not do to exhibit the cowardice shown by the Secretary of State and, when a statement on a crucial matter is evidently required, to shelter behind the fact that my hon. Friend was fortunate enough to think of the question in advance and to come top of the ballot? *[Interruption.]*

Mrs. Beckett: My hon. Friend the Member for Bolsover (Mr. Skinner), as I have said before, is a very good guide in these matters, and when he says that the Conservative party failed to lay a glove on the Secretary of State, I believe him.

It is not helpful to the situation at Longbridge or to the interests of workers in the west midlands for Conservative Members to exploit the matter in the way that they are doing. It is perfectly legitimate for them to raise concerns, ask questions and criticise the Government as they choose, but they should have more regard for the interests of the car industry and the west midlands, and a little less for the interests of their own party.

As for my right hon. Friend the Secretary of State showing anything other than great devotion to duty, I remind the hon. Gentleman of how frequently my right hon. Friend and other Ministers such as the Minister for Employment, Welfare to Work and Equal Opportunities have been to Longbridge and talked to the work force and the management. Not only is that sensible, but I fear that it is in sharp contrast to the record of Secretaries of State in the previous Government.

Mr. Stephen O'Brien (Eddisbury): I listened carefully to the earlier answer from the Leader of the House to my hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson). I am sure that the whole House will be deeply troubled by the appalling situation in Zimbabwe, the threat to farmers and the disregard for the rule of law by the increasingly despotic Mr. Mugabe. The House will be equally disturbed by the equivocal utterances of the Minister of State, Foreign and Commonwealth Office, the hon. Member for Neath (Mr. Hain), especially on the radio this morning rather than in the House. Is it not about time that we had a full day's debate to discuss the urgent question of the suspension or abeyance of Zimbabwe's membership of the Commonwealth, and to express our grave concern about what is going on in that country?

Mrs. Beckett: I did not hear my hon. Friend this morning, but I have heard him in recent days being extremely robust about our concerns about the behaviour of the Government of Zimbabwe. There will be oral questions to the Foreign Secretary on 11 April. I remind the hon. Gentleman that one of the purposes of the experiment in Westminster Hall was to provide more time, in particular, for more specialist foreign affairs debates, rather than debates that might range throughout the world. I recommend such opportunities to the hon. Gentleman.

Points of Order

1.25 pm

Mr. David Lidington (Aylesbury): On a point of order, Madam Speaker. Earlier this morning, the social exclusion unit of the Cabinet Office published an important report on anti-social behaviour and policy measures to address that issue. Ministers were appearing in television and radio broadcasts throughout the morning to discuss the issue. Despite that, no copies of the report were made available in the Vote Office until 12 noon. They appeared only after a great deal of pressure and frequent reminders.

When I entered the Chamber about 45 minutes ago, the Library had just told me that it had yet to receive a copy of the report. I regard this as a deplorable breach of the normal courtesies of the House. It demonstrates a disdain on the part of Ministers for the rights of hon. Members on both sides of the House to know the contents of a Government report and Ministers' policy proposals. I ask you, Madam Speaker, to exercise whatever influence is available to you to ensure that there is no repetition of this sort of behaviour.

Madam Speaker: The hon. Gentleman was thoughtful enough to give me a little notice of his point of order. That was helpful because I was able to ascertain that the instructions about the document, which were given by one Department to another, were to my mind perfectly clear. Unfortunately, the receiving end did not find them quite so clear. I hope that, as a result of my actions over the past hour, what the hon. Gentleman has described will not occur again.

Mr. Graham Brady (Altrincham and Sale, West): On a point of order, Madam Speaker. In her response to my business question a few moments ago, the Leader of the House suggested that I had given erroneous information to the Chamber. In fact, I was quoting from the commissioner's report, which was published last week. To date, having raised the matter with the Prime Minister last week and now with the Leader of the House, I have received responses which have partially and selectively quoted phrases in the report, without giving the true intent of the full sentence contained in the report.

I am concerned that the Government are clearly trying to avoid a difficult issue. I understand why it is a difficult issue—

Madam Speaker: Order. That is not a matter for me. I understand the hon. Gentleman's anxiety, but he seems to wish to prolong business questions. I cannot allow such arguments across the Floor of the House now.

BILL PRESENTED

Television Licences (Disclosure of Information)

Mr. Secretary Smith, supported by the Prime Minister, Mr. Secretary Prescott, Mr. Chancellor of the Exchequer, Mr. Secretary Darling, Mr. Secretary Reid, Mr. Secretary Murphy, Mr. Secretary Mandelson and Janet Anderson presented a Bill to make provision about the disclosure of certain information for purposes connected with television licences: And the same was read the First time; and ordered to be read a Second time on Monday 3 April, and to be printed. Explanatory notes will be printed [Bill 102].

Orders of the Day

Learning and Skills Bill *[Lords]*

[Relevant documents: The Eighth Report from the Education and Employment Committee, Session 1998–99, on Access for All? A Survey of Post-16 Participation, HC 57-I, and the Government's response thereto, Session 1999–2000, HC213.]

Order for Second Reading read.

1.27 pm

The Secretary of State for Education and Employment (Mr. David Blunkett): I beg to move, That the Bill be now read a Second time.

I wish to thank the staff in my Department for the enormous work that has already taken place in preparation for the conclusion of the debate and the urgent work that will need to be done in putting in train substantial structural changes, including funding, recruitment and the delivery of services. I wish also to put on record my thanks to the Further Education Funding Council for the work that it has done over many years and the co-operation that it is showing with the proposed changes.

I put on record also my considerable thanks to the 72 remaining training and enterprise councils, to the volunteers who have manned those councils—the chairs, board members and staff—who have done sterling work in many parts of the country. I thank Nick Reilly and the small group that he is leading for promoting the new skills agenda with employers throughout the country. We are grateful to them all for the work that they have done.

One of the greatest challenges facing the country is whether we can modernise and reform the learning and skills that we offer to young and old alike, and whether we can match the challenge of the new knowledge economy with a learning and skills market world wide while coping with the legacy of neglect, which we are dealing with in the Bill.

In a rapidly changing world, our people need the skills to be able to adapt and to cope with changes, as well as to take on board the flexibility and adaptability in the new labour market. To do that, we need to ensure that the majority, not the minority, have higher level skills, access to continuing updating of training, and the most modern and effective support for their training needs. We must make sure that that takes place in co-operation with employers, trade unions and individual learners.

In the past, a minority of people obtained the learning and skills that they required. For the majority of people, getting a job at 16 was the order of the day. It was argued that only a few—an elite—needed higher level skills to succeed, and that their talent would eventually allow wealth to trickle down to the rest.

Those days have long gone. It is time to put in place the structures and support systems to ensure that, in the 21st century, we as a nation, our companies and our people can compete in the global economy, and to allow us to achieve sustainable growth with low inflation and low unemployment, in order to attain the goal of high and sustainable levels of employment and employability that was sought after the second world war.

To do that, we need to invest together in the relevant skills, co-ordinate learning and skills in a way that reflects the new century, and target investment to meet the needs of industry and individual learners.

Mr. Bob Blizzard (Waveney): I thank my right hon. Friend for giving way. As well as being responsible for training, the training and enterprise councils perform economic development functions. Some of their budget deals with their enterprise agenda. My constituency has had substantial funds from the Norfolk and Waveney TEC, which have been used to match-fund European structural funds. What will happen to that enterprise budget as we move to the learning and skills councils?

Mr. Blunkett: The budget will be protected. We have made it clear that the continued use of discretionary funds at local level is essential. That includes securing the funds that would have been available in the years to come, which at present rest in training and enterprise council reserves.

We have therefore been discussing with our colleagues in the Department of Trade and Industry and the Department of the Environment, Transport and the Regions how we can ensure that, through the Learning and Skills Council and in co-operation with the Small Business Service and the sub-regional economic development arm of the regional development agencies, we can do joined-up work at local level to ensure that intermediate labour market and other economic development programmes are sustained, and that they are linked to the skills needs of the area.

Mr. Tim Boswell (Daventry): Does the right hon. Gentleman concede that, according to a recent written answer, the overall situation of the TEC movement is one of deficit, not of reserves, by accountancy criteria? Will he therefore make it clear to the House that it will be impossible for him to pass on or to raid TEC reserves, if overall they do not exist?

Mr. Blunkett: There are two key points. First, revenue reserves vary enormously across the country—some TECs hold several million pounds worth of reserves in the bank. Secondly, the totality of reserves includes capital stock, such as the premises and the land held by TECs. In my view, those are part of the reserves and will be realised as we develop the new system. Certain properties can be released on assignment as the headquarters of the 47 learning and skills councils at sub-regional level, replacing the existing 72 TEC headquarters.

Mr. David Chaytor (Bury, North): On the transfer of some of the TEC functions to the learning and skills councils, will the LSCs still have the powers to apply directly for European streams of funding and for single regeneration budget funding?

Mr. Blunkett: The necessary mechanisms for match funding for European and related funding will be in place. It would be foolish of the Government to remove mechanisms at regional and sub-regional level for achieving that. As part of the overall spending review, we shall also address the issue of ensuring that match funding is available through other sources at Government level to secure the full match funding available, which we have

never had before. I remind the House that that includes the adapt funds under objective 4, £80 million of which have been obtained over the past two years. They were never applied for by the previous Government, which is an extraordinary state of affairs.

The present system is succeeding—where it works—despite, rather than because of, the structure. People find ways round anomalies and structural difficulties, but struggle with funding regimes that result in, for example, three-year modern apprenticeships in engineering costing between £3,000 and £10,500, and in business administration costing between £2,600 and £7,500 of public money—all to achieve the same goal, but through different TEC or FEFC-funded regimes. That kind of nonsense clearly cannot continue. One of the great savings—at least £50 million a year—that will accrue from combining the existing regimes will be achieved by ironing out such anomalies and disparities.

When new legislation is introduced and new structures are developed, the structures—the machinery of delivery—inevitably receive attention, but I stress that, although that is true of the Bill, clear policy objectives override everything else. We are bringing about change not for change's sake, but to ensure that we can determine a new, slimmed-down system that will enable us to meet the goals that I have set out. To do so, we need to change the structure and the systems and break down the barriers between what used to be called schedule 2 and the remaining areas of adult learning. We must do so to achieve a proper synergy between the commitment of employers and business and the public investment, which is substantial.

As we have set out previously, £5 billion of expenditure will be available through the Learning and Skills Council and its sub-regional arms and we estimate that, on average, £100 million will be available at sub-regional level, which will engage partners in such sums for the first time. In two years, £6 billion of expenditure will be available through the national and sub-regional arms and that substantial money will be aimed at transforming the life chances of individuals across the country as well as the labour market.

We seek a public-private endeavour, and I want to reinforce what we have guaranteed previously. We have said that two fifths of the council, nationally and sub-regionally, will contain those with recent or current business experience. The corollary is that we ask businesses themselves to be prepared to match that intent by offering their employees opportunities to train and to gain new skills. The significant investment of public money needs to be matched by the private sector at every level—by small industries as well as large—and businesses must be prepared to take on the challenge of investment in opportunity for the future.

That commitment extends across the country, and I hope that, as well as participating in the new structure, businesses will encourage other businesses to be part of the delivery mechanism in terms of ensuring that their responsibility is seen to be carried through in action. The gas industry has given a first-rate lead in overcoming some of the real difficulties faced by small operators, such as their fear that people whom they have trained will disappear when they finish their apprenticeships—if they did, they would have been a deadweight cost. The experiment with the gas industry, in conjunction with the financial institutions, is an example of how small businesses as well as large can contribute to the skills needs of their sector while protecting individual companies from the risk of seepage. I want to encourage other parts of the sector, including the national training organisations—of which there are now more than 70—to ascertain what can be achieved in their sector.

Mr. Richard Allan (Sheffield, Hallam): The Secretary of State may know that the national training organisations have expressed concern about their representation on the LSCs at national and local level. What role does he think that the NTOs should have in the LSCs, so that they are involved in policy making?

Mr. Blunkett: As the hon. Gentleman knows, we have not assigned places to particular organisations and structures, but we are mindful of the need for national training organisations to be represented. They pull together particular sectors of the economy, and should be represented in the sub-regions that include that part of the industrial structure. It is helpful to put that on the record. The same is true of the important role of local government at sub-regional level and nationally. We need to bring together the skills and adult learning endeavours and the economic development functions to which my hon. Friend the Member for Waveney (Mr. Blizzard) referred.

I want to announce to the House some important investment additional to what was already provided under the spending review and the previous review of further education funding. There will be a considerable expansion of education maintenance allowances for 16 to 19-year-old pupils. We have 15 pilot areas across the country. Given the success in accelerating full-time learning in those areas, and in particular the retention and qualification rate that is being achieved through the development of the education maintenance allowances, we believe that it is important to tackle those areas of the country where staying on in education is not a tradition and there is no culture of continuing learning. We want to match the major programme that we shall set in train in the months ahead with a campaign to encourage young people in those areas to stay on in full-time and work-based learning.

It may be helpful if I announce the additional 40 areas that will be part of the pilot scheme from September. They will be: Liverpool, Knowsley, Halton, Wirral and St. Helens on Merseyside; Sandwell, Birmingham, Coventry, Wolverhampton and Worcestershire in the west midlands; Hull, Bradford, Sheffield, Barnsley, Wakefield and north-east Lincolnshire in Yorkshire and the Humber; Newham, Hackney, Tower Hamlets, Haringey, Islington, Camden, Hammersmith and Fulham, Brent, Waltham Forest, Ealing, Barking and Dagenham and Wandsworth in London; Sunderland, south and north Tyneside in the north-east; Hartlepool and Northumberland on Teesside; Salford, Manchester, Wigan and Tameside in the north-west; and Luton, the city of Leicester and Suffolk in the east and east midlands. All those areas will be pleased to have the opportunity to encourage and support young people in their endeavours.

Mrs. Theresa May (Maidenhead): I am interested in the Secretary of State's reference to the fact that the pilot projects for education maintenance allowance have increased staying-on rates. I recently tabled a written

[Mrs. Theresa May]

question to the Secretary of State on that very issue, and the reply was that the Department did not have any figures on which to base a judgment. Can the right hon. Gentleman now give us those figures, as he must obviously have them?

Mr. Blunkett: I now have the figures, and I am happy to send the hon. Lady the detailed appraisal. There has been an average assignable improvement of 2 per cent. in areas where there is matching, and 3 per cent. in other areas where there has been a substantial improvement and what could be described as a scatter approach, in which young people have been funded on the basis of testing what the change will be in a particular locality. It was an interesting experiment with the Treasury in trying to discover different ways of ascertaining what works and what works best.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): Although I appreciate that the Secretary of State can make announcements affecting only the English side, may I ask whether there will be an equivalent expansion of the pilot schemes in Wales?

Mr. Blunkett: I am obviously mindful of my hon. Friend's interest in the relationship between the Assembly and the United Kingdom-wide Government. However, I am absolutely certain that my right hon. Friend the Secretary of State for Wales will be talking to the Assembly leadership about its announcements on developing staying-on programmes and the acceleration of the commitment to post-16 education.

I wish to make a second announcement—on a £15 million boost for 16 to 19 provision, for capital investment in sixth forms and sixth form colleges and further education colleges, not only for upgrading facilities, but for providing greater access and a better environment for young men and women with disabilities. As with the education maintenance allowances, that money will come out of the allocation made, last week, by my right hon. Friend the Chancellor of the Exchequer.

Mr. Gerald Howarth (Aldershot): Can the Secretary of State explain how that money will be divided between sixth forms and sixth form colleges? He will know that there is great concern in sixth form colleges—particularly in my own excellent Farnborough sixth form college—about the funding disparity between sixth form colleges and sixth forms in maintained schools. Could he also tell the House whether that money will extend the computer support that is made available to teachers in sixth forms in maintained schools to teachers in sixth form colleges?

Mr. Blunkett: As the money is for capital resources, it is potentially available not only for buildings, but for equipment. As the hon. Gentleman knows, sixth form colleges fall into the further education funding sector. One of the great advantages of the learning and skills proposals will be to bring not only greater co-ordination, but much greater parity of esteem, and equality of funding, to the various parts of the post-16 sector.

The hon. Gentleman also mentioned the revenue disparity that exists, on average, between FE and sixth form colleges and sixth forms. I can increase his joy by announcing that I am allocating from my own departmental reserve another £18 million to the sixth form college and FE sector specifically for 16 to 19-year-old education, to ensure that last week's announcement on targeted funding going directly to schools—the £30,000 to £50,000 for secondary schools—does not disadvantage those in further education because of the way in which that money is dependent on pupil numbers. [HON. MEMBERS: "Hear, hear."] I am very grateful for the considerable welcome that that announcement has received from Labour Members.

Mr. Gerry Steinberg (City of Durham): I have received representations from people at my local sixth form centre who are very worried that there may be a levelling down of funds, rather than a levelling up. That is my greatest worry. Is the Secretary of State giving us a guarantee that sixth form centres and colleges will be funded at current levels and will not be levelled down in future?

Mr. Blunkett: My announcement today ensures that things do not get worse, rather than that they will immediately get better—I am a great believer in being honest about these things. However, our announcement in November, at the Association of Colleges annual conference—which the Under-Secretary of State for Education and Employment, my hon. Friend the Member for Croydon, North (Mr. Wicks) made, as I was in the House for the Queen's Speech debate—outlined an extra 10 per cent. next year for further education. That is the beginning of a process of catching up—so that we are levelling up, not levelling down, and so that we narrow and then eliminate the gap between student funding in different parts of the sector.

Yesterday, I was in Welwyn Hatfield, and I saw real co-operation and collaboration in action between the FE college and the area's three sixth forms. They were collaborating in ensuring not merely that they rationalised and reinforced each other's work, but that students shared their courses between the different institutions. I want, through the Learning and Skills Council, to accelerate the programme of tertiary education, so that parity of both funding and quality is available to people regardless of where they live and where they are learning.

Mr. Patrick McLoughlin (West Derbyshire): The Secretary of State says that he believes in tertiary education. Will he assure us that schools wishing to maintain their sixth forms will not be forced to close them while they are doing a good job?

Mr. Blunkett: I think that that assurance has been given a number of times, but we are always happy to give it. We spelled out the position in the context of the guarantee that we gave in regard to funding, and that still stands. The issue involves quality, access, diversity and the rational provision that helps the consumer. Consumers of services, including individuals, business and the broader community—we are committed to providing community learning across the board—will be extremely important.

Clauses 1 to 18 provide for the establishment of the Learning and Skills Council, and specify its duties, powers and funding. They also specify the power that will now exist through a duty to have regard to the needs of

those with learning difficulties, and to place much more emphasis on equality of opportunity. I think that all hon. Members will welcome that. Clauses 19 to 21 establish local arrangements for the necessary consultation and joint working to develop local plans. Part II—clauses 30 to 40—establishes similar arrangements in Wales, and explains the role of the Welsh Assembly.

Mr. Dafydd Wigley (Caernarfon): I welcome the Bill generally, and I know that a former MP, Cynog Dafis, who chairs the education committee of the Welsh Assembly, looks forward particularly to the establishment of the powers for which it provides.

Will the Secretary of State consider, at a later stage, the way in which he allows the Assembly to confer or impose certain powers on the National Council for Education and Training for Wales? Will he also consider the use of the word "amend"? I know that this is really a Committee point, but that would give the Assembly the flexibility that it needs, and the Bill could subsequently provide a good model for other Bills in giving the Assembly the infrastructure that will allow us to get on with meeting our responsibilities.

Mr. Blunkett: As the right hon. Gentleman says, that is a Committee point. Our deliberations in Committee will include reflections on the role of the Welsh Assembly: my colleagues will be happy to consider those matters. I hope that the right hon. Gentleman will accept that in the spirit in which it is meant.

Part III establishes the new inspection arrangements, combining the three existing inspection regimes with the new adult learning inspectorate's remit for those aged over 19 and its collaboration with the Office for Standards in Education in regard to those aged between 16 and 19. I pay tribute to the Training Standards Council and the further education inspectorate for all the work that they have done, and the substantial and rigorous improvements that have been made recently in the quality that we can expect from both the public and the private sectors.

The new inspection regime, together with the powers that the Learning and Skills Council will have, should and must be able to root out the incompetence and, in some cases, corruption—in others, mismanagement—that have bedevilled the sector in recent years. That is true of both public and private providers. We must root out that incompetence or corruption wherever it exists, in the interests of students. A good job has been done, but much more remains to be done. Before anyone asks me, let me add that the same will apply to Wales under part IV.

Mr. Blizzard: My understanding is that, during the transition period, the Training Standards Council and the Further Education Funding Council will undertake joint inspections of FE colleges and work together in a co-ordinated way. During the recent inspection at Lowestoft college, the two organisations did not co-ordinate properly—in fact, it was a shambles. Will my right hon. Friend examine how joint inspections are being carried out, because colleges need to have confidence in the system and to feel that it augurs well for the future? I am not in any way opposing the joint inspection regime.

Mr. Blunkett: The answer is unequivocally yes. Where collaboration and co-operation do not work, they must. The structures are designed to achieve that. A willingness from the leaders of the new adult learning inspectorate and Ofsted will be crucial to ensuring that the system works in the interests of young people.

Part V covers a range of miscellaneous issues, including the assignment of assets and the new powers that I mentioned a few moments ago on post-16 collaboration. It also includes clause 98, inserted by the House of Lords, which withdraws the rights of parents to decide on admissions at local level. Let me make it clear that we shall overturn the withdrawal of those rights in Committee.

Clauses 103 to 112 provide for the new co-ordinated arrangements for the establishment of the youth support service, ConneXions, providing joined-up thinking in provision for 13 to 19-year-olds, linking adolescence with emergence into adulthood and ensuring that, for the first time, the whole of youth support service provision will be within statute. This new co-ordinated approach will cover the delivery and enhancement of careers services and guidance, mentoring, education and social work, the traditional youth work service and the funding of the voluntary and not for profit sector as well as the traditional local government youth support service.

I pay tribute to those at local level who have agreed to provide the pathfinder areas for the new programme. We intend to learn lessons from them in developing a national system. Even though Matthew Parris is somewhere in the frosty cold of the—where is he? [HON. MEMBERS: "The southern Indian ocean."] I shall have to have a geography hour as well as a literacy and numeracy hour.

As Matthew Parris is well across the world, freezing to death, I want to avoid his successor being able to write a sketch about the roll-out syndrome.

Mr. Phil Hope (Corby): The Conservative reasoned amendment says that the Bill would curtail funding for the statutory and voluntary youth service. The ConneXions report published by the Government describes the Government's intention that local education authorities should continue to provide a youth service and retain the powers to do so and that the ConneXions service will have an important role in ensuring that all youth service activity is effectively co-ordinated and coherent and that gaps in provision are filled. Will my right hon. Friend assure that House that the Government support the voluntary and statutory youth services and believe that they have a major role to play in helping 13 to 19-year-olds?

Mr. Blunkett: I certainly shall. I was a little mystified when I read the reasoned amendment, which I urge the House to reject. The notion that we would not continue funding may be a dream of the Opposition's that would enable them to put out leaflets saying that we have demolished what we value. I regret to tell them that, even in their wildest dreams, we are not going to offer them that opportunity. The amendment also says that we lack strategic vision and continuity for progress to adult life. The youth support service ConneXions is designed to ensure joined-up thinking and action for the 13 to 19-year-old cohort in a way that has not been possible before. I know that the job of the Opposition is to oppose, but, in learning how to oppose, it is best to pick on things that are realistic rather than making things up.

Mr. David Heath (Somerton and Frome): Leaving aside the way in which the right hon. Gentleman has

[Mr. David Heath]

chosen to spell "ConneXions", may I test him on one point? There is considerable concern among some career services that the new arrangements may in some way inhibit their ability to provide services to the generality of children in schools. Will he give me an assurance that that will not be the case and that the careers service will still be able to provide the range of services that it does at the moment, particularly in secondary schools?

Mr. Blunkett: We intend to expand, not contract, the role of the careers service, including careers education, to ensure that all young people at school receive the support and help that they need and to ensure that, in the transition, we target those at greatest risk, which makes sense to everyone.

We are happy to work with the careers service in the way in which it has said that it is prepared to work with us to develop the new service. It is one reason why we want pathfinder and pilot programmes, rather than one big bang. There is much to be learned about what works and what does not, securing the confidence of those who are delivering services at the moment.

I thank those in the careers service, youth services and others who are doing a first-rate job, often heavily underfunded. I hope that, subject to my right hon. Friends in the Treasury, we will be able to do something about that in the spending review.

Clause 117 was inserted last week in an extraordinary debate in the House of Lords on sex education, in which one of the noble peers, Lord Moran, said that he believed that stable relationships might apply to necrophilia. That sort of debate has not helped to shed light on the issues that we are dealing with—sensitive, difficult issues that have been grossly misrepresented.

The noble Baroness Young moved the amendment that is in the Bill in a slightly more measured tone, although she chose to eliminate aspects of the amendment that I had negotiated with those involved in a range of organisations and that protected young people against prejudice. We cannot accept something in the Bill that deliberately eliminates efforts in schools to reduce prejudice and misunderstanding. We will remove the Baroness's amendment and come back in due course with the way in which we intend to proceed.

In the meantime, I make it clear that, subject to the consultation, I will issue the guidance to schools, on which there appears to be very little disagreement—which illustrates our difficulty in ensuring that light, rather than heat, has been available on the issue.

Mr. Gerald Howarth: Will the Secretary of State acknowledge that my noble Friend Baroness Young has done a fantastic job in the other place, that she is widely regarded as having stood up for the protection of children throughout the country and that many parents have written to hon. Members on both sides of the House to salute her stand? Is it his intention to reverse her amendment, which was accepted by the other place and which said:

The general objectives are that the pupils—

(a) learn about the nature of marriage as the key building block of society?

He believes that, but other members of the Cabinet do not. Does he intend to invite the House to remove the requirement that was inserted in the other place that any guidance that is issued should be subject to the approval of both Houses of Parliament?

Mr. Blunkett: I have already made the position absolutely clear. I said that I was intent on the House being asked to remove clause 117 for the reasons that I spelt out. I believe that marriage and stable relationships are key building blocks for community and society. I also believe that we should teach the nature of marriage and family life to children for the raising of children. The structure that we provide to young children in school is crucial to the health and well-being of our society in years to come. I was pleased that the Anglican, Roman Catholic and the free Churches believed that that was a sensible way forward. I regret that the House of Lords did not take that view.

Fiona Mactaggart (Slough): I am sorry to be dim, but will my right hon. Friend clarify whether he plans to remove all of clause 117? My concerns about the clause do not centre on the content of the advice that he has given to schools, but on the wisdom of including such detailed proposals in primary legislation. I hope that he is committed to removing the clause in its entirety, and not just those elements of the Government's amendment that were changed in the House of Lords.

Mr. Blunkett: Given the changes that the House of Lords made, progress will not be made simply by eliminating the words that were used. I intend to go forward with the guidance, which is being consulted on separately.

The original objective of the proposals in the Bill was precisely to underpin the reassurance sought by many in the country that we were not promoting forms of sexual orientation in the classroom. We are not doing that, as the guidance makes clear.

Very few people who have been debating the matter in the newspapers or in the House of Lords seem to have bothered to have read the guidance. That is a great shame, for them and for the rational thinking that democracy demands. My right hon. Friend the Prime Minister rightly said yesterday that it would be absurd for us to expect teachers to promote sexuality—their own or someone else's—in the classroom. That is not their job, and we would not countenance it. I think that my hon. Friend the Member for Slough (Fiona Mactaggart) will find that the situation is she would wish it to be.

Mr. Desmond Swayne (New Forest, West): The Secretary of State implied that the agreement struck with the Roman Catholic Church and the established Church was an agreement with those institutions, rather than with particular individuals in them. The correspondence that I have received leads me to believe that the individuals spoke largely for themselves, as opposed to the Churches that they represent.

Mr. Blunkett: The leaders of Churches, like the leaders of all organisations, represent their membership and test the waters on their membership's behalf. They speak for, and with, their membership. I should be very disappointed if I were to believe that some of the speeches

made in the House of Lords by people who purport to represent the Conservative party genuinely represented the thinking on this issue of the party's rank and file.

Schedule 8 will clarify the arrangements for powers of intervention in failing colleges and institutions. That will be welcomed by all hon. Members, and will ensure that decisive action can be taken, where necessary.

The Bill is timely. It comes at a moment when we are addressing the economy and the education and skills needs of the future. Never before have business and Government had a greater commonality of agenda in terms of the labour market and of the need to ensure that men and women who are out of work can have the skills to take advantage of vacancies in the labour market. Never before have business, commerce and Government recognised so clearly that the knowledge economy poses a challenge to our nation as well as to individual businesses and sectors.

That is why business, large and small, has welcomed the Bill. The managing director of Coca-Cola UK said that he thought that people would be "chuffed"—an interesting word to use: in light of this week's publication, I should say that I am sure that he was on Coca-Cola rather than coke at the time. BP has said that the Bill is an important measure in avoiding the problems that large companies have encountered in developing vocational qualification programmes. For example, some companies have had to deal with 52 different training and enterprise councils to set up such programmes and arrange funding for them.

Those days will be over. There will be co-ordinated planning, funding and delivery of flexible services at local level, with sufficient responsiveness and delegated power to sub-regional learning and skills councils to enable them to respond to the needs of their travel-to-work and travel-to-learn areas. At the national level, there will be coherence in terms of the needs of both sectors and the nation as a whole. That is why I encourage and request the House to give the Bill a Second Reading.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Michael Lord): Order. Before I call the next speaker, I must inform the House that Madam Speaker has selected the amendment standing in the name of the Leader of the Opposition.

2.10 pm

Mrs. Theresa May (Maidenhead): I beg to move, To leave out from 'That' to the end of the Question, and to add instead thereof:

'this House declines to give a Second Reading to the Learning and Skills Bill *[Lords]* because it increases bureaucracy and central control in the provision of education to young people over 16 and adults, diminishes the role of democratically elected local education authorities, poses a threat to school sixth forms and the independence of further education colleges, destroys the TEC network and weakens business involvement in education and training, creates an anomalous and incoherent inspection system, and would curtail funding for informal education for all young people through the statutory and voluntary youth service; and because it lacks strategic vision and continuity in the progression of young people from the years of compulsory schooling through the transition to further and higher education and thereby to working life and lifelong learning.'

The House will agree that the training and education of young people post-16 and of adults are important not only for the individuals, but for the country as a whole, and particularly for our economic vitality. Moreover, none of us who hear from employers about the skills gaps that exist today can fail to understand that needs do exist in a changing marketplace and that they must be addressed.

We would wish to associate ourselves with the comments that the Secretary of State has made about the good work that has been done by various organisations involved in this arena in the past and, in particular, the work done over a number of years by the Further Education Funding Council and by those many business men and women who have given their time and efforts to their local TECs to ensure that those TECs are able to provide for the needs of local businesses.

Far from providing coherence and co-ordination in this matter, the Bill provides for yet more bureaucracy and a multiplicity of bodies. I can assume only that the Secretary of State's references to co-ordination are similar to the Government's constant references to "joined-up government", which mean that it is all talk and no delivery. There is no joining up or co-ordination, and what we see is disparity in the arena.

When the Secretary of State announced to the House last year his intentions in this area, I set out the Opposition's view that certain criteria would need to be met by any new proposals for the provision of education and training for young people post-16. They were clear and simple, and aimed at ensuring the best possible provision to meet the needs of young people and those of the country. We asked whether the proposals involved the minimum of centralisation, and devolved power down to local level for local decision taking. We asked whether the proposals minimised bureaucracy and ensured that maximum funding got to students in education or training. We asked whether they ensured a diversity of provision, and hence real choice for students. Finally, we asked whether the proposals preserved the best and improved the rest—not imposing a new structure willy-nilly, but preserving those areas and institutions that have worked well. I said at the time that the Secretary of State's proposals did not meet those criteria. Sadly, nothing that we have seen or heard since—or in another place—does anything to change that view.

What is perhaps most striking about the Bill is that many of the external bodies which have commented on it and on the Government's proposals have started off by stating that they welcomed an intention by Government to provide coherence for post-16 education. However, they have gone on to question the bureaucracy and the practical implementation of the proposals, the confusion that will be created, and the impact on business involvement in defining training needs.

Many are worried about the impact of the Bill. Schools are worried about the future of their sixth forms. Further education colleges fear that their independence will be reduced. Businesses fear that they will not be able to provide input on local skills needs. Local education authorities are worried about the way in which they have been written out of a real role in post-16 training and education. The youth service is worried that its role is being completely changed, and that it will not be able to continue to offer a proper service to all.

Those involved in providing careers guidance worry that the new structure will not provide guidance to all, and those providing adult and community education fear

[Mrs. Theresa May]

that both are under threat as regards funding and structural changes. The only thing that the Government have so far succeeded in doing with the Bill is to alienate every sector that is affected by it. We see that continually in the responses from every sector to the details of the Bill.

Dr. Phyllis Starkey (Milton Keynes, South-West): Does the hon. Lady accept that whenever change is proposed, people not unnaturally feel concerned, and that it is not sufficient to simply recite worries that people have expressed? One must substantiate the idea that those worries are realistic, and that they are not counterbalanced by the huge advantages that may be brought to each of these sectors by the Bill.

Mrs. May: I suggest that the hon. Lady stick around and listen, and I will substantiate my claims. It is for Ministers to respond to the concerns of bodies outside this House that are tuned in to the needs of young people and others in training and education and which see real problems arising as a result of the Bill.

The Secretary of State said that the Bill gave life to the structures needed to achieve his vision of a slimmed-down approach to training and education post-16, and a vision for training and education for the future. Far from that, the Bill creates a bureaucratic nightmare: a multiplicity of bodies with some say or responsibility for education and training post-16. The Government talk of coherence, but they are delivering confusion.

The Bill reveals much about the Government's approach, which here, as so often, mistakes central control for coherence. Divide and rule is the Government's approach in the Bill. Let us look at the multiplicity of bodies involved in working together, in partnership, in collaboration, through the centre or as consultees—and this is not necessarily a full list of the bodies that will be involved: the Secretary of State; the Department for Education and Employment; the Government offices for the regions; the national Learning and Skills Council; local learning and skills councils; the national training organisations; the regional development agencies; local education authorities; the Small Business Service; Ofsted; the adult learning inspectorate; education business partnerships; local learning partnerships; ConneXions; and the university for industry. That is before we get to a college, school or work place training facility, let alone to a student, young person or adult in training.

Among this mushrooming of quangos and bureaucracies, the Government claim that the new structure will save £50 million. I was interested in that calculation.

Mr. Gordon Marsden (Blackpool, South): Will the hon. Lady confirm that the number of systems and organisations left to the Government in this area by the previous Conservative Government was 250?

Mrs. May: I do not know what point the hon. Gentleman is trying to make. If he adds up the number of bodies that will be involved in the future, he will find that it comes to far more than 250. His point was wasted.

The Government claimed that the new structure would save £50 million. I asked the Secretary of State how much the system currently costs in administration of bureaucracy, and how much it will cost in future. One would have thought that the answer would be two figures, with the difference between them being £50 million—but no. The Government could not answer, because they did not know the figures. How, therefore, do they know that the system will save them £50 million?

We know that the Secretary of State believes that if one increases spending by £3 billion a year over three years, the total increase is £19 billion, rather than £9 billion. Now he seems to think that if one takes a sum that one does not know away from another one does not know, it automatically equals 50—and this is in maths year 2000. It is yet another fantasy figure from the Government.

One of the central thrusts of the Bill is the change that it brings to the involvement of business in determining training needs. The Bill abolishes the TECs. I agree—there is widespread agreement—that not all TECs performed as well as they could have done, but there was good practice in many TECs, which were doing a good job. The Secretary of State made reference to the work of the businesses involved in TECs, but unfortunately made little reference to the fact that the Government are abolishing a lot of good work and excellent practice that has been achieved by the TECS in meeting the business needs and skills gaps in their local areas.

The learning and skills councils, which replace TECs, have two characteristics that lead us to doubt their ability to do the job that is needed. First, the new structure is focused clearly on the national Learning and Skills Council. Despite protestations from Ministers, it is still not clear to what extent the local learning and skills councils will have discretion, and funding to match that discretion, over the provision of programmes at local level. The ability to determine local needs and respond to them is crucial if the learning and skills councils are genuinely to be able to meet local skills gaps. Yet despite the mention in the prospectus of discretion over 10 to 15 per cent. of funding, the Government have not been willing to include that in the Bill.

Mr. Tim Collins (Westmorland and Lonsdale): My hon. Friend will no doubt have noticed page 15 of the explanatory notes to the Bill:

> Clause 20 provides that the local LSC's duties and powers will be those of the national LSC which it chooses to delegate.

Could there be a more explicit statement of centralisation?

Mrs. May: I am grateful to my hon. Friend for pointing out that explanatory note. He is right that the new structure is a classic example of how the Government take power to the centre, removing it from the local level, along with the ability to determine local needs.

The prospectus for the Learning and Skills Council says that the local learning and skills councils will have a range of flexible budgets which, taken together, will amount to around 10 to 15 per cent. of the overall funding for the Learning and Skills Council. Many external bodies have assumed that that meant an element of local discretion to meet local skills gaps. However, the prospectus also sets out exactly what each flexible budget will cover, including marketing and promotion activity, information, advice and guidance. The budget is not entirely discretionary in terms of providing training courses to meet the skills gaps that have been identified in a local

area. Not only is the figure of 10 to 15 per cent. not in the Bill, it is clear that it is not even intended to meet the needs of local areas in identifying local requirements.

It is instructive that whenever the Secretary of State speaks on this issue, he refers to the welcome that national companies have given the new structure. He quoted Coca-Cola today—his normal quote is from BP. I can see that a national company would like to work with one national body, but small and medium-sized enterprises and small local companies do not want the training needs identified by a national body imposed on them. They want their local learning and skills council to have discretion, the ability to identify needs and the funding to back them up.

The lack of local discretion is of key concern. The Confederation of British Industry summed it up thus:

> Employers rely on their local area, and to a lesser extent their region, from which to recruit their workforce, especially for those with skills below professional level. Small and medium enterprises are even more likely to recruit from local labour markets, for all levels of staff. Local labour markets are not only critical but also tend to differ from one locality to another. It is this fact which underpins the CBI's view that the new LSC must operate through a network of local LSCs with strong decision making and financial autonomy. The local LSCs have the key responsibility to adapt national plans . . . and therefore must have enough flexibility to be responsive to local markets.

Yet as my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) pointed out, it is clear from the Bill that that strong decision making and financial autonomy will not be available to the local learning and skills councils.

Mr. Allan: I share some of the hon. Lady's concerns about centralisation. The Liberal Democrat solution, which we have argued in another place and will argue here, is for much greater regional autonomy, with links to the regional development agencies and the regional assemblies, such as the Bill proposes for Wales, with the Welsh model. Does the hon. Lady wish the learning and skills councils, as set up with their existing boundaries, to have more discretion, or does she think that there should be a different arrangement for the LSC structure?

Mrs. May: I am grateful to the hon. Gentleman for that question. If the Government are to put in place the learning and skills councils with the boundaries that have been set out, those councils should have the greater autonomy and decision-making powers for which I have argued. Whether those boundaries are the right ones is a different issue. Many issues will arise as a result of the boundaries that the Government have drawn in areas such as my own, where Berkshire is separate from the Milton Keynes, Oxfordshire and Buckinghamshire areas, rather than having a Thames valley area for a local learning and skills council. The Government should have looked at what is needed in particular local areas; sadly, they have failed to do that, and they will also fail to provide the local learning and skills councils with the responsibilities and powers to be able to do that.

Mr. Chaytor: Is the hon. Lady arguing that the ideal solution would be to decentralise more power to the LSCs that the Government are proposing? Or does she prefer the old system, with complete chaos in the funding arrangements? Under that system, training and enterprise councils not only funded colleges but competed with them in delivering provision. Which does she prefer?

Mrs. May: I have just answered that in response to the hon. Member for Sheffield, Hallam (Mr. Allan). I suggest that the hon. Gentleman listen to the answers given to previous questions.

I should like to give a couple of examples of the sort of things that the TECs did in bringing partners together to identify local needs. I quote a letter from Thames Valley Enterprise, the TEC that covered the Thames valley area. This example should appeal to the Secretary of State, given the Prime Minister's interest in the internet. Thames Valley Enterprise said:

> FutureFocus, a Virtual Centre of Excellence, was set up by a partnership led by Thames Valley Enterprise to provide IT training to SMEs.

The partnership includes organisations from further and higher education, local authorities and local employers. It offers a choice of more than 200 internet-based training courses covering information technology and management training, together with 24-hour online mentoring and support. That is an example of meeting a local need.

The letter gives another example:

> Thames Valley Enterprise made discretionary funding available to Newbury College of Further Education to offer training to address the regional skills shortage in the microchip industry. INPAQ, a division of Newbury College, is supported by major industry partners and offers short courses and one-day seminars in microchip design to both extend skills and help people enter the industry.

Those may be small examples, but they are relevant to the needs of parts of the Thames valley region. They show that needs could be met because discretion was available at local level. Such discretion will not be available under the Bill.

It is imperative that the national Learning and Skills Council should not simply impose a central agenda. That would lead to what the Institute of Directors said could be a wasteful and ineffective form of centralised manpower planning.

I fear that, yet again, the Bill shows that the Government fail completely to understand business needs. If the sub-regional learning and skills councils do not have the powers and financial discretion that I am talking about, many business men will feel that they cannot contribute or make decisions about local skills needs, and will regard the Learning and Skills Council as a talking shop rather than a body that delivers action. The Government are all talk and no delivery. Given the Bill, it is little wonder that all the headlines since the Budget have shown how the Government's honeymoon with business is well and truly over.

Business involvement is the second characteristic of the local LSCs that causes concern. Business organisations lobbied for a majority of members on the local LSCs to be from business. The Government have given them 40 per cent., but despite statements on that, the figures do not appear in the Bill. There have been Government promises aplenty on the Bill, but we know from experience how worthless, all too often, Government promises turn out to be.

Another aspect of the national Learning and Skills Council concerns local bodies. Quite apart from funding and the power to exercise local discretion, there is real

[Mrs. May]

fear that the council will direct that courses be provided at particular institutions, reducing choice and diversity. The Secretary of State referred, in answering a question on sixth forms and sixth form colleges, to the need for rationality. FE colleges, which have valued the independence and freedom given them by the Conservative Government, fear that their freedom will be eroded and their independence reduced. That is typical of the Labour Government, who choose to centralise decision-making power and to reduce local ability to take decisions in local interests.

Last week, my hon. Friend the Member for Daventry (Mr. Boswell) challenged the Under-Secretary of State for Education and Employment, the hon. Member for Croydon, North (Mr. Wicks), on the fact that the numbers in further education rose by 1 million under the previous Government, but had remained static under the Labour Government. The Minister's response was typical. He attacked the courses concerned. Institutions were not doing what the Government wanted, so they did not count. Slowly and by stealth, the freedoms of FE colleges are being reduced. Once again, we see the impact of an interfering busybody Government intent on telling people what to do instead of letting them get on with whatever suits their own needs.

The most worrying example of the Government's interference lies in the Bill's threat to sixth forms in schools. Funding is the first issue. The Secretary of State referred to his guarantee that funding will be maintained, provided the numbers in school sixth forms remain the same. What will happen if a sixth form expands? Will funding be provided? Many heads say that maintaining funding while introducing curriculum 2000 and new AS courses is not possible. Schools are struggling, and the Bill will make things worse.

The Secretary of State said that he wanted equality of funding for 16 to 19-year-olds. That precise point has worried school sixth forms and others. They fear that funding will be levelled down and that no account will be taken of the fact that school sixth forms, by contrast with what FE colleges or other institutions offer young people, provide support and services outside of courses.

Dr. Starkey: Will the hon. Lady clarify her meaning? What is her opinion of provision by FE colleges? Is she suggesting that it is proper to fund FE colleges less well than sixth forms? Is she implying that FE colleges do not give support to students outside of formal courses?

Mrs. May: I have always said that funding should be based on the offer given to a young person by the institution in which he or she studies. School sixth forms give services and support outside of courses that are often not available at FE colleges. Some sixth form colleges may make such services available, but the approach to education in an FE college is different from that in a school sixth form.

The reactions of Labour Members are telling. As soon as one mentions the possibility of a threat to school sixth forms, they begin to mutter about how terrible funding for school sixth forms is. More than anything else, that makes the Government's agenda clear. I was grateful to the hon. Member for City of Durham (Mr. Steinberg)—no longer present—for asking whether funding would be levelled up or down. The Secretary of State said that the Government wanted to level funding up. That is exactly what the Government told former grant-maintained schools, but their funding is being cut, not levelled up.

The Bill will change the way in which school sixth forms receive funding. It will top-slice money from local education authorities, but it is not clear whether the slicing will be based on the standard spending assessment or on what is actually being spent on school sixth forms. The money will then go to the learning and skills council, which will make grants through LEAs to schools. On what basis those grants will be made, or how the funds will be guaranteed, we do not know. How can we guarantee that money will not be salami-sliced off by the council or the LEAs?

Schools will have to deal with two funding streams, which may arrive at different times or involve different accounting procedures. There is genuine concern about the Bill's vague references to the way in which grants will be made to schools. The National Association of Head Teachers remains concerned about the powers of the Learning and Skills Council and the local councils to attach conditions to grants for school sixth forms. To date, the Government have not said what conditions they envisage attaching to grants on top of the general provisions in clause 6.

I should be grateful if the Minister indicated what conditions the Government expect LEAs or the LSC to attach to those grants. There is a real danger that local LSCs will want more power over the running of school sixth forms than would be right for the sixth forms or the schools. Far from giving schools more freedom, the Government are yet again taking away power and freedom, imposing control from the centre and interfering.

Mr. Chaytor: Does the hon. Lady honestly think that every sixth form should continue, regardless of its quality of education, its capacity to deliver a broad, balanced curriculum, the extent to which it might subsidise the sixth form by stealing from the lower forms, its Ofsted report, and its A-level and GNVQ results?

Mrs. May: The hon. Gentleman's question relates directly to comments that I was just about to make about the Bill's provisions for declaring sixth forms weak or inadequate and for closing sixth forms accordingly. A trend lies behind what the Government are doing and what the hon. Gentleman has just said. The powers of the Bill would allow them to get rid of school sixth forms, regardless of whether they met a local need.

The Bill's definitions of weak and inadequate sixth forms are very vague, and many sixth forms—particularly small, rural sixth forms that cannot provide as great a variety of courses as larger sixth forms or FE colleges or sixth form colleges—provide courses that local students want in the place where the students want them. Many students in rural areas will have to travel miles—they may not even find available courses anywhere reasonably accessible—if their school sixth form goes.

We hear behind the scenes that the Department for Education and Employment talks of sixth forms being viable only if they have 200 pupils or more. Where does that leave small sixth forms in small secondary schools—rural or urban—which provide good quality courses that

pupils want in the environment where they want them? *[Interruption.]* The hon. Member for Bury, North (Mr. Chaytor) may shake his head, but if he is saying that a school with a sixth form—the evidence suggests that schools with sixth forms achieve better GCSE results than those that do not—

Mr. Chaytor *indicated dissent.*

Mrs. May: The hon. Gentleman shakes his head again, but I suggest that he read recent written answers on that point to my hon. Friend the Member for Daventry. The evidence is that schools with sixth forms achieve better GCSE results. If the hon. Gentleman is saying that a pupil cannot stay in a school sixth form because the Government say that pupils must go to the types of institution of which they approve, he is wrong.

Mr. Blunkett: I have forborne from intervening, but I want to put it on the record that, in the circumstances that the hon. Lady has just outlined, the development of a coherent Learning and Skills Council and its sub-regional arm would guarantee the survival of that site—the sixth form of a school—much more effectively than the existing system. It will be fitted into a pattern of provision that secures access for young people wherever they live in that rural area, presumably reinforced by the ability to get colleges to provide back-up—for example, in terms of expertise in vocational areas where a school could not provide the expert staff. The Bill, far from threatening, will reinforce the existence of sixth forms.

Mrs. May: I am grateful to the Secretary of State for that intervention. I take it, then, that the local learning and skills council will determine which courses can be offered at which institutions. *[Interruption.]* That is exactly what the Secretary of State said and it is precisely one of the concerns that schools have—the Government taking freedom from schools to provide courses that they wish to provide. The intention is clear. Sixth forms need to be clear about the threat that is hanging over their future.

In addition to the sixth forms, there are the issues of the youth service and the ConneXions service. In response to some points and in his speech, the Secretary of State made much of the future of the youth service. The problem is that the ConneXions service is to be funded from money currently available to the youth and careers services. It is to bring together youth and careers guidance and come under a unit that is set up at the Department for Education and Employment.

Local authorities are concerned that they will no longer have the funding to provide the sort of youth service that they believe is right in their area and that the only youth service provision that will be available and funded will be that which fits into the Government's ConneXions model. There has been little information about how ConneXions will be funded since the Government published their proposals.

ConneXions provides a mentor for every young person from 13 upwards. Supposedly the mentors are to be the current youth and careers officers and people working in the youth and careers services, who will come together and give advice across a range of issues. Indeed, when challenged on their role, the Under-Secretary of State said:

> They are there because young people need somebody to take responsibility for them.

What about their parents? The Government are telling young people, "If you need advice, don't ask your parents, ask your Government-appointed mentor." Yet another way in which the Government are usurping the role of parents—*[Interruption.]* A number of hon. Members are complaining about that interpretation. They should listen to the words of the Under-Secretary, who makes it absolutely clear that the mentor provided under ConneXions for 13 to 19-year-olds is there to take responsibility for them and to take over some of the advice available to them from their parents.

That is not the only issue with ConneXions. There have been reports that the Government's expectation is that the focus of ConneXions will be on the 9 per cent. of socially excluded young people. The danger of that absolute focus is that other young people will lose out and themselves be excluded. My hon. Friend the Member for Daventry recently received an equivocal response when he asked Ministers to guarantee that every 16-year-old would receive proper careers guidance. The danger is that there are those who will not and who will choose the wrong future as a result.

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Malcolm Wicks): The hon. Lady's speech is deteriorating into mere scaremongering. For the record, the ConneXions service will be a universal service for all 13 to 19-year-olds. Far from replacing the parental role, it will work closely with the child's mother and father. That is common sense. There is no room for scaremongering.

Mrs. May: If the Under-Secretary does not want people to be concerned about the future of careers guidance, he might look again at the response given to my hon. Friend the Member for Daventry, which made it absolutely clear that there would not be careers guidance available to every young person under the scheme. Perhaps, too, he should talk to local authorities who are genuinely worried about the impact that this change will have on their ability to provide careers guidance across the patch to all young people.

There is also the issue of the so[illegible] youth service that is to be provided. The informal yo[illegible] service of today that provides help for young people where they are and when they need it, and that backs them up and supports them, will not exist under ConneXions. Local authorities are worried that they will not be able to continue to provide that service once the funding has gone into the ConneXions service.

The other place passed amendments in relation to sex education guidance—the replacement for section 28, as the Government would have us believe—and ballots on grammar schools. I noted that the Secretary of State appeared to say that he would remove the whole of clause 117 on sex education and circulate guidance to schools in place of that legislative backing. My noble Friends moved the amendments because they were concerned that, although the Government were claiming that their amendment for inclusion in the Bill replaced section 28, it did not. It was not the compromise that the Government were suggesting it was. That is why my noble Friends' amendment is now in the Bill.

On grammar schools, if the Secretary of State wants us to believe that his statement at the 1995 Labour party conference did not set out the Government's position on

[Mrs. May]

selection—he will now tell us that it was not a joke, having described it as such previously—and if he stands by his remarks of a couple of weeks ago in *The Sunday Telegraph* that he is not hunting down grammar schools, he should accept the amendment of the other place and the proposal that the ballot should be removed. Threats and uncertainty will hang over grammar schools if he brings back those ballots. We have seen the vote in Ripon, and the anti-grammar school campaign in Kent give up on getting a petition together. Those grammar schools should not have their future threatened by the Bill.

Dr. Starkey: Will the hon. Lady give way?

Mrs. May: No, I have given way on a number of occasions to the hon. Lady.

Mr. Gerald Howarth: Will my hon. Friend give way to me?

Mrs. May: As this is the first time my hon. Friend has intervened, I will.

Mr. Howarth: I am extremely grateful to my hon. Friend for giving way. The Government appear to be in some confusion over their sex education provisions and clause 117. Has my hon. Friend seen the draft guidance that the Secretary of State has distributed, and has she noticed the section entitled, "Working with the Wider Community", which refers to social workers and youth workers? Has she seen this quite disgusting leaflet, "Gay sex now", which was published with £50,000 of public money in Scotland? Does she agree that there is widespread concern about this issue, that our noble Friend Baroness Young has articulated it and that the Government have come up with no proposals to deal with it?

Mrs. May: I agree that there is indeed widespread concern on this matter. It seemed as though the Government would respond to it, judging by the comments of a senior Cabinet Minister at the weekend that if concern continued and the Government were again defeated on section 28 in the other place, they would give up. Sadly, yesterday the Prime Minister made it absolutely clear that the Government are intent on going ahead with the repeal of section 28. In so doing, they are acting against the wishes of the many parents who want to ensure the protection of children in schools and other local authority institutions.

The training and education of all young people post-16 is vital to our future as a vibrant economy. With the Bill, the Government had an opportunity to look ahead and to ensure that the system for providing that training and education is the right one to take us forward in the 21st century. In the dynamic and fast-moving economies of today, the key is flexibility—to meet national and local needs.

However, far from producing flexibility and diversity, the Bill will increase bureaucracy, reduce freedom locally, remove business involvement and reduce guidance to young people. It is typical of a Government whose first instinct is always to centralise, regulate and control. It is typical of a Government who are all talk and no delivery.

2.51 pm

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): I think that the hon. Member for Maidenhead (Mrs. May) was elected to the House in 1997. Perhaps that explains the curious and unbelievable pre-1997 world of training that she described. I have been a Member of Parliament for more than 30 years. During 18 of them, I watched as Bill after Bill was introduced by the Conservative Government. They eroded the rights, responsibilities and duties of local government; they created the world of quangos and then changed it; they altered and amended training legislation from one Parliament to the next.

I could not believe or understand the hon. Lady's account of a pre-1997 world in which wonderful, democratic, stable training organisations delivered splendid programmes with no chopping and changing. One of the saddest features of the past 20 years—especially in training—was short-termism.

I do not blame the training and enterprise councils per se—institutions such as the mid-Glamorgan TEC, which covered the communities that I represent—but, at best, they were able to offer only annual contracts to trainers and training providers. Frequently, those contracts were changed, even during that period. During the previous Administration, much of the training provision was hand to mouth—it operated from month to month, or from year to year. The hon. Lady's image of the present system is of a regulated, centralised and bureaucratic quangoland. The Conservatives created quangoland in many of our communities—certainly in Wales.

I should like to offer the hon. Lady a sense of history. The 1980s and 1990s saw the collapse and implosion of what should have been the natural training providers and routes: training by the major public utilities—the gas, electricity and coal boards—and by great national companies such as GEC, BSC, and Hoover. Those institutions often trained beyond their own needs, thereby providing an amazing alternative educational opportunity—especially in the post-war world of the 1950s and 1960s—for many young people in communities such as the one I belonged to and now serve.

In many cases, those companies offered an alternative form of technical education. They picked up young people who had been branded failures as a result of the 11-plus system and the grammar school structure. That alternative system was vital to the development of our economy in the 1950s and 1960s. Those training structures imploded in the 1980s and 1990s. Many of the companies closed down their training divisions because they could no longer afford them. In my community, with de-industrialisation came deskilling.

Mr. Nick St. Aubyn (Guildford): Surely the hon. Gentleman will go on to acknowledge—as did the Select Committee on Education and Employment—the important role played by franchising in developing training opportunities in the 1990s, under the new arrangements introduced by the previous Government.

Mr. Rowlands: I do not condemn everything done by the previous Government. We should certainly have flexibility and diversity in training to meet the challenges of a more complex and diverse 21st-century economy.

I was pointing out that deskilling was one of the consequences of that implosion and collapse, and of the deindustrialisation that occurred in communities such

as mine. At the same time, production technology transformed the nature of skills. Some of us can remember that there were ladders of skills in each company, with an accompanying training programme. Many intermediate skills were wiped out by new technology.

Furthermore, in communities such as the one that I serve, there was a shift in the balance between the manufacturing and service sectors. When I first became a Member, between 30 per cent. and 40 per cent. of the economy in my constituency was in manufacturing; the figure is now between 26 per cent. and 27 per cent. Training requirements have changed because of that.

It is a curious aspect of the Thatcher era that one of the consequences of those changes was the transfer of responsibility for training from companies in the private sector to the state. We had to build a large, alternative set of structures to deal with the gaps left after deindustrialisation. The previous Government acknowledged that. We had to establish organisations to deliver new programmes; there was a growth of training providers and quangos. That was what happened—not what the hon. Lady described. Successive Governments tried to find the best mechanisms to deliver new training programmes. Such programmes must be financed as much by the state as by the private sector.

Mr. Wigley: I am following the hon. Gentleman's speech with great interest, because I lived in his constituency during the period to which he refers. Does he agree that one of the changes that has taken place since then is the immense speed of technological development? That often makes it difficult for companies, or for anyone else—even in the public sector—to anticipate what will be needed five years down the road. That point must be taken into consideration.

Mr. Rowlands: The right hon. Gentleman makes an important point. Training is much more complex and diverse. To read future skills markets and needs is becoming increasingly difficult. If, as everyone says, the growth of our economy will be through small and medium-sized enterprises, they will need greater support in order to sustain and adapt training for their current and future work forces. We all accept that we live in a different world. That is why Governments have had to struggle to find the best structures and instruments to deliver training programmes.

I confess to my right hon. Friend the Secretary of State that, when I first read the Bill, my heart sank. Here we go again, I thought. I had watched the previous Government introduce quangos and abolish them: from the MSCs—manufacturing skills councils—to the TECs and now to the LSCs. In Wales, at least, we have been saved from ALI and all the acronyms that go with it. Training has been a fertile breeding ground for acronyms; we have gone from YOPs to YTS—youth opportunities programmes to youth training schemes—and from WEPs to STEPS—work employment programmes to special temporary employment programmes. The Bill will spawn another new collection.

I approached the Bill with some apprehension. I thought it might be just one more in a long line of measures that merely replaced one set of quangos with another. However, the Bill is sensible. It offers a new structure to ensure that there is a meaningful relationship between school, college and training. The relationship will be co-operative. It will not be like the crabby, competitive system created under the previous Administration, in which school heads did not want their children ever to go near a training provider in case they lost them. Colleges were in direct competition with schools; and both were in competition with training providers. That is not the best approach. Choice is essential and we want to create as much choice as possible, but the crabby competition that grew up under the previous arrangements is not defensible. It is wasteful as well.

I have concluded that the arrangements in the Bill are sensible. I hope to goodness that, for a period of time, the system will be stable structurally and financially. That has not been a feature of training for the past 20 years.

Wales will have new quangos, such as the National Council for Education and Training for Wales and the Community Consortia for Education and Training, but not—I am glad to say—the Adult Learning Inspectorate. If I am to accept those quangos, there must be, as the hon. Member for Maidenhead said, a high degree of flexibility as the programmes roll out. I would like to illustrate the need for such flexibility as it relates to the needs of my community.

I have admired the passionate support that my right hon. Friend the Secretary of State has given—both when he was in opposition and now—to the promotion of staying-on rates in schools. It is a sign of a civilised society that more young people are able to, can afford to and choose to stay on in school because they do not have the economic necessity to leave. I was the first person in my family to receive education after the age of 14. My mother was the most intelligent person in my household, but she was forced to leave school at 14. My generation understands the importance of having the opportunity and the ability to stay on at school and we appreciate the role of educational maintenance. Flexibility is therefore required.

However, it would be foolish not to recognise that, alongside increased staying-on rates, the raising of the school leaving age and the increase in the number of people going on to further education, a growing and large minority of young people are alienated from, and disaffected with, the education process. At the same time as we have increased staying-on rates, truancy has risen in many communities. Although we must push on to improve staying-on rates, we must recognise that many young people are alienated by the education that they are offered. They vote with their feet. One sees far too many young people wandering the streets during school hours. Why is that? Alongside the measures that my right hon. Friend has announced, we must discover why young people play truant so that we can address their needs.

In my community, a fascinating scheme has been introduced. I am sorry to say that it has another acronym—SSUP—because it is the school step-up programme for 15 year-olds. It enables youngsters who are about to leave school to spend days with an employer, and training is provided. To stay on the scheme the youngster must not play truant, and that means that we are reversing the trend. Because young people have the opportunity of work experience and because they would

[Mr. Rowlands]

lose that opportunity if they played truant, they are much more conscious of the need to attend school. Such flexible arrangements are essential.

Caroline Flint (Don Valley): May I bring to my hon. Friend's attention a scheme between Doncaster college and Edlington school in my constituency? They provide a bridging course on information technology and I was happy to meet some of the students on it. Half of them had not intended to stay on in education after 16. Is not such collaboration at the heart of the Bill? It should be the norm rather than the exception to the rule.

Mr. Rowlands: There are many good programmes of the type that my hon. Friend has mentioned. I have described one in my community. I hope and believe that such schemes can encourage and extend best practice.

My other hope and prayer is that the new training organisations will answer the catch-22 question in communities such as mine. Every economist that I have read or heard has told me that, for my community to have a modern, 21st century economy, it needs modern training and skill opportunities. We are told that we are desperately short of NVQ 3 opportunities and NVQ 3 trained young people. That is where the future lies. How do young people get such opportunities, given the type of jobs that are available in my community? Not one of them offers the opportunity to obtain work-based NVQ 3 training.

A couple of weeks ago, the Treasury announced a scheme to deal with the mismatch between 1 million unemployed people and 1 million vacancies. When my right hon. Friend the Chancellor of the Exchequer launched the scheme, I took a snapshot of the 115 vacancies that were available at the Merthyr job centre to see whether there was the mismatch that the Treasury talks about. I found that there were vacancies for cooks, cleaners, bar staff and bouncers. There were vacancies for a butcher, a bailiff, mechanics and a hairdresser. None of the vacancies offered a training opportunity of the character that I am told a modern economy requires. I do not deride the people who do such jobs, but that work does not constitute a base for a future training programme that will develop a 21st century economy.

I hope that the new training structures will address the catch-22 questions faced in the valley communities that I represent. Training and NVQs need the same degree of enthusiasm and effort that has been put in to ensuring that school-leaving sixth formers find places at university. For training, we need the equivalent of the Universities Central Council on Admissions. That would enable young people to have better training opportunities than the job market in my community can offer. It would provide mechanisms, training and funding of the kind that we offer to sixth formers who go on to university.

I have not seen such an arrangement in place. Above all, we should use—my right hon. Friend the Secretary of State has been responsible for this—the revitalised Employment Service, in which there has been a transformation. It is not an inward-looking organisation that provides the dole and benefit, but an excellent and proactive employment promoter, motivated chiefly by the new deal.

My worry for Wales is that the Employment Service will not be allowed to become an intrinsic part of the process. The best work-based training programmes that are attached to TECs should be linked to the Employment Service. With the new deal, they could provide the training that young people need.

From correspondence that I have had with Welsh Assembly Secretaries, I understand it that some do not want such provisions and are not willing to accommodate the provision in the Bill. I tell the right hon. Member for Caernarfon (Mr. Wigley), who plays a leading part in the Assembly, that the reason for that is that new demarcation lines have been drawn up. Employment services are not within the scope of the Assembly, but TEC programmes and their budgets are. How dare one suggest that the best scheme is not one that is distorted by the demarcation disputes between the Assembly and central Government, but one that would allow the provisions in the Bill to be implemented and would allow the Employment Service to take a leading role in providing work-based training?

Mr. Wigley: I agree wholeheartedly with the hon. Gentleman about the dangers of demarcation, but does he accept that the Bill contains flexible powers that can be adjusted, as appropriate, in either direction, to avoid the consequences that he has described?

Mr. Rowlands: Yes. For England the Bill is prescriptive, but for Wales this is a skeleton of a Bill. I believe in the legislative role of the House and the right of Members to play their full part. The Bill contains provisions for Wales, but we do not know what effect they will have, and there are clauses that do not apply to Wales. We know that there will be a set of new clauses on the youth service. Those are the subject of discussion between Ministers, Assembly Secretaries and, presumably, Assembly committees. Why are not Members of this House involved in those discussions?

If there are to be partnership arrangements between Ministers, Assembly Secretaries and Assembly Members, and if Bills such as this are to come to the House containing only skeleton arrangements, we need a different pre-legislative process that involves Members of the House. Are we expected to nod those Bills through the House? Do not we have a right to seek to amend or expand the provisions for training in Wales? I am sorry, but the likes of me will not nod through legislation—maybe I am a bit old-fashioned. I say to my right hon. and hon. Friends on the Front Bench, those who serve Wales as well as those who serve central Government, that we will have to devise a new way to prepare and deal with such Bills.

At the moment, no one knows what the youth service provisions will contain. We do not have them in draft; they will be introduced in Committee. Will the Welsh Office Minister who is to introduce them come to us and say that they are the Assembly's provisions, so we should not amend them? Will they be presented not only as a fait accompli, but as provisions that we have no right to amend? I am not willing to accept such a legislative role.

As the Member of Parliament for Merthyr Tydfil and Rhymney, I have as much knowledge on these vital issues as Assembly Members, if not a little more on occasion, and I intend to play a full and active part in ensuring that this is a better Bill when it leaves this place.

3.12 pm

Mr. Richard Allan (Sheffield, Hallam): I am pleased to say that the Liberal Democrats welcome the Bill, although we have specific concerns that we will seek to raise constructively in Committee. I look forward to Ministers' positive responses to those issues.

We welcome the Bill because it deals with this country's skills shortage and is essential not only for individual opportunities but for the general opportunity afforded by a successful economy, which depends on skills. Although the Bill deals with that problem, and that is what I shall concentrate my remarks on, one might be forgiven, thanks to the efforts of Conservatives in another place, for thinking that the Bill was about grammar schools and sex. I shall try to resist the temptation to pursue that argument.

I was pleased, however, that the Secretary of State, whom I am happy to see still in his place, referred to the question of what constitutes a stable, long-term relationship. He noted that my noble Friend Earl Russell challenged the peer who tried to argue that necrophiliacs are involved in long-term relationships. I showed the *Hansard* report of that exchange to a friend outside the House who said that it was surreal, which is the best word to describe some of the debates on that issue.

The core aim of the Bill, as I have said, is to make progress in delivering skills to young people in particular, and also to ensure lifelong learning. I reiterate other hon. Members' praise of the work of organisations involved, and I single out the Employment Service for particular praise. As a fellow Sheffield representative, the Secretary of State will understand why I think that the service is important, whether it is based in Moorfoot or anywhere else.

The situation in Sheffield highlights for me the importance of skills. I readily recognise that I represent a more affluent constituency, which is perhaps characterised more by employers than by those seeking work, but the whole area depends on skills. Enterprises cannot function for the benefit of Sheffield and South Yorkshire without the existence of skills throughout the community, and there are chronic skills shortages in Sheffield and the region as a whole. That has been recognised by the awarding of objective 1 status, and we are all involved in making decisions about that now. Objective 1 will, rightly, focus on improving skills, and the new provisions will be essential in achieving that aim.

The problems at Rover also highlight the importance of generating extra skills. This is not a party political issue. When one compares the productivity figures of UK industries with those in other countries, particularly in continental Europe, one finds that a key factor behind the difference are the skills bases of the people employed in those enterprises, who play a part in creating the industry's infrastructure. We must seek ways to avoid problems such as those at Rover occurring in future by making sure that our productivity keeps pace with that of other countries and that we have the best possible industry, not only in manufacturing but in all sectors, so that we are truly globally competitive.

We have a background of failure, and I criticise the previous Government for moving in various directions but never getting to grips with skills shortages. Initiatives such as modern apprenticeships have been useful but they are not enough. There is still too much concentration on quantity rather than quality. There is too much emphasis on output targets, such as how many people take courses, rather than on the nature of the course.

People in the engineering sector, which is crucial in Sheffield, have told me that it is difficult to deliver engineering courses within the structure set up by the previous Government because they are expensive and require substantial investment in colleges. To put it simplistically, it is easier to deliver a higher number of courses at lower skills levels or for less appropriate skills than to teach the specific skills needed in an area. The incentives have, to a degree, been perverse.

Liberal Democrats also query the incentives in the NVQ system generally and want quality and standards to be the priority. We hope that the Bill will improve NVQs. There is a suspicion, which seems to be borne out, that the incentives are aimed at getting people through NVQ courses and achieving targets of numbers of people rather than focusing on the quality of each course. We hope that during the proceedings on the Bill we will be able to consider the rigour of the qualifications that we are offering.

There is also the question of stimulating demand. The National Institute of Adult Continuing Education referred to that issue in relation to community education outreach work, which has always been a feature of local government services. It is no good improving the system and putting new structures in place if we are not reaching out into the communities, particularly the deprived communities where people have not previously accessed further education. We must get out there and generate demand. The Bill does not explicitly refer to that, but we want it to reach out to people who are not yet involved.

As I indicated earlier, we would favour a stronger regional structure similar to the Welsh model. The Welsh Assembly is the accountable body to which the local learning and skills councils will report, and there will be a tripartite structure involving the Welsh Development Agency, the Welsh Assembly and the LSC.

Mr. Rowlands: I do not think that the hon. Gentleman is right about the Welsh scene. Wales will not have local learning and skills councils. We will have voluntary bodies called CCETs, which will consist of about 20 people, almost all of whom will be from the further education sector. There will not be a comparable structure in Wales.

Mr. Allan: I understand that there will not be local LSCs, but the functions that the council will have in England will be controlled in Wales by the Welsh Assembly, and a regional assembly could do the same in England. We favour that model of accountability rather than the lower tiers of the detailed structure.

In England, we would like LSCs in the regions to answer to a regional assembly, rather than simply to the national Learning and Skills Council, as the Bill currently proposes. We are also in favour of the WDA's involvement, and would like to follow that model in England, which now has a tier of regional development agencies. I apologise if I gave the impression that I thought that there would be exact comparability. We are considering more the accountability route and the involvement of the development agency in the English context.

[Mr. Allan]

We seem to be developing a regional structure within England. Much of the old structure for the areas with which we are dealing in the Bill was delivered at regional level by the Government offices of the regions. That structure was set up by the previous Government. We have some experience of that approach and we believe that that would be the appropriate level.

The CBI is considering how we can deliver appropriate training with the flexibility that we want. Yorkshire and the Humber does not have to deliver the same thing as the south-west or any other region. We believe that there could be real flexibility through more regionalisation. In the area that I represent, for example, the engineering sector is looking for things from the regional skills base which perhaps might not be appropriate somewhere in the south-west, where there may be a much stronger focus on other forms of skill.

We have some concerns about business involvement in the structures. Business has not always managed to deliver in the past. Many past structures have had significant business involvement but have not necessarily delivered. Contrary to what has sometimes been suggested, even beefed-up business representation on learning and skills councils is not a magic wand. It will not necessarily lead to any improvement.

In many ways, the public sector is picking up on the failure of the private sector to deliver. Business has not delivered the training for its employees, which it should properly be doing as part of its own structure and viability. The bodies that we are setting up will be picking up the pieces and providing training for business.

Mr. Brian Cotter (Weston-super-Mare): I hope that there will from time to time be an emphasis on the smallest businesses within the organisations to which my hon. Friend is referring.

Mr. Allan: One of the key issues will be the relationship between the Small Business Service and the new bodies that we are setting up—the LSCs—in terms of determining how they will feed in their requirements. Mention has been made of the enterprise element of training and enterprise council work. That element was especially valuable to some of the smaller businesses that did not have access to facilities on their own.

I understand that Conservative Members in another place proposed amendments to the formula for composition, with a fixed 25 per cent. for local government and a fixed 40 per cent. for business, for example. We do not favour such a prescriptive model but we are seeking reassurances that there will be broad representation.

Local government has an enterprise function. In that connection, anything that is done about skill shortages and boosting the local economy will invariably have an impact on the broad range of local government services. They are all of a piece. Local government controls education, social services and services in general, and they are all tied into the regional or sub-regional economy. The LSCs will form an important part of that structure. Strong representation from local government will be important but, as I have said, we are not convinced that there should be a prescriptive model.

I have already mentioned representations from the national training organisations. That role will be important, especially in maritime areas, for example, where there is a particular requirement. That role will be important also in other areas.

Some big questions remain about the transition from TECs to the new structures. The discretionary funds have already been mentioned. It has been pointed out to me by the Sheffield TEC that discretionary funds are used not only for enterprise functions but sometimes for training functions. There are extant training programmes that are doing a good job and which the TEC would like to see transferred to the new structures. I hope that we do not lose those programmes as we go forward. We should not assume that the discretionary funds are being used purely for enterprise.

The picture that we get is that effectively everything will be put on hold for a year or two. It is inevitable that in a time of change things will slow down. I see that the Minister is shaking his head. My TEC tells me that it is losing staff all the time. They are leaving the sector and looking for jobs elsewhere. The TEC is putting such programmes as European funding programmes on hold because its experts have applied for other jobs and left because of the uncertainty. That is a real issue that we must address. The Government can do something about it by accelerating the process of informing people and indicating what their long-term future will be.

We cannot afford too long a delay. People should not have their current contract terminated without knowing with any clarity whether they will get a subsequent contract. Their natural inclination will be to leave to find jobs elsewhere. That will happen unless the Government take swift action to put in place some security of tenure. That will be especially necessary in South Yorkshire, where TECs are amalgamating. Objective 1 areas need that more than anywhere else.

I accept that that is special pleading, but objective 1 status covers many areas. We shall be delivering huge amounts of training as part of objective 1 programmes. The Minister will be aware that if we do not get the funding through quite quickly, we shall lose it. As we are entering the programme, it is vital that we have the organisations in place that can deliver the training so that we can get rid of as much uncertainty as possible.

The TUPE implications have been referred to in the context of TECs. We need to know with more clarity what their liabilities will be. I understand that TECs feel that they will be significant. Many of them feel that where they are described as having an asset, they actually have a liability. For example, those TECs which have leased rather than purchased buildings may have to pay money to get out of the lease, rather than realising an asset. I understand that in South Yorkshire, the LSC will have its headquarters in Sheffield and that there is an issue relating to the building that the current TEC occupies. Other premises are used by the other two TECs in the area. As we unravel the proposals, I suspect that the financial situation will not turn out to be favourable. I think that it will be rather less favourable than was anticipated.

Mr. Boswell: I agree with many of the points that the hon. Gentleman has been making. Does he agree that there is a particular technical problem with the TEC

movement where there is an association with the private sector—for example, membership of a chamber of commerce? Such assets will have to be unscrambled and returned, and a new membership organisation established.

Mr. Allan: The hon. Gentleman is perfectly right. Some of the more successful TECs have been working hand in hand with chambers of commerce. The situation will have to be unravelled, and that will take time. That process of unravelling will draw attention away from the job of delivering education and training. I hope that the Government will accept that that is a genuine concern raised in the spirit of wishing to see these proposals succeed rather than fail. I know that the Government will try to be positive.

Concerns have been raised by bodies such as the National Youth Agency and the Careers Services National Association as well as by Opposition Members. I know that my noble Friend Baroness Sharp of Guildford managed to secure an amendment on Third Reading, which will be quite useful. I suspect that the Government will seek to remove it, but I would ask them to think twice about doing that. The purpose behind the amendment is to put into the Bill assurances about the range of provision that the careers service will offer.

We believe that we need to concentrate on the few as well as the many. The Government frequently take the opposite approach. In this context, the few are the 9 per cent. who leave education without any formal skills. They are a vital group and they have not been reached before. They have tended to be ignored as targets for general achievement become higher. When we reach an 80 or 85 per cent. target we think that we are doing well, but the 9 per cent. are being left out. We understand the focus and we think that it is entirely right that the Government should want to work on it, but we would argue that that should be additional to what is already being done. We seek assurances from the Government that they can achieve that additionality.

There are two elements, the first of which is funding. If we want to provide individual mentoring services such as one mentor to 10 young people, it will not be cheap. However, that is the sort of intensive service that we probably need. We want to be sure that the funding the ConneXions service receives is sufficient to do the work that it has done through schools for the generality of young people and to offer the sort of mentoring service to which I have referred.

Qualified staff are vital. There is a huge shortage of young people with social work qualifications. If we are sending people out on intensive work with people in the 13 to 19 age group, younger mentors will be of particular value. However, there is a shortage of qualified people across the profession. We have seen the Government enhance funding in other areas. Even if the money comes through, will there be the staff to deliver, and where will additional staff come from? Either they will come from delivering the existing careers service or from, for example, the youth service, which local authorities are using. There are peripatetic youth workers who are involved especially with the 13 to 19 age group. They may be appropriate for the ConneXions service but they cannot be in both places at once.

Mr. Wicks: The hon. Gentleman makes a good point about professionals and where they will come from. We must not inadvertently poach good professionals from, for example, social services. I assure the House that we are considering the issue cross-departmentally because we are aware of the danger.

Mr. Allan: I am grateful to the Minister.

I mentioned peripatetic youth workers and said that they could not be in two places at once, but they probably could—that is the definition of "peripatetic". I have seen the good work that they do with the group in question.

I am glad that the Minister has in mind joined-up government in this area. I know that some of those youth workers are funded under Home Office programmes for crime prevention purposes and do good work; some are funded by social services, education departments and local authorities. They almost always work with the same client group as the ConneXions people, and we want to make sure that they all work in a co-ordinated way; otherwise, there will be confusion among that client group and money will be wasted. *[Interruption.]* The Minister says that that is the reason for the name "ConneXions". We hope that the reality is as good as the Government's sloganeering.

We have concerns about the inspectorate. Some of the issues have already been raised. We are particularly concerned about a double inspection regime. We Liberal Democrats are not the biggest fans of Ofsted, and possibilities in the Bill for the expansion of its role are worrying. Ofsted may move into the FE sector in ways that may be inappropriate. We are also concerned about area-based inspections for the LSCs. We want to know what the areas will be and who will carry out those inspections.

We tried in another place to clarify the roles of the adult learning inspectorate and Ofsted, to avoid duplication of effort. We believe that Ofsted is not the appropriate body to be expanded at this stage and that it already has enough power over education policy.

With regard to post-19 provision and lifelong learning, we are concerned about the difference between clauses 2 and 3. Clause 2 effectively mandates a structure for pre-19 education up to level 3, giving a young person an entitlement to education up to level 3, whereas clause 3 suggests that that entitlement does not exist beyond that age, but that the LSC should take reasonable steps to provide such an education.

We believe that the entitlement to education to level 3 should not be dependent on age. That is also the view of NIACE, which has issued statements to that effect. We should concentrate on getting everyone to level 3 and not worry too much about an age cut-off. I know that my noble Friends considered the matter, and I hope that the Government will return to it.

We welcome individual learning accounts as another aspect of the lifelong learning agenda. That has been our policy for some time. We want individual learning accounts to become the norm for a range of people, to enable them to access lifelong learning, and we hope that the Government will not see such accounts as trivial, merely providing discounts on courses or a low level of support. We hope that individuals will feel that they can build on such accounts and contribute to them throughout their lives, and that their employers will want to contribute as well.

[Mr. Allan]

The Bill provides a framework for setting up individual learning accounts, but we do not have the detail of how they will be used. They should be used extensively for lifelong learning opportunities, rather than as a quick fix offering discounts on college courses.

I am sensitive to the issue of sixth form schools. As the Secretary of State knows, I have sixth form schools in my constituency, which is the only part of Sheffield that does. That is because the schools resisted the single tertiary structure offered by Sheffield city council some years ago. I notice a silent Government Member, the hon. Member for Sheffield, Attercliffe (Mr. Betts), who also has some experience of Sheffield city council.

I have heard the Minister's assurances about the future of sixth forms that are doing a successful job, but questions will have to be answered, particularly where a dispute arises. A local learning and skills council may decide for whatever reason that the sixth forms in its area are not the best means of delivering post-16 education. The LSC may hold that view strongly, the sixth forms will want to survive, and arbitration will be necessary.

The present system for arbitrating between school provision and potential LSC provision is messy. The sixth forms must be able to have confidence in their security guarantee. There should not be battles between the LSCs, which will try to drive the costs down, and the sixth forms, which will argue against that.

There are important questions relating to the expansion of sixth forms. In Sheffield, a number of schools have recently asked to open new sixth forms. Those requests were made under the old funding structure and were not accepted. If a school can make a good case for a sixth form, it will be interesting to see whether the new structure will allow the school to make that pitch, where it will be directed and how it will be assessed.

I believe that demand for sixth forms will continue. Good sixth forms, in co-operation with colleges, is the sort of model that the Government want, although that may involve new sixth form provision in an area where there was none before.

In conclusion, we offer general support for the Bill, but we seek assurances from the Government that they can deliver where previous Governments have promised but not delivered. I am tempted to use phrases that I have heard too often from Conservative Members about talk and no delivery, but that has been the case repeatedly with education initiatives over most of my lifetime, under a Conservative Government.

There are three key requirements for successful delivery, which the Government will have to bear in mind as the Bill proceeds. The first is adequate funds for the further education and training sector. We keep returning to the subject of money, which gives the Government an opportunity to speak about our spending 1p several times, but they have acknowledged that the FE sector needs money. They have proudly boasted of the funds that they are giving, but we must make sure that the money goes to the right places and delivers quality as well as quantity. It is a matter not just of the amount of money, but of the way in which it is delivered.

The second requirement is sufficient trained staff to deliver the programmes. I mentioned that in the context of ConneXions and the mentoring service, but it is equally true in the FE sector. Morale in that sector has not been at its best over recent years, and there are still disputes about pay and conditions in the sector. If it is to expand, we must make sure that people want to go into FE, so that it gets quality staff who stay there and are not tempted to go elsewhere because they are on temporary or short-term contracts.

Finally, we need proper accountability and flexibility to respond to local demands. We must be clear about how the LSCs report, particularly to bodies such as regional development agencies and regional assemblies.

If we can work on those elements, the Bill should be able to deliver a better structure than the existing one. We therefore are not inclined to support the Conservative amendment. We believe that all parties should join together to try to improve the system, rather than seeking to damage an initiative that could lead to improvements in our skills base—improvements that are desperately needed if the country is to be competitive and if individual young people are to have the opportunities that they deserve.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. Many hon. Members wish to speak, so shorter speeches would assist fellow Members.

3.37 pm

Ms Joan Ryan (Enfield, North): I give the Bill a warm welcome. It brings us a long-overdue comprehensive framework for post-16 education and training. It is clear that current structures are letting us down. I know that from personal experience. I worked in the 16 to 19 sector for some years before becoming a Member of Parliament. The college in which I worked was a good college, but it brought me into contact with many other colleges and post-16 providers and made me aware of the needs that must be met.

I commend the wide-ranging consultation that took place before the Bill reached the other place, which gave people and bodies time to respond. Overall, the responses were detailed and positive. Yes, they raised queries, but that is to be expected—it is the point of consultation. It is a hallmark of the Government and particularly of the Department that consultation is taken seriously. Good consultation is the first step to good legislation. That is why it is so important.

The Bill is a serious attempt to address the weaknesses in our post-16 education and vocational training system. Sadly, the problems are not new. I have read that, in 1884, concern was expressed that Britain was increasingly losing out to its foreign competitors. Gladstone set up the Samuelson commission, which argued that neglect of education and training was one of the key factors in Britain's poor performance.

The productivity gap between UK companies and our major competitors is between 20 and 30 per cent., which is a matter of great concern. It is a shocking fact that some 7 million people in Britain lack formal qualifications. That figure is far too high and 2.1 million people lack intermediate technical qualifications at the important general national vocational qualification level 3, which has been mentioned. The skills taskforce estimates that 80 per cent. of the work force will need level 3 skills in

the future so clearly there is a great deal to be done. It is also shocking that 170,000 16 to 18-year-olds are not in education, training or employment. That must change.

The performance of further education colleges is variable—some are excellent, some are not—and their drop-out and retention rates should be of great concern to us. The raising of standards and quality in FE is, and has to be, a key part of the Bill's agenda, which is one fundamental reason why it is so welcome. Also welcome are the links between learning and work. The previous Administration brought education and employment together in one Department, and they were right to do that, but they did not establish the key links between learning and skills and between employability and business. On the ground, local providers have struggled to make those links, so it is right that they are part of the Bill.

The proportion of 16 to 19-year-olds who receive job-related training increased from 21 per cent. in spring 1995 to 25.6 per cent. in spring 1998. There has been an improvement, but almost half all employers still think that their youngest employees lack the skills to meet business needs and slightly more than a third of all employees have never been offered training by their employer. There is work to be done on both sides of the equation and the structure provided by the Bill, which is a bold attempt to address those serious weaknesses, will enable us to do it.

I want to say a few words specifically about London and why making what the Bill offers a reality is crucial to its future prosperity. London's unemployment is some 20 per cent. above the national average and we have heard it said before in the Chamber that unemployment here is the same as that for Scotland and Wales combined. It is important to consider London in that context. It is often thought of as affluent, but it is characterised by affluent areas existing side by side with areas of the deepest poverty.

Mr. Boswell: I appreciate that the hon. Lady is a London Member and I have visited FE colleges fairly near her constituency recently. Will she concede that there is concern about whether the proposed structure for London and the local learning and skills councils, particularly in the northern sector, will be able to deliver adequately and meet the needs that she has properly addressed? Does she agree that there is also concern across the sectoral boundaries in London about whether it will be possible for colleges to make perfectly sensible collaborative arrangements to secure the adequate supply of high quality training for skills and education across the metropolis?

Ms Ryan: The hon. Gentleman makes some important points and, if he waits a while, I shall come to them.

Some 120,000 jobs are on offer, but people lack the skills to fill them. One in four Londoners has minimal qualifications or none and we need to raise drastically the level of technological skill among young people in London. We also know of the barriers that exist for black Londoners and members of minority ethnic groups, who are far more likely to be unemployed and far less likely to get the job. That is unacceptable. I am therefore pleased by the strength of the Bill's equal opportunities approach.

On the point raised by the hon. Member for Daventry (Mr. Boswell), London will have five local learning and skills councils. Essentially, three options were before the London Development Partnership, but it did not suggest the one that I favoured. I preferred the "wedges" option—which would have got rid of the inner and outer London doughnut and established travel-to-work areas to slice up the city—and saw sense in the pan-London LSC option as London is essentially one labour market, but our councils have been broadly based on the training and enterprise councils, although there are obviously fewer. I believe that that option can succeed.

The hon. Member for Maidenhead (Mrs. May) said that the Government failed to consider what was needed in local areas, but they and the London Development Partnership considered London's needs and decided that it would be best to build firmly on the good practice and partnerships that are already in place and take them forward. I think and hope that, in a number of years, I will be able to look back and say that the best option was chosen. We are building on good practice and partnership while achieving a coherent structure and a quality agenda.

However, the establishment of the five local learning and skills councils raised some issues, not least for Capel Manor college in my constituency, which is the only specialist horticultural college in London. It has a national and international reputation and is doing an excellent job, but it was concerned about relating to five different councils and thought that it might run into some of the problems that it had faced with local education authorities. It was worried that it would need to be represented on, and have an input to, each council and concerned about sorting out the financial situation across five different bodies.

I made representations to the Under-Secretary of State for Education and Employment, my hon. Friend the Member for Croydon, North (Mr. Wicks), on that issue. He corresponded with the college and took note of what it had to say. He wrote:

> We recognise that there will be a need for cross London co-operation when planning and allocating provision. We expect that LSCs will work together in London with a light touch co-ordinating mechanism. The exact form that this pan London co-ordinating body will take has not been agreed. However, it will mean that the five local LSCs will be able to agree common approaches to collective problems including developing strategies for sectoral cross regional provision.

My college is heartened by that news and in a letter to me it says that it is

> delighted with the letter from Malcolm as it illustrates a real understanding of the potential inefficiency of small specialist providers, such as Capel Manor College, dealing with individual LSCs. They would welcome the opportunity to report directly to a London-wide body, co-ordinating the servicing of specialist needs across London.

That is good news for regional organisations up and down the country, and my college and I have good reason to thank my hon. Friend the Minister for paying attention to those issues.

I want briefly to discuss the work of the national training organisations. The White Paper "Learning to Succeed" said that NTOs have a pivotal role to play in the new arrangements. Many of us are delighted by that and the Bill's strength is that it is more demand led than the current provider-driven system. To ensure that that continues, and in acknowledgement of the work and relevance of NTOs, I am pleased that the Government have backed an amendment in the other place that will

[Ms Ryan]

mean that, as well as providing a national, regional and local focus on skills, the Bill will ensure that industrial and occupational needs are met. It is right and welcome that national training organisations are recognised by the Secretary of State as the employer voice on education and training issues.

I welcome the LSC prospectus, and especially the reference to meeting the need for skilled child care workers to support the national child care strategy. To date, training and enterprise councils have played a pivotal role in training out-of-school child care workers, and have increasingly been involved in the development and provision of the training infrastructure to support child care for ages 0 to 14. It is vital that that role continues under the LSCs to ensure that the development of this substantial work force is no longer marginalised as low-status, low-paid work, or separated from other forms of vocational training and development.

An estimated 100,000 new jobs in child care and early education and play work will be created in the coming years. As many as 60,000 people will be required to staff new out-of-school provision alone. We must ensure that the emerging Qualifications and Curriculum Authority's national framework of child care qualifications continues to be disseminated to local post-16 providers, and that those providers are supported in offering learning opportunities for workers in out-of-school child care, because there are considerable shortages of provision.

Caroline Flint: I am glad that my hon. Friend has raised the important issue of child care workers and their training. Does she agree that it is vital that the LSC liaise with early years development and child care partnerships at local level, and enable parents to take part in the courses put on by the providers, wherever they may be?

Ms Ryan: My hon. Friend makes the point well. Indeed, my next point was that local learning and skills councils must work closely with early years development and child care partnerships. We must identify and ensure provision for a wide range of learning opportunities for child care individuals, organisations and employers.

LSC should be the favoured body to oversee the vocational training of child care workers and the development of family friendly policies by employers. We can be proud of the achievements to date of TECs and local education authorities working with early years development partnerships in this emerging area. I am concerned that there could be a loss in this field unless each local LSC has a specific child care brief. That would ensure that the work that I have outlined is co-ordinated, and that specialist knowledge provided by child care development teams informs the work of LSCs. I would like child care to be added to the equal opportunities brief in the functional diagram of a local LSC in paragraph 2.22 of the prospectus.

The measures in the Bill are welcome and necessary. I particularly welcome the whole thrust of the measures to raise standards in post-16 education and of the quality agenda. I welcome the new inspection proposals. The focus on teacher performance and student achievement was and is a great strength of the Ofsted system. Post-16 education will benefit immensely from that focus, so the people who really matter will benefit immensely—our young people and our work force.

Too many people have a poor experience of education. Many see lifelong learning as far removed from their daily lives. Bringing together the work of the TECs and the Further Education Funding Council will mean that the false distinctions that have held back our post-compulsory education and training system will be removed. This will be the first time that we have had an integrated or coherent approach to further education and work force training post-16. That is very welcome.

The Bill is about quality, coherence and choice, and it saves £50 million to boot. That is very good news.

3.55 pm

Mr. Michael Howard (Folkestone and Hythe): The hon. Member for Enfield, North (Ms Ryan) was right to say that there is a great deal to be done. There always has been, and I dare say that there always will be.

The House will no doubt be relieved to know that I shall resist the temptation to launch into a full-scale defence of the previous Government's record in the face of the casual and ill informed criticism that has been made during the debate. Suffice it to say that the previous Government presided over the greatest expansion ever in the number of our young people entering higher education, developed national vocational qualifications, introduced a range of innovative programmes, and created a proper framework within which those programmes could be developed. The creation of those additional opportunities transformed the lives of millions of our people.

I want the improvement in our training and education system to continue, but I have significant reservations about the Government's approach in the Bill, which leaves a great deal to be desired. Its defects were eloquently described by my hon. Friend the Member for Maidenhead (Mrs. May). In my brief remarks, I want to concentrate on one aspect only: the wanton vandalism that the Government intend to perpetrate on training and enterprise councils.

I have an interest to declare. TECs were established during my period of office as Secretary of State for Employment. The first became operational in April 1990, 10 years ago almost to the day, and the last was launched in October 1991. I cannot and do not claim any credit for the concept. That properly belongs to my immediate predecessor, my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler). It was his White Paper "Employment for the 1990s", published in December 1988, which proposed devolving responsibility for the Government's training and enterprise programmes to local level, and injecting into them a strong infusion of private enterprise.

The essence of those imaginative and visionary proposals was that the local groups that were invited to submit propositions for the establishment of TECs would be led by employers. The objective of the proposals was set out in the White Paper in these terms:

> The Government hope to place "ownership" of the training and enterprise system where it belongs—with employers.

The logic of that approach was—and is—simple and compelling.

The training of young and unemployed people, on which Governments have rightly spent so much money over the years, has one objective: to help those being

trained to get and keep a job. It is local employers who provide those jobs. The direct involvement of local employers in this process—putting them in the driving seat and giving them ownership of the training—is the best possible guarantee that the training will achieve its objective of equipping unemployed people to fill the jobs that are available.

Similarly, employers are likely to know best what help for enterprise is most likely to succeed, and which enterprise programmes are most likely to help firms that are starting or are still small and want to establish themselves and grow.

That was a new and ambitious approach. It involved giving private sector bodies a large amount of public money with which to achieve the goals they were set. One of the most encouraging features in those early years as we were setting the TECs up was that there was all-party support for the initiative.

In the whole of the time I was Secretary of State for Employment, the shadow Secretary of State was the right hon. Member for Sedgefield, the Prime Minister. This is what he said about TECs:

> The worst thing a Labour Government could do would be to scrap everything that has been achieved and start again.
>
> Labour will retain Training and Enterprise Councils but will make them more broadly representative of their local communities.

I suppose that if the current Secretary of State had said that and it was put to him now, he would say that he was only joking. However, the Prime Minister is not renowned for his jokes, so we are entitled to assume that he was serious—as of course he was.

The Government are now doing precisely what the Prime Minister said that they would not do: they are scrapping everything that has been achieved and are starting again. They are not retaining the training and enterprise councils, but destroying them. Is there any justification for that change of heart? I do not believe that there is.

The TECs have many, many achievements to their credit. They have been outstandingly successful in attracting the involvement of senior, board-level members from companies involved in all sectors of the British economy, who give their time free of charge. Over 800 have done so, many of them from companies that are household names, such as BP, Mobil, Glaxo Wellcome, Rolls-Royce, Vauxhall, Marks and Spencer, Boots, Coopers and Lybrand, Royal Sun Alliance, Norwich Union—I could go on and on. The commitment and enthusiasm that they have displayed have been quite unprecedented. They have made an enormous contribution. It has truly been a public-private partnership which has been immensely successful.

TECs have delivered year-on-year performance improvements in the main programmes for youth and adult training. They have achieved increasing numbers of jobs and qualifications for the unemployed. They have helped more than 1 million people to gain qualifications in the past five years alone, and the public cost of achieving qualification through the work-based route has been reduced by a quarter in the past three years.

Mr. Rowlands: I am following the right hon. and learned Gentleman very closely, and he is quite right—most of us threw our full support behind TECs in those years. I did not have any problem at all with either the nature or the structure of the operation—it is just that TECs did not deliver. I can only speak about my experience with the Mid-Glamorgan training and enterprise council. We thought that private resources would go into that TEC, and that it would not become a 100 per cent. publicly funded body—but that is what it turned out to be. Employer involvement in training in my area was only marginal.

Mr. Howard: The hon. Gentleman's experience of the Mid-Glamorgan TEC is not typical. I was going to go on to make this very point. TECs have increased the sums that they were able to lever in from the private sector—the very point that has just been made—from about £100 million, in the mid-1980s, to £700 million today. That sum is coming in from the private sector to reinforce the money that the public sector has made available.

Mr. Chaytor: I endorse the comments of my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands). In my area, TECs' biggest critics are the representatives of the Engineering Employers Federation. In my recent meeting with engineering employers, they were delighted that the Government are reforming the TEC structure. I do not deny that TECs have some achievements to their name, but it would have been difficult for any institution that was so well funded not to have achieved anything. However, there is no lobby—

Mr. Deputy Speaker: Order.

Mr. Chaytor: There is no representation, no regret—

Mr. Deputy Speaker: Order. When the occupant of the Chair stands, the hon. Gentleman sits. That intervention was far too long.

Mr. Howard: If engineering employers in the constituency of the hon. Member for Bury, North (Mr. Chaytor) were not satisfied with the performance of their local TEC, the remedy was in their own hands: they could have got involved in the running of the TEC. That was the essence of the whole concept—local employers were in the driving seat, and they were able to drive developments in their own area to ensure that people had the qualifications that were needed to fill the jobs in those areas.

I have so far spoken about the training performance, but of course TECs have become key players in local economic development. They have a solid track record there, too, of successful delivery of Government initiatives and programmes, ranging from modern apprenticeships and Investors in People—which started in my time as Secretary of State, and now is likely to be achieved by more than 70 per cent. of large companies and 35 per cent. of medium-sized companies by the end of this year—to business links.

TECs can be proud of those achievements. They have established an outstanding track record of success. Of course it is true—of course one has to acknowledge—that because the essence of the exercise was to devolve responsibility to local level, not all of them were as good as the best. Of course not all of them were as good as they should have been. Of course that is inevitable. However, the answer to that is to improve those which needed improvement, not to abolish the lot.

[Mr. Howard]

All those achievements will now be at risk. TECs have been told that their current licences will end in April 2001 and will not be renewed. They will, to some extent, be replaced by the learning and skills councils, which will not be business-led in the same way. As my hon. Friend the Member for Maidenhead pointed out, the whole system is to be centralised, with the national Learning and Skills Council in the driving seat.

There are also important questions to be asked about the budgets to be available to those new bodies. TECs' total income in 1997–98—the most recent year for which figures are available—was £1.5 billion. The Secretary of State has said that the local training and skills councils will have discretionary budgets of between 10 and 15 per cent. of the total LSC budget, which has been put at £5 billion. If that analysis is right, the new budget for the local councils will therefore be about £500 million—which is one third of their predecessors'.

The Minister shakes his head. If I am wrong in that analysis, I hope that he will put it right when he replies to the debate. However, if the analysis is right, it is certainly unlikely to inspire confidence in the Secretary of State's promise to give substantial local flexibility to the 47 councils.

It is therefore little wonder that Chris Humphries, chairman of the skills taskforce, has said:

> The proposed system does not allow sufficient capacity to offer an effective match between the skills demanded and the supply of skills. The flexibility to deal with local skills is totally inadequate. Local learning and skills councils must have sufficient authority and discretion to step outside the room and override dictates from the centre. They must have the power to substantially redress the balance if necessary to meet local needs.

It is little wonder, too, that the same Chris Humphries, yesterday, wearing a different hat, told the *Financial Times* that there is disillusion with the Government's pro-business credentials.

The truth is that, in this as in so many other spheres, the Government are introducing change for the sake of change. They are destroying what works in their desperate search for a spurious novelty. They are driven by the dogma of a determination to be different. We have seen it in their wasted three years of inaction on asylum seekers, with disastrous results, simply because they did not want to implement my Asylum and Immigration Act of 1996. We have seen it in their ludicrous decision to replace personal equity plans and tax-exempt special savings accounts with much more complicated and less successful individual savings accounts—simply because their arrangements have to be different. We have seen it in so many spheres, and we see it in the proposals in the Bill. It is irresponsibility of the highest order, and the country will pay a very high price for it.

4.9 pm

Mr. Iain Coleman (Hammersmith and Fulham): I welcome the Bill and the objectives for further education and training that it embodies. I should like to concentrate briefly—I am aware that many other hon. Members wish to speak—on one aspect of the Bill that, although it comprises a relatively small proportion of the Bill's content, has wide implications for the structure of local education authority sixth form provision across England and Wales. I refer principally to clause 99.

The clause provides for inclusion within the range of secondary education establishments that may be supported by local education authorities an institution that is

> principally concerned with the provision of full-time education suitable to the requirements of pupils who are over compulsory school age but under the age of 19.

In effect, local education authorities will have the opportunity to exercise much more flexibility in their arrangements for those aged over 16.

I hope, and believe, that I can convince other hon. Members that there are vast gains to be made in the education that we offer to students over 16 through the development of more varied and flexible forms of provision. Currently there are only two alternatives in sixth form provision—sixth form colleges founded by the Further Education Funding Council for England, and sixth forms attached to LEA-funded secondary schools. The Further and Higher Education Act 1992 prevented any alternative funding arrangements from becoming commonplace. Clause 99 will amend the definition of secondary education in the Education Act 1996, so that the 1992 Act will no longer prevent such arrangements. However, significant practical gains can be secured from the alternatives, which the Bill would make possible. For some communities, there are certainly disadvantages in the alternatives available in the current legislation.

I can give a particularly striking example of the way in which alternative provision can confer benefits. The William Morris academy in Fulham—my hon. Friend the Member for Enfield, North (Ms Ryan) was a much valued member of staff there before she became an MP—is an LEA-funded institution that takes students aged between 16 and 19 from five local feeder secondary schools. However one chooses to measure success, the academy constitutes one of the most successful examples of provision for 16-to-19-year-olds in the country. Its results have been well above the national average each year since it opened, with a 93 per cent. pass rate last year for students taking two or more A-levels.

In terms of A-level points, the academy is ranked as the fifth-best college for 16-to-19-year-olds in inner London, which amounts to a favourable comparison with institutions working in the same educational environment. As for general national vocational qualifications, its pass rates are significantly above national rates. Last year, at foundation level—the first level of attainment in GNVQs—the academy's pass rate was 86 per cent., just under double the national rate of 44.7 per cent. The academy has also achieved excellent results in encouraging participation in higher education: 82 of 122 students studying for A-levels and advanced general national vocational qualifications progressed to higher education last year.

When we examine the background of many of the students who enter the academy and build up a picture of its value-added success, its achievements become all the clearer. Some hon. Members may be unfamiliar with the concept of value-added analysis. It refers to the level of achievement of students who are leaving an institution over and above their potential for achievement on entry, as based on past results. It is an essential way of assessing the extent to which a school or college, or other institution, has determined a student's achievements, as opposed to the extent to which those achievements have been determined by the student's background.

The socio-economic composition of the academy's intake shows high levels of deprivation. According to the classic deprivation measure for education, there was a 38 per cent. entitlement to free school meals in 1999—more than twice the national average for secondary-school-age students in England. The figure had increased by a quarter since the previous year. Even with that deprivation, however, the academy has a record of enabling students who have not done well in GCSEs to proceed to higher education. Many young people who leave the academy for that purpose would not have done so without the support, encouragement, enthusiasm and commitment that they encountered there.

Four students arrived at the academy recently with poor skills and no qualifications. After four years there, they had progressed through foundation, intermediate and advanced levels of the GNVQ course, and all four have now been able to go to university. Students have arrived with low GCSE grades, and have been encouraged to re-take the examinations and realise their potential at A-level in order to go to top-ranking universities.

The academy has a remarkable record of success in helping students with physical disabilities to reach high levels of educational attainment. The disabilities of a number of students would have been a barrier to their studies without the encouragement, support and close attention that the academy has been able to provide.

During its relatively short existence, the academy has developed a reputation in west London for having a supportive atmosphere and an ethos of work and study. It is significant that many students who have moved out of the borough for their secondary education return to the academy for their sixth form studies, and that out-of-borough students from areas throughout west London are attracted to it.

The academy can be judged according to many criteria: its reputation in general, its success in strict terms of results or value-added analysis or its record of sending students from disadvantaged or low-achievement backgrounds to higher-education success. Above all, however, it is delivering the Government's widening participation agenda as reflected in Lady Kennedy's report "Learning works: widening participation in further education", published in 1997.

Ms Ryan: I do not want to delay the House, but I want to say what a joy it was to work at the William Morris academy, and what an excellent education establishment it is—not least because of the commitment shown by the principal, the staff and the local education authority. I know that my hon. Friend played a considerable role in the authority before he became an MP. The academy's commitment to raising standards shows that it can be done.

Mr. Coleman: I do not want this to turn into a mutual admiration society, so I shall try to make some progress with my speech.

The academy provides a truly comprehensive service, catering for young people of all abilities and backgrounds, and adding value for all of them. Its history since its establishment six years ago constitutes an increasingly encouraging success story. When it was established, Hammersmith and Fulham fell between two stools in terms of sixth form provision. The authority had surplus places, and the local secondary schools were too small to run effective sixth forms. The LEA undertook a review, as a result of which schools, parents and governors agreed that the five local secondary schools should give up their sixth forms in the interests of making a better offer to the young people of the borough aged 16 and over in the form of an LEA sixth form college.

Unfortunately, the intervention of the Further and Higher Education Act 1992 meant that the academy would be taken away from the LEA and put under the authority of the FEFCE. To our dismay, owing to the policy of the Conservative Administration at the time, the proposal was turned down and the LEA was left to arrive at the imaginative and, as some of us thought, rather dangerous approach that created the current structure of the academy, providing services for 16-to-19-year-olds for and on behalf of its five feeder schools.

The former Conservative Secretary of State ordered an investigation by the FEFCE of the academy's status. The investigation, which took some years, involved visits to the academy by many individuals and agencies, including two FEFCE inspections. I am happy to say that, as a result, everyone concluded that—as local people already knew—the William Morris academy was providing an excellent education for its students. The FEFCE recommended to the Secretary of State that it should not be incorporated as an FEFCE institution.

I am delighted that clause 99 will regularise the academy's position and secure the benefits that it confers to its feeder schools, to students in Hammersmith and Fulham and to the many six-formers from the wider community in London who choose to attend it. I hope that it will continue to provide high-quality sixth form education in Hammersmith and Fulham for many years.

Clear lessons can be learned from the history of the William Morris academy for the purposes of our operation of provision for 16-to-19-year-olds. The academy can give students the benefits associated with both colleges and school sixth forms. The advantages of a college atmosphere are both the independence that a school would not provide, and the benefit of wide curriculum choices and contact with a large number of fellow students. Students also have access to the pastoral care that would normally be associated with schools, and can benefit from close links with feeder schools and the local community.

That is especially relevant to the environment in which the academy operates. The feeder schools from which students come—some of which work in a very challenging inner-city environment—would not otherwise have been able to sustain the quality of sixth form education that allows students to progress in this way.

Collective sixth form provision is a vital option for many communities, but this successful experiment would not have been possible unless the LEA had chosen to function as a good LEA should. The local authority worked in partnership with the schools, the parents, the community and, most importantly, the pupils to secure the most appropriate provision.

Hammersmith and Fulham LEA's flexibility required a creative and imaginative approach. Clause 99 will allow other local authorities to do the same. The Bill will enable the success of William Morris to be shared throughout the country and its good practice to be spread to other areas, where such an arrangement would be beneficial. It is particularly likely to be helpful in a conurbation that has

[Mr. Coleman]

several secondary schools reasonably close together, all with small sixth form provision. In view of the resounding success of the William Morris academy in achieving high standards for its students and promoting the objectives of widening participation and furthering social inclusion, I hope that it will be used as a model for other LEAs to emulate.

4.21 pm

Mr. Tim Collins (Westmorland and Lonsdale): It is a particular pleasure for me to speak soon after my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), because I had the great privilege of working as his special adviser for two years while he was Employment Secretary, when he drove through with immense energy and dedication the creation of the national network of training and enterprise councils. I hope that he will forgive me for saying that I doubt whether any other Secretary of State could have created that network as rapidly and as successfully. He was right to point out that although the TEC system was imperfect, as all systems are, it had many historic achievements to its name and it is much to be regretted that the Government appear determined to sweep aside so much good work rather than bringing the worst up to the standard of the best.

I shall make a few general observations and then a constituency point. The subject of learning and skills is important and the Government are right to address it. They have rightly recognised that we cannot stand still. There has to be a process of constant improvement—indeed, to use a new Labour word, modernisation. These things have to change all the time. Businesses are particularly conscious of the fact that arrangements have to be altered and qualifications need to change.

The hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) talked about history and the training that used to be provided by large manufacturing companies. Whatever the political colour of any Government in this country or any other modern western country, the era of the large manufacturing company is probably drawing to its close around the world. Training has to reflect that.

We have to modernise and provide training in new skills and different aptitudes. The idea that large numbers of teenagers will go to one company and stay there for the whole of their working lives is—sadly, in many ways—increasingly absent from the life cycles of people in this country. We need lifelong training. Skills that are at the cutting edge in one decade may be increasingly outdated by a second decade and wholly useless by a third. However, that should not mean that those who have acquired one set of skills are thrown on the scrap heap. On the contrary, they should be encouraged and helped by private sector enterprise and by the Government to acquire new skills so that they can contribute to the wider community for their own sense of dignity and so that the economy can take advantage of all the talents of all the people across the United Kingdom.

Given how economies and businesses are changing, it is regrettable that the Bill will marginalise much of the private sector-led success of training and enterprise councils. The Secretary of State said that 40 per cent. of the membership of local learning and skills councils would be provided by those with business or commercial experience. The implication was that that was a great concession to the business community and in exchange he looked to them to improve their investment in training and their commitment to the development of skills.

However, that is not a great concession. There are two problems. First, why did the Government resist amendments in another place that would have written the 40 per cent. requirement into the Bill? If that is their policy, why do they resist having it spelled out in statute? Secondly, 40 per cent. representation is not what the business community is used to having on training and enterprise councils. TECs were essentially business-led and the majority of the board came from the private sector.

Mr. Boswell: I do not dissent from what my hon. Friend has said. Does he agree that the suggestion that the 40 per cent. business involvement should include people who might have retired from business, albeit recently, is different from the situation with TECs, in which participants were required to be actively employed at a senior level in the businesses that they led?

Mr. Collins: My hon. Friend is entirely right. I was coming to that. The nature of the business and commercial experience in question is deliberately left a little vague, whereas TECs, as he rightly said, were designed to bring active members of the local business community in to provide leadership of the business commitment to the success of the organisations. There will undoubtedly be a huge amount of public-spirited commitment from employers, who are not necessarily party political figures. They will work with any Government, whatever that Government's complexion, but senior business people have a huge amount of pressure on their time and they will want to be involved primarily with organisations in which they feel that their time is well spent and that the business ethos is in charge, not a bolt-on. I fear that there may be a presumption among local business communities that their relationship with LSCs is second class compared with the relationship that they had with TECs.

That is not an imaginary consideration. The Minister will know that the Confederation of British Industry and the Institute of Directors have said that they want majority business representation on LSC boards. We have not heard why the Government rejected that specific request from the main business organisations in the country. I hope that the Minister who replies to the debate will address that point, because it is important to understand why the Government have decided not to follow the strong request of the business community.

My hon. Friend the Member for Maidenhead (Mrs. May) talked about centralisation. I quoted the explanatory notes on that, but clause 20 is even more explicit. It says that a local learning and skills council

> must perform in relation to its area such of the Council's duties—

that is, the national council—

> as the Council specifies.

It also says that a local council

> may exercise in relation to its area such of the Council's powers as the Council specifies.

That is a clear charter for centralisation.

My right hon. and learned Friend the Member for Folkestone and Hythe will recall that when the TEC network was being established, there was constant

pressure for more flexibility, more autonomy, more of a chance to adjust from national frameworks, guidelines and specifications to take into account differing local circumstances. That will mean differences around the country. That is the point of having local autonomy and giving people the chance to innovate and experiment and try out different approaches. That is clearly what local business people who are involved in TECs want.

The Bill is a retrograde step. The Government have listened, in a way I am delighted to say that my right hon. and learned Friend did not, to the inherent bureaucratic pressure that will always argue in favour of centralisation and uniformity and stamping out differentiation. Clause 20 suggests that the Secretary of State has listened too much to the siren voices in his Department who say that if he grabs all the power into the hands of the people at the centre, they will iron out all the little differences and remove all the distinctions so that everything is the same everywhere. The United Kingdom is not the same everywhere. That is why it was sensible to have a network that delivered locally.

The hon. Member for Sheffield, Hallam (Mr. Allan) said that the answer was to tie the councils in with the regional development agencies and have regional differentiation. Even that does not take sufficiently into account the very different circumstances that can prevail within regions. To take my own region, the north-west, the constituency that I represent in Cumbria is enormously different from inner-city Merseyside or Manchester. For that matter—because in Cumbria there is huge schizophrenia about whether it should be regarded as part of the north-west or north-east—it is also massively different from Newcastle.

The idea that by concentrating power and decision making at regional level we would adequately take into account the differences between different parts of the country is wrong. That is why it was sensible to have a TEC network that was genuinely local and that in many cases took decisions on a county or even a sub-county basis, reflecting the greater distinctions.

Mr. Cotter: Presumably, that is why the Conservative party does not support the concept of the regional development agencies, but our party believes that RDAs will work properly down to local level. That is the idea of RDAs. They should represent the local areas within their area of responsibility, so we do not accept what the hon. Gentleman is saying, although I listen to it with interest.

Mr. Collins: I am grateful to the hon. Gentleman for listening with interest to what I am saying. For my constituents in South Lakeland, the north-west RDA has been a classic example of all mouth and no delivery—even more specifically, all committees and no delivery.

Mr. Boswell: Would my hon. Friend like to add to his collection the thought that I can leave my home, travel exclusively within the east midlands until I reach my regional seat of government in Nottingham and clock 100 miles in my car, by which time I could have gone to four or five other regional headquarters, including the capital, which are considerably nearer than that?

Mr. Collins: My hon. Friend makes his point admirably. It is regrettable that we are moving from a system of genuine autonomy, with 72 or so TECs, to what will be, even at best, a much more centralised system, with 47 local learning and skills councils. By definition, on average, if we move from 72 to 47, areas will be roughly twice as large.

As we have seen, under the Bill there will be nothing like the level of autonomy that there was under the TEC system. That is to be regretted, although I recognise that the Government have approached the matter with the purest of best intentions and are keen to see an enhancement of learning and skills. The Government are acting not malevolently or maliciously, but on profoundly misguided advice.

My next point concerns another element that is inherent in the Bill. There will be a shift from TECs, which were private sector bodies, to a state-delivered system. I congratulate the Minister, who has previously been regarded as the absolute apotheosis of new Labour: he is supervising the first explicit act of nationalisation by the Government. There can be no doubt about it. TECs were private sector companies and the new system will be entirely within the public sector.

If there is any doubt about that, I refer people to page 46 of the explanatory notes, which talks about the effects of the Bill on public service manpower. It states:

> There will be an increase in the number of staff employed in the public services because some of the activities of the LSC and the ALI were formerly conducted by private companies.

In addition to centralisation, we have nationalisation.

Surely even this Government would not openly advocate nationalisation. Many has been the occasion when they have openly rejected it, yet all those reasons should apply here. We know that public sector control, ownership and delivery simply do not work in a business context. At the heart of business competitiveness and training for the future, we see an act of nationalisation. That is to be regretted and is against what the Government said they would do when they were in opposition and, indeed, against what they have continued to say that they were doing in office.

My right hon. and learned Friend the Member for Folkestone and Hythe rightly drew the parallel with what the Prime Minister said when he was the shadow Secretary of State for Employment before the 1992 general election. However, I remind him that the picture continued into the following Parliament.

The Investors in People programme was delivered by TECs. It continues to be a huge success. It has been one of the great achievements in training under both Administrations—before 1997 and after.

In 1995, I well remember that the Labour party announced with great fanfare that, as an institution, it would apply for Investors in People status. It invited local TECs to send inspectors round to validate Labour's internal training programmes. With great celebration, it unveiled the TEC Investors in People award outside what was then Labour party headquarters on Walworth road.

Even in the previous Parliament, there was no remote indication that the Government, on election, would abolish the TEC network. Quite the contrary; Labour was going out of its way to give the impression that it subscribed to all the principles of the network and to all the things that TECs were trying to do.

[Mr. Collins]

I know that many business people throughout the land feel, I regret, somewhat cheated. They thought that, when Labour came in, it would not abolish TECs. They thought that it would seek to modify them, to build on their successes and, no doubt, to alter them at the fringes, but not to abolish them outright.

Sadly, there is no doubt that abolition is what the Bill is about. Again, I turn to my favourite text, written by the Government in such admirably clear language. I cannot believe that it managed to get past Mr. Campbell and Downing street. Page 5 of the explanatory notes states clearly:

> The Government issued contractual notices to TECs in England in July 1999 informing them that their licences will expire on 25 March 2001. As a result, no organisation will be able to trade as a TEC.

That is outright abolition. There are no ifs, buts or maybes. It is an act of wanton vandalism, as my right hon. and learned Friend said. It is not a modification or reform of TECs: It is abolition.

Mr. Hilary Benn (Leeds, Central): If the hon. Gentleman is correct to say that it is a wanton act of vandalism, why has the CBI welcomed the Bill?

Mr. Collins: As the hon. Gentleman will know, the CBI has said specifically that it wanted a majority of employer representatives on the learning and skills councils. The question to which I still await an answer from the Minister is why the Government have specifically rejected that advice.

The hon. Gentleman will know that the CBI on many occasions welcomed the establishment of the TEC network. It made it clear throughout the 1990s that it would not wish TECs to be abolished. Of course, the CBI recognises that the Government can decide to abolish TECs. It is full of business realists and will roll with the world as it is, but there is no doubt what their preferences are: an employer-led private sector organisation of the sort that the Government are abolishing, not the state-delivered system.

I mentioned that I would make a constituency point. The Bill deals with the future of the Further Education Funding Council and the new arrangements for that sector. There are two points. First, my hon. Friend the Member for Maidenhead rightly addressed the concern that a number of us have: the Government seem to have a not particularly well hidden agenda to reduce the number of school sixth forms.

When my hon. Friend set out the strengths of the sixth form-delivered system of education, particularly in rural areas, a number of Labour Members expressed strong disagreement. They made it clear that they were happy to move towards a system of smaller numbers of larger deliverers of such organisational skills. They did not mind too much if rural sixth forms were reduced in number.

My hon. Friend gave many excellent reasons why that was to be regretted, but another should be brought up. Many of the best teachers in secondary schools find teaching in sixth forms the most exciting, intellectually challenging and desirable part of the job. If we take that away from them, undermine it or situate it on a different site, making it more difficult for them to do as much of it as they have, we will further demoralise the teaching profession, which, as we all know, under successive Governments, has been sufficiently demoralised as it is, with all the paperwork and so on that it must deal with. That would be much regretted.

Secondly, I mention the way in which colleges of further education are funded. My local college, Kendal college, is at the heart of a very rural area. I was talking to its principal, Michael Wright, a little while ago. He expressed great concern about the way in which rural colleges of that sort are disadvantaged, compared with urban ones. The way that he put the point was to say that, because they had been very successful through most of the 1990s in attracting increasing numbers of students, they now find that they cannot access much of the genuinely welcome additional resources identified by the Government because they do not have enough of the right sort of students in their catchment area.

That is a genuine concern for rural colleges. I am worried that the new arrangements set out in the Bill will bring about even more centralisation and uniformity. As a result, the small rural colleges—which, by definition, form a minority within the overall pattern—are likely to find themselves more disadvantaged.

I end by saying that I believe that the Government are genuinely trying to get this reform and modernisation right, and that some elements in the Bill are welcome. However, many other aspects betray the natural instincts of a party which—all the new Labour rhetoric notwithstanding—still believes that greater centralisation, state involvement and public sector control offer better provision than services that are led by the private sector and delivered locally. Such services were very successful in the 1990s; if they had been given the chance, they could have been the platform for even greater success in the first decade of the new century.

4.41 pm

Mr. George Stevenson (Stoke-on-Trent, South): I welcome the Bill, whose proposals I consider necessary.

The first TEC was established in 1990, as has been noted. The right hon. and learned Member for Folkestone and Hythe (Mr. Howard), who unfortunately has left the Chamber, seemed to be less upset at the Government's intention to change things than at their temerity in wanting to change what he had put in place. He seemed to be digging a large hole, and he should have stopped digging before his speech finished.

I shall concentrate on TECs, but I shall also mention the Further Education Funding Council, established in July 1992 by the previous Government on the basis of a White Paper published in 1991 entitled "Education and Training for the 21st Century". The structure thus established did not produce what the country needs in terms of education and training for this new century. That is why I consider the Bill both necessary and timely.

The Government have recognised the serious flaws in the present system. I hope that my remarks will make it clear that I do not share the enthusiasm for TECs evident in the amendment and in the contribution from the right hon. and learned Member for Folkestone and Hythe. The Bill makes positive proposals for higher and further education, training, co-ordination, organisation and funding.

Some of the measures associated with TECs remain welcome. For example, the Investors in People awards are well respected, but the record of TECs with regard to training and skills can best be described as patchy. That failing has resulted from the fundamental flaws in the way that TECs were set up.

The first problem was that the previous Conservative Government were so blinded by dogma that they set up TECs as private companies. They were not to be connected, even in a formal way, with the public or the public sector, but were to be separate, private companies—even though they are funded almost totally by the public purse.

A full six years after the first TEC was established, the Select Committee on Education and Employment stated, in its 1996 report, that it was

> difficult to gain an overall impression of the scale of TEC funding and activity because they are so fragmented.

I am sure that I do not need to remind the House of which party was in control in 1996 and to which party a majority of members of that Committee belonged. A full six years after the great innovation established by the right hon. and learned Member for Folkestone and Hythe, Conservative Members were admitting that no one knew where TECs were going, or how they were using their money. The Government are therefore well justified in wanting to get to grips with that unacceptable situation.

My experience is that nothing much has changed as we begin the 21st century. In my area, the demands of industry for training and retraining have not been met, and the skills gap is growing wider all the time. Recent figures show that the TEC in my area for years has been sitting on a drop-out and non-completion rate of 40 per cent. in its youth training programmes.

TECs have been notable for two other reasons. It is right that enterprise and enterprise activity should be given due prominence in training, but there has been a tendency to give it too much emphasis, at the expense of training. It is nice to have photographs in the press of presentations of Investors in People awards, and of other activities that colleges—quite rightly—undertake to gain public attention, but the day-to-day necessity of meeting, week in and week out, the training and skills demand of local industry and business does not get the headlines.

TECs have also been notable for building up their reserves which, in my area, amount to some £5 million. Given the gaps in the training on offer and the increasing size of the skills gap, it is legitimate to wonder what TECs are doing with such large amounts of money. When I asked that question in my area, I was told that it had to do with the TEC's credibility as a private company. In 1998, the Public Accounts Committee criticised those levels of reserves.

The FEFC decides on recurring and capital funds, and how they are allocated to individual colleges. It has a duty also to monitor the use of those funds and the financial health of colleges. They have not exercised that responsibility satisfactorily. We have seen well publicised results of that, and the major further education college in my area has suffered.

There has been an expansion in the number of students coming into the sector, but that may have had more to do with the financial health of the colleges than with the needs of business, industry, students and local communities. Those vital aspects have suffered as a result. The Government proposals for a new framework for post-16 education and training are of profound importance.

I offer the Government some warning signals. I know that they do not intend to do this, but we do not want the creation of TECs mark II. There are some worrying signs that that may be a danger. The local learning and skills council in my area is based on the same geographical area as the TEC. I recognise that it might be appropriate in some circumstances to identify "sub-regional" on a county basis, but that should not apply everywhere.

I appreciate the Government's determination to reduce the 72 TECs to 47 local learning and skills councils. However, those councils are critical, as they must work within a framework set down by the national Learning and Skills Council. That delivery, how resources are used and how the local learning and skills councils raise participation, attainment and skills in their area are vital to the process.

The Bill, the explanatory memorandum and the excellent document produced by the Library all contain references to the word "local", with reference to local needs, the local labour market, local FE colleges, varied local priorities, local development and innovation adapted to local needs—all the emphasis is on local. However, we need to define what we mean by local.

Staffordshire is divided into north Staffordshire and south Staffordshire—completely different areas. North Staffordshire is industrially based, and has had massive changes in its economic base. Some 94 per cent. of students in local FE colleges come from the north Staffordshire conurbation. In south Staffordshire, about 90 per cent. of FE students come from that area. There are distinct local needs in an area such as Staffordshire, which has about 1 million people. That will strike a chord with many hon. Members.

I am not advocating that we increase the number of councils, but it is essential that local learning and skills councils are monitored carefully. It must be made clear that councils must exercise flexibility that truly reflects local needs, which may differ widely within their areas. That is essential.

Although we have heard much from the Opposition about how important it is that training and skills organisations are business led, we have lessons to learn on that. I believe that, for dogmatic reasons, the previous Government set up TECs as private companies. In addition, at a time—the late 1980s and 1990s—when business and industry had effectively opted out of training, the previous Government gave the helm to the very people who had shown by their record that they were not really interested. That is why the previous Government are to be condemned. Businesses wondered what they were doing, and why, and that was a profound flaw.

When we talk about 40 per cent. of the membership of the local learning skills councils having substantial business and commercial experience, let us not, for goodness' sake, make the same mistake as the previous Government. We must not be beguiled by the hon. Member for Westmorland and Lonsdale (Mr. Collins), who reiterated the old, wasteful argument about public bad, private good. There should be a balance. I certainly reject the idea that the only way in which those essential services will be effectively delivered is by giving the

[Mr. George Stevenson]

private sector the lead. Many people in the non-private commercial and business sector, the public sector and the voluntary sector have the expertise to make this work.

I congratulate the Government on the Bill. My right hon. Friend the Secretary of State has had the courage, in spite of vested interest lobbying, to recognise that the best interests of the country and our young people must come first. We will not go down the dogmatic road that was the tragedy of the previous Government by thinking that the only way in which the system will work will be to pass the whole shooting match over to the private sector and create private companies.

I wish the Bill fair speed. I look forward to the day that it becomes an Act, so that the social and economic well-being and requirements of this country and its young people in the 21st century can be achieved and met.

4.57 pm

Mr. Desmond Swayne (New Forest, West): Notwithstanding the remarks of the hon. Member for Stoke-on-Trent, South (Mr. Stevenson), I welcomed the contributions of my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) and of my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) in their robust defence of TECs. Their remarks tied in with my experience of working with TECs in the west midlands—not as an employer, but as a Territorial Army officer, strangely enough.

Notwithstanding the achievement of TECs and the relative stability of the system, I found myself in sympathy with the early remarks of the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), although I do not share his perspective. I come to the question of training as a profound sceptic. However good the partnership may be between the public and private sector and between employers and providers of training services, I do not believe that anyone can foresee with any accuracy industry's training requirements.

The raw material for a well-trained work force is a well-educated work force with a great deal of self-discipline. We require people who are sufficiently well educated to be retrainable at several points in their working life. The best mechanism for delivering that is the school. It is the best way of providing the core training that the work force will require is to be flexible.

That brings me to another concern about the Bill—the future funding of sixth forms. Those concerns were legitimately highlighted by my hon. Friend the Member for Maidenhead (Mrs. May) and by the hon. Member for Sheffield, Hallam (Mr. Allan). I have a fondness for sixth forms; I believe that they are the best mechanism for educating young people post-16. They give them an additional perspective—the ability to administer their juniors. That is of profound importance. It gives sixth formers an experience that they would otherwise lack. I know that hon. Members find that funny, but it is a traditional way of educating young people and giving them immense experience and self-confidence.

I dislike the Bill, but for two clauses added in the other place. First, there are arrangements to put an end to ballots on grammar schools, which bring a truce to that battlefield and stability that is long overdue. Secondly, I have, since coming into the Chamber this afternoon, developed a fondness for clause 117. I approach the clause as a sceptic because I have always doubted the advisability of teaching such things at all at school. The record has not been entirely successful. As I read the Bill, however, and found out what it actually represents, I have been increasingly admiring of it.

Clause 117(2)(a) says that pupils will

> learn about the nature of marriage as the key building block of society and its importance for family life and for the bringing up of children.

That is entirely unexceptionable and desirable. Subsection 2(b) says that children should

> learn about the significance of stability in family relationships.

Who could be against that?

Subsection 2(d) is what particularly impressed me, however. It seeks to ensure that children

> are protected from teaching and materials which a reasonable person would regard as inappropriate.

That is an important requirement, and one that the Prime Minister supports. On his recent visit to Ayr for the by-election, the Prime Minister was—I cannot find the appropriate word—

Mr. Allan: Forthright?

Mr. Swayne: Indeed. He was very forthright in his criticism of what he regarded as the propaganda campaign mounted against his proposals. The Prime Minister said:

> I've just seen the posters here in Scotland. I don't think I've ever seen a more astonishing campaign in all my born days. People are being told their children will have to play—what was it?—homosexual role playing in school. No wonder parents are concerned. It's nonsense. No child is going to be given gay sex lessons in school. Not under this Government now. Not ever."

I believe that the Prime Minister meant that, and that he believes it to be true, but he is wrong.

I know that the Prime Minister is wrong because the leader of Hampshire county council, Councillor Ken Thornber, told me two weeks ago of a case in Hampshire where precisely that had taken place. I have with me a document—"A Practical Guide to Challenging Homophobia in Schools"—produced by the health promotion service in Avon. This pack for teachers specifies, in the form of lesson plans, precisely the role-playing that the Prime Minister is so against and has said must never happen. He is right: it must never happen, but here, in my hand, it is.

I draw the House's attention to "Extra Lesson (I)", in which teachers are enjoined to attribute roles to different members of the class as follows:

> a 16 year old disabled heterosexual Woman,
>
> a 16 year old Asian Lesbian,
>
> a bisexual fourteen year old Young Woman,
>
> a female sex industry worker—

I think that that is newspeak for the oldest profession—

> a male to female transgendered person,
>
> a married Man who has sex with other men in secret,
>
> a 62 year old Lesbian Woman,
>
> a transvestite cabaret artist,
>
> a Chinese bisexual 15 year old Young Man,
>
> a married Woman who has sex with other women in secret,
>
> a Black Disabled Lesbian who is also a wheelchair user,

an Out Lesbian mother,

a 16 year old White Gay Man,

a Middle aged Gay Man,

and

a White Lesbian Teacher.

One is tempted to ask: what of the needs of the Aztec community in South Nerdley? Why has it been omitted from this litany of roles? Extra lesson plan II adds, for spice, a man "done for cottaging"—whatever cottaging may be—a "Bisexual Granny" and an "S & M Heterosexual Woman". Those roles are to be attributed to members of a class in a lesson so that they can fulfil those roles and have some understanding of the subject matter.

Mr. Graham Brady (Altrincham and Sale, West): Does the list also include playing the role of an ordinary married couple? Does that feature anywhere in the lesson?

Mr. Swayne: My hon. Friend is entirely right to require me to have some balance in my remarks. I did not want to try your patience too much, Mr. Deputy Speaker, so I omitted some of the more mundane roles suggested. For balance, it is right to say that the roles of "Catholic Priest" and "Nun" are also available for playing, should children so wish. This sort of guide is precisely what the Prime Minister, rightly, wants to stamp out. Therefore, I was shocked by the Secretary of State's determination—he made himself absolutely clear in his opening speech—to remove the one feature of the Bill that I have grown to love as I have sat here—clause 179, which will get rid of this filth and nonsense. For that reason alone, I will vote to deny the Bill a Second Reading.

5.7 pm

Mr. Michael J. Foster (Worcester): In following the hon. Member for New Forest, West (Mr. Swayne) all I can say is: thank God he is in opposition.

I begin by declaring my interest in the subject. I gained my professional qualifications from a further education college and I taught for six years at a further education college in the city of Worcester. In addition, I am secretary to the all-party parliamentary group on further education.

Today I am delighted to speak in support of the Bill and to receive the welcome news, first, that sixth form colleges and further education colleges will also get direct grant funding similar to that for schools announced in the Budget last week, and secondly, that from September 2000 Worcestershire will be an area that gains from the educational maintenance allowances. I have been in favour of that since my sixth form days and I am delighted that my constituents will benefit from it.

I remember when the Further and Higher Education Act 1992 passed through the House. I was teaching in FE at the time. I welcomed the fact that colleges would gain incorporated status and be freed from local education authority direction. If, Mr. Deputy Speaker, you had worked under the Conservative-controlled Hereford and Worcester LEA and the rulings of Dr. David Muffet, you too would have been glad to get rid of the control of the county council. Suffice it to say, all our hopes that funding for Worcester college of technology would rise to meet the national average were dashed because of core funding cuts under the previous Administration.

I shall press the Minister on a few points and raise some of the points that Opposition Members have also commented on. I acknowledge the longstanding interest of the hon. Member for Daventry (Mr. Boswell) in this subject. With all due respect, I found his article in *The House Magazine* of 14 February a little hard to take, particularly his comment that there is

a marked democratic deficit running through the Bill.

I found that a bit rich because it was the process of incorporation that removed democratic accountability from FE colleges. There was no LEA accountability and, in my experience, no local authority representation on boards of corporations post-1992. Indeed, where staff governors had been directly elected to the governing bodies of FE colleges, they were booted out. I am pleased that local authority and staff governors are now on the corporation of my former college, even though they were selected by the college rather than directly elected.

Mr. Boswell: I am grateful to the hon. Gentleman for his kind remarks about my article and for doing me the courtesy of reading it.

Is it not true that staff governors have been reintroduced under the current legislation? It would thus not have been impossible to include them previously. Will the hon. Gentleman tell the House what additional democratic control is imparted by the proposed legislation to a situation about which he has already expressed concern because of the alleged democratic deficit after the 1992 Act?

Mr. Foster: My point about the hon. Gentleman's article is that it is a bit rich for him to decry the democratic deficit when he was party to its creation. I accept that the current legislation allows for staff governors, but colleges' interpretation of it enabled them to get rid of such governors. The then Government were warned about that; for example, by my former union NATFHE—the National Association of Teachers in Further and Higher Education. However, those warnings went unheeded.

I want to press the Minister on consultation with teaching unions and teachers. Will the new LSCs be able directly to consult, nationally and locally, teaching professionals, so that their concerns are taken on board and so that some of the abuses of the past will not become future failures?

I hold regular meetings with the principals of sixth form colleges in the west midlands—organised by the excellent principal of Worcester sixth form college, John Tredwell. The principal of King Edward VI college, Nuneaton, drew my attention to a matter that affects voluntary-aided sixth forms. Will the Minister confirm that the Bill deals with the anomaly that voluntary-aided sixth forms do not have incorporated status? That holds them back; they are not able to borrow and invest in facilities.

In the article to which I referred earlier, the hon. Member for Daventry wrote:

Our major single concern is that . . . it—

the Bill—

may further increase bureaucratic pressures on those actually teaching and swallow up some of their funding.

The LSCs replace three funding systems and more than 250 funding bodies by one route. That is hardly a sign of greater bureaucracy. The reforms will free up savings of

[Mr. Foster]

at least £50 million a year—money that will be spent on learners. If the hon. Gentleman wants evidence of extra bureaucracy, he should ask colleges the following question: how many human resource managers, college accountants, property managers and administrative staff were based in colleges before incorporation, and what was the number afterwards? If Conservative Members are really so worried about bureaucracy, why has it taken them about eight years to notice it?

I was disappointed by the remarks made by the hon. Member for Maidenhead (Mrs. May). She mentioned grammar schools and section 28, but she did not mention the current position of lifelong learning and educational achievements in the UK. No wonder—it makes depressing reading. The hon. Lady did not mention the 7 million adults who have no qualifications at all. Not once did she make a point about the one in five adults with numeracy and literacy problems, nor about the 170,000 16 to 18-year-olds who are not in education or training and who do not have a job. The delivery of the hon. Lady's speech and the points on which she concentrated were wide of the mark in a debate on such an important Bill.

Those target groups are the ones it is most important to recruit for lifelong learning. During the past few years, marketing efforts have not been directed at those groups, but at those who already participate in education. I have seen at first hand the glossy prospectuses and the endorsing advertisements and leaflets that colleges produce. Indeed, as a course director, I have produced many myself. They were designed to show what a wonderful college I taught at, what great staff we were and how much students would learn from studying our courses.

All that was true. However, the marketing did not seek to address the need that I have described of the many; it served the self-interest of the few. I do not blame teachers and colleges for that. The demand-led funding formula, post-incorporation, drove colleges in that direction when their core funding was cut from them. It is now the job of those marketing skills to be turned away from competition and towards widening participation.

The Government have set a challenging target of increasing student numbers by 800,000. That represents a massive extension in the availability of education and training. However, given the position that I outlined earlier, that number is only a fraction of those in the target group.

I wish to draw to my hon. Friend the Minister's attention a case of successful lifelong learning. Last week, I visited Jaguar cars to see the Jaguar employee development programme, which has run since 1993. I met staff and workers, and I am grateful for the time and effort that they put in. In particular, I met people such as Ken Wilson who have made the scheme work. It is run along the lines of the Ford employee development programme, with employees offered funding if they wish to undertake education, training or development in their own time. Courses on offer for hourly-paid workers include advanced car driving, bricklaying, computing, degree and Business and Technology Education Council courses, electronics, languages, supervisory management, teaching certificates and welding.

It was reassuring to hear from the workers that reskilling works. Workers who started with no qualifications whatever have successfully completed their degrees and are now considering whether to take a master's course. I have always believed that if people get a successful taste of education—at whatever level they start—they will be attracted to lifelong learning. The workers whom I met last week and the evidence that they supplied me with totally confirm that view. The scheme is clearly a success. It is supported by the company and the trade unions, and it is worthy of Ministers' attention.

It is increasingly obvious that lifelong learning will not be formal classroom-based learning, but will be done at the time, the place and the point of access that workers need. That presents new challenges that the Bill, with its emphasis on partnership and collaboration, is well placed to deliver.

One challenge ahead of us is to improve not only the quantity, but the quality of provision. Professionalism and the highest standards possible must apply to all providers of education. The discussions surrounding a mandatory teaching qualification for all further education teachers are welcome—I speak as one myself—but it should be extended to all providers. I would like the Minister to assure the House on that.

In addition, there is a role for a professional body for those delivering lifelong learning. It should sit alongside the General Teaching Council and the Institute for Learning and Teaching for higher education. I have interviewed Lord Puttnam and I know that he will make a wonderful advocate for teachers. Lifelong learning needs a similar advocate with the same views about education.

It would be remiss of me not to mention salaries in further education. I am genuinely concerned that the salaries of FE staff should not fall behind those of lecturers in higher education or teachers in schools. If FE is going to deliver top-quality teaching, we will need high-quality teachers who are rewarded properly. In return, they should seek to deliver continually improving teaching.

Returning to partnerships, collaboration offers students a broad curriculum, with more courses and subject combinations. Courses can be provided more economically, particularly with regard to small classes. On the subject of class sizes and the Opposition's concern about sixth forms, I should like the Minister to give assurances on the relationship between school sixth forms and sixth form and further education colleges. In my experience, schools with sixth forms have not been particularly keen to allow colleges access to potential students—those who are in year 11.

Mr. Boswell: I appreciate the hon. Gentleman's courtesy in allowing me to intervene again. Does he agree that one of the most important factors in brokering what is always a very sensitive relationship between co-existing sixth forms and colleges is access to independent guidance? It is particularly important that all young people have the opportunity to receive independent, out-of-school advice on the best life choices for them so that they can make that decision for themselves.

Mr. Foster: I do not disagree with anything that the hon. Gentleman has said, but numerous complaints were

made to me about the barrier to access, and I should like the Minister to assure me that schools with sixth forms will in future be more open about the diversity and choice in local provision. It is the students who are important in the context of this Bill, not the structure.

Mr. Rowlands: My hon. Friend has touched on an important point, and I am listening with great care. The key is to remove the funding distortions, which in many ways determine choice and lead to defensive arrangements as between schools and colleges.

Mr. Foster: The Government have given assurances and sought to tackle issues concerning the funding disparity between sixth forms in schools and sixth form colleges.

The hon. Member for Maidenhead made a slur on sixth form and FE colleges when she said that she believed that sixth forms in schools give better pastoral support. I hope that she will now retract that statement or at least modify it.

Mrs. May: I did not say that FE colleges provided less adequate pastoral support. I said that school sixth forms provide services and support different from those of FE colleges. School sixth forms offer education services such as sporting facilities and the opportunity to be involved in drama, which are not generally available in FE colleges. I hope that the hon. Gentleman will accept that there are circumstances in which pastoral support in FE colleges is different—

Mr. Deputy Speaker: Order. I cannot allow the hon. Lady to make such a long intervention. Back Benchers are waiting to speak.

Mr. Foster: I would welcome it if the hon. Lady came with me to Worcester sixth form college, which has excellent sporting facilities and all the pastoral support that she would want it to have. Having taught at Worcester college of technology and provided pastoral care, I was extremely concerned that she should correct her comment about that provision.

On partnerships and collaboration, I should like lifelong learning to offer a seamless service for students. They should see no difference when they move from adult and community education to further education and then to higher education. With that in mind, I am concerned about potential problems in the collaboration between colleges and universities, and I want those problems minimised.

Locally, I am pleased to say that the relationship between Worcester college of technology and University college Worcester has improved enormously, but tensions can arise when they are competing for student market share. Will the Minister consider giving local learning and skills councils a statutory duty to consult local universities as a way of ensuring that there is collaboration?

On a positive note, learning partnerships seem to have captured the imagination of local stakeholders. A couple of weeks ago, my hon. Friend the Under-Secretary of State attended the first lifelong learning conference for Worcestershire. More than 150 people attended that debate, and not all of them to hear my hon. Friend's speech. The meeting demonstrated the huge interest in and potential for getting things done at a local level. It involved collaboration from all quarters. It was refreshing to be involved in such a positive meeting, and it augurs well for the future of lifelong learning in Worcestershire.

Further education has been undervalued in the past. I have chastised hon. Members for referring to FE as a Cinderella service, even though I know that their sentiments are well meant. There is much good work in FE and I believe that the Bill seeks to improve upon it. If we are seriously to tackle social exclusion and if we want a highly skilled, highly trained, highly productive and highly paid work force, we must fully embrace the concept of lifelong learning, and I believe that the Bill is a perfect way to make progress.

5.26 pm

Mr. Gordon Marsden (Blackpool, South): I support the Bill because I believe that it represents bold enterprise. It is a modernising measure that is in tune with what we are trying to do as a Government. I welcome it also because it is an ambitious first attempt to deal with diversity and to develop an integrated system in further education and other areas.

For me, the Bill has four key aspects. The new Learning and Skills Council and its 47 subsidiaries will support education and training. They are there to promote enterprise and employability. They will be in place to deliver skills to business and crucially to regenerate economies on a regional basis and deliver a lifelong learning framework.

It is highly appropriate that it should be a Labour Government who bring forward this comprehensive measure. The Labour party brought the country the Open university. It also brought forward the university for industry. Throughout the century of the Labour party's history, from Kier Hardy through to Neil Kinnock's great speech in the late 1980s and on to my right hon. Friend the Prime Minister's own concentration today, it has been dominated by the vision of education its outreach to the many instead of the few.

The Bill is sorely needed because despite the advances in numbers that were made in further education under the previous Government, the Conservatives in that process veered between a sense of paternalism and having too much faith in what the market could provide. I exempt from that criticism the hon. Member for Daventry (Mr. Boswell), who in his role as the Minister with responsibilities for further education was a significant supporter of that sector.

Overall, however, further education was like Topsy, it just growed. In the speech of my right hon. Friend the Secretary of State and in exchanges with the hon. Member for Maidenhead (Mrs. May), we heard about the patchy provision under the Conservatives. There was a tremendous amount of overlap. To have 250 individual bodies with three different systems is no way to run a railway.

The Bill and the new structure was needed because we had to address the weaknesses of the training and enterprise councils. I am not saying that all TECs failed; they did not. However, the staying-on rate was too low. There was poor co-ordination and poor coherence and clarity between FE sectors. There was duplication and layering. There was also, as many hon. Members have alluded to, unequal sixth form and FE college funding.

Mr. Boswell: Is it not the case that historically British staying-on rates have been particularly low? There has

[Mr. Boswell]

been a secular improvement, which was further enhanced by the moves in the Further and Higher Education Act 1992. We would all welcome a further improvement. I do not think that the present deficiencies can reasonably be laid at the door of the TEC movement.

Mr. Marsden: I am grateful to the hon. Gentleman for that intervention. I agree with his strictures about the staying-on rate. My point is that we need a new integrated structure to improve the staying-on rate still further.

I see the Bill as ending the divorce between education and skills and training, treating vocational qualifications seriously and providing a new, integrated youth service basis. The Bill recognises the importance of further education. It is right that we should move away from an unregulated approach which demands unattainable efficiency savings.

The Government have delivered the largest rise in further education funding. In my part of the country, the north-west, that is crucial. There are 63 further education colleges in the north-west, and 670,00 students are dependent on that education.

Because the Bill strengthens the importance of NVQs, secures the entitlement of 16 to 19-year-olds to education, builds on the education maintenance allowances—I welcome the announcement in that regard by my right hon. Friend the Secretary of State this afternoon—and recognises the growing importance of online distance learning, I agree with the chairman of the National Institute of Adult Continuing Education, who said that it was a new dawn for further education.

The Bill emphasises partnership, and I shall deal with partnership in four areas. On partnership between the learning and skills councils and business, it is crucial that we attract and involve businesses actively and retain them in the new LSCs, but we do not want people who are professional committee-sitters. The Confederation of British Industry rightly asked for close links, and the Federation of Small Businesses and the Small Business Service stressed the need for close links with LSCs. Enterprise and economic development strategies through those organisations must be delivered by that close link.

I am peculiarly conscious of that in a town such as Blackpool, where we do not have many large employers. The mainstay of our prosperity is still tourism, which is a micro-business. That is why it is extremely important that I have a college, Blackpool and The Fylde college, which is a beacon FE college, where tourism and leisure management training can go on. Such training is desperately needed in a low-skill industry and provides labour-intensive output for the economy regionally.

On co-operation between learning and skills councils and the regional development agencies, the CBI has warned that that co-operation must be interlocking, not overlapping. I echo that concern. I am reassured by what was said in another place by my noble Friend Baroness Blackstone, and by the commitments that the Government have given today.

A positive way to go forward, about which I have written elsewhere, would be for the new LSCs to deliver future local service agreements that might be brokered by the RDAs. Those agreements could be formal and binding on further and higher education colleges over a five or seven-year period, guaranteeing access to students without formal qualifications, in much the same say as the Open university does at present.

In addition, RDAs could have a role in supervising proper kite-marking schemes for access courses in particular, which currently operate with little regulation or input from the Quality Assurance Agency for Higher Education.

With regard to local education authorities and their involvement with learning and skills councils, partnership between them is crucial. The Government were right to reject a quota approach, but whether at officer level or at the level of concerned and significant local councillors, there must be such involvement. I welcome the assurances in that respect.

I echo the comments of my hon. Friend the Member for Worcester (Mr. Foster) about the co-operation that will be necessary between the LSCs and the universities. Lifelong learning is a continuing process. As we continue to develop lifelong learning and the links between higher education and further education become more closely interwoven, the more important it is that the universities that are currently closely involved with further education, and the universities that have yet to take up their responsibilities, are properly involved in that process.

Baroness Warwick and Lord Dearing expressed concern about that on Second Reading in the Lords and were right to do so, but I am satisfied with the assurances given by Baroness Blackstone and such co-operation does not need to be dealt with in the Bill. However, it is extremely important that the example of Sunderland, Staffordshire, Lancaster and Portsmouth universities—all of which show a strong outreach commitment to the further education sector and to local schools—be encouraged and nourished under the new structures. If anyone doubts the need for that, I refer them to the Select Committee report on post-16 provision, over which the Under–Secretary of State for Education and Employment, my hon. Friend the Member for Croydon, North (Mr. Wicks), presided as Chairman.

ConneXions, the new integrated youth structure, has been mentioned by several hon. Members, but, because of the lack of time, I shall not dwell on it for too long. The advice in the social exclusion unit report, "Bridging the Gap", is crucial. Skill levels in Blackpool are low and a large number of younger people, particularly young families, who come from outside the town, feel socially excluded. The new service must deliver the support that is necessary, although I freely accept that there is a delicate balance to be struck between access for all and targeting the most needy. In targeting 13 to 19-year-olds, we must not neglect the needs of older lifelong learning students.

The Bill deals with the responsibilities for setting up and carrying through individual learning accounts. Many have rightly praised ILAs and the already significant take-up, and the new Learning and Skills Council should seize the opportunity presented by ownership to promote them further. They should be significantly expanded, as should corporate involvement in them, and existing Government contributions should be boosted considerably in the long term, perhaps to between £750 and £1,000. In line with the statements of my right hon. Friend the Chancellor, the possibility of levering in more money from business, with the appropriate reliefs, should be

examined. It is vital that the new LSCs give employers and employees a stake in and ownership of continuous and lifelong learning.

The LSCs will be an important vehicle for boosting the life chances of the 20 per cent. of adults without basic employability skills. Updating skills in the work force is crucial to the role of the new Learning and Skills Council and there are two interesting and significant private lifelong learning initiatives in my area: British Aerospace's virtual university and, in my constituency, the online access provided by Horizon Biscuits. It is crucial to remember that more than 80 per cent. of FE students in the north-west are adults and a significant proportion learn and will continue to learn part-time. The LSCs will therefore have a crucial role in ensuring that there is quality learning for adults as well as for 13 to 19-year-olds.

My experience as a tutor with the Open university and the Workers Educational Association before being elected to the House convinces me that we cannot neglect that issue. More and more, further education is becoming a feeder for higher education. For example, as the young women in their 30s and 40s who live on the estates in my constituency go into further education and progress to higher education—not by going to a college three or four miles down the road, but by taking courses that come to them—the significance and relevance of that tie-up will become more apparent.

My hope for the second term of a Labour Government is that we will move towards universal free tuition to level 3 in education and training and further education. If that target seems too ambitious for the Government at the moment, I suggest that we employ that quintessential new Labour mechanism of pilot schemes in particular areas. Local learning and skills councils could usefully take up that torch.

The inspection regime must be vigorous and transparent. There are bad apples in further education, as in other sectors. Many hon. Members are aware of the problems. That underlines the need for rigorous inspection and expansion in this area. I support Ofsted's involvement. We must take stock of the excellent Select Committee report on Ofsted, under the chairmanship of the Under-Secretary of State for Education and Employment, my hon. Friend the Member for Croydon, North. Intervention in this area is a balancing act, and should be in inverse proportion to success.

I accept what has been said about the role of the adult learning inspectorate, and we should ensure that Ofsted and the ALI can work together harmoniously. I am reassured that my hon. Friend and the Association of Colleges believe that there is a role under the new structure for rigorous self-evaluation. We perhaps need to go beyond the provisions of the Bill and consider how we can more rigorously inspect facilities for adults along the lines of the measures for 16 to 19-year olds.

The passage of the Bill in the House of Lords was distracted by the noises off about section 28 and grammar schools. I do not want to say a great deal about that. The only comment I would make is that I welcome wholeheartedly the commitment by Baroness Blackstone and the Secretary of State to reversing what the Lords have done. I support wholeheartedly what the Prime Minister said yesterday about resisting the forces that promote the retention of section 28. I am only sorry that some Conservative Members in this place have been associated with the bigotry and ayatollahdom coming out of the House of Lords on this issue.

I believe that the Learning and Skills Bill offers a great opportunity. It should be used creatively as tertiary education expands rapidly and as globalisation increases. It is essential to have a framework that enables us to develop a seamless web of tertiary education. We can learn from the success of community colleges in the United States and their feeder mechanisms. We can end the damaging dichotomy between skills and education—between the mechanic's and the scholar's view of further education. The Bill balances both, and draws out innate abilities at all levels and all ages: that is its learning aspect. It also recognises the need for the continual renewal and recharging of skills to earn our way individually and collectively as a nation in the 21st century.

It is not a question of either skills or learning: we need both. At the heart of the Bill is a recognition of the age-old justification of education, which is to draw out people's innate abilities. I apologise to my hon. Friend the Member for Worcester, but it is true and perhaps shameful that in the past further education has been described as the Cinderella sector. The good news is that Cinderella is being allowed to go to the ball, and is going to the ball for the benefit of the many, not the few.

5.44 pm

Mr. Graham Brady (Altrincham and Sale, West): I am tempted to say that I am following a lot of balls, but that is a reference to the closing remarks of the hon. Member for Blackpool, South (Mr. Marsden), not to his speech.

The name "Learning and Skills Council" is neither here nor there. It does not matter whether we call it a learning and skills council or a training and enterprise council. However, the way in which the councils are constituted and the responsibilities and powers that they are given are enormously important. There is no doubt that the Bill proposes sweeping change. That change may offer some benefits, but it also poses considerable dangers.

As for the constitution of the learning and skills councils, we are undoubtedly witnessing a very deliberate and determined process of centralisation. Allowing the Secretary of State, in the first instance, to appoint the learning and skills councils will provide an enormous opportunity for a Secretary of State to stamp his or her own ideological slant or to impose his or her own model on the process of post-16 learning and training. There are dangers there. We are potentially moving towards a much more uniform model of post-16 education.

Local learning and skills councils will be appointed by the national Learning and Skills Council. However, the national council will exercise that power with the Secretary of State's approval. It will be important to watch exactly how that process is conducted and what use is made of the powers of patronage and the power to control the make-up of those bodies—which will have enormous power in both schools and colleges across the country.

The proposed system will be more bureaucratic and centralised, and will allow less independence for further education colleges, schools and local education authorities. One of the perverse, slightly schizophrenic aspects of the Government's education policy is that they

[Mr. Graham Brady]

really cannot make up their mind about what they want to do with local education authorities. In the School Standards and Framework Act 1998, Ministers were determined to get rid of grant-maintained schools and to bring back power to local education authorities. In the Budget, they said that they do not trust local education authorities and that money will have to go directly to schools. In the Bill, funding of post-16 education in school sixth forms is being removed from local education authorities and given to learning and skills councils.

It is regrettable that the new councils will no longer be business-led, as TECs are. That causes some concerns.

Although it is not a black and white matter, I differ strongly from the hon. Member for Blackpool, South (Mr. Marsden) on the distinction between skills and education. He seemed to regard the distinction as entirely spurious, but I think that there is some validity in it. In placing the whole structure of post-16 education and training under learning and skills councils, it is important that we do not risk according a lower status or less recognition to the non-vocational aspects of education. Vocational education occurs in school sixth forms, and non-vocational education occurs in colleges of further education.

Although that is right and proper, if we remove control of school sixth forms from local education authorities or from schools and give it to learning and skills councils, there is a danger that the councils' objectives—which may be far more biased towards the provision of vocational skills and education—may lead to a diminution of provision of non-vocational education. We need to be very cautious about that.

Perhaps it is a slightly old-fashioned view, but I think that it is important to say as often as possible, in the House and when debating education issues, that there is value in education for its own sake. There is value in non-vocational education that is not directly oriented towards training people for work or otherwise providing employment skills. There is a danger that the thrust of the Government's policy might take them too far in a direction that was probably first pursued by previous, Conservative Governments—the belief that all post-16 education should be about skills and jobs. It is slightly surprising that Labour Members have forgotten that danger, as they used to enjoy branding Conservative Members as philistines in these matters. It does not all have to be directly about skills and jobs. I agree with my hon. Friend the Member for New Forest, West (Mr. Swayne) that much important educational work is being done in the provision of the building blocks that can form the basis of vocational training.

My hon. Friend the Member for Maidenhead (Mrs. May) spoke about sixth form funding, a vital issue that the Government must get right. I would be more inclined to accept ministerial assurances about "levelling up" to the per capita funding currently available in school sixth forms were it not for the fact that I, like my hon. Friend, sat and listened to precisely the same assurances when we were told that when grant-maintained status was removed there would be a "levelling up" to expenditure in grant-maintained schools. That simply has not happened. Schools in my constituency lost £120,000 of revenue funding owing to the loss of grant-maintained status.

The Government assured us that the revenue of other institutions would rise, but that has not happened. If the same happened as a result of the transition from the current funding of school sixth forms to funding through the Learning and Skills Council, there would be considerable anger, and considerable problems for many sixth forms. Inevitably, some sixth forms involve a higher unit cost, given the need to maintain a varied curriculum for a relatively small group of pupils.

I have already raised in the House the current problems in the borough of Trafford, where the cost of providing the new post-16 curriculum is not being passed on to local schools by the local authority. That means a loss of some £400,000 a year to local schools with sixth forms, on top of the loss of grant-maintained status in the case of most of my local schools. If funding was levelled down, or if, as suggested by my hon. Friend the Member for Maidenhead, sixth form numbers increased and funds did not increase commensurately, there would be a real problem.

What about the creation of new sixth forms? I return to the question of the objectives and priorities of the learning and skills councils. A very successful sixth form was established a few years ago in one of the high schools in my constituency, New Wellington school. It is developing and becoming an important part of the school; it is popular with pupils, and I think that it should remain. From my reading of the Bill, however, there is a danger that a learning and skills council taking an overview of post-16 provision in a certain area might favour one model of provision rather than another. It might prefer, perhaps for financial reasons, to enlarge colleges of further education, rather than continuing to fund sixth forms or allowing new ones to be established.

My constituency also contains a successful and expanding college of further education, South Trafford college, which is involved in a number of innovative programmes. It provides training in many other parts of the country and has a link with the Army. It is currently providing training in Harrogate. I would not like a loss of independence to restrict such entrepreneurial activity on the part of further education colleges.

The Bill states that learning and skills councils "may" provide funding for local education authorities for sixth form provision, but as far as I can see it does not require them to do so. There is a genuine fear—it is not scaremongering—that the equality of education currently being provided will not be guaranteed.

I shall conclude soon, because I know that others want to speak. The hon. Member for Worcester (Mr. Foster) talked about pastoral care. The principal of South Trafford college said to me last Friday that there are inevitable differences between the pastoral care available in a large further education college and that available in a school sixth form. Those differences are caused by the size of the college and the fact that it has a large number of part-time or older students, so a different kind of care is inevitably needed and provided. Even 16 to 18-year-olds sometimes choose to go to an FE college rather than a school sixth form because they want greater independence in the style of their education.

Like my hon. Friend the Member for New Forest, West, I found two aspects of the Bill that appealed to me: the provision that would have lifted the threat from the grammar schools in the borough of Trafford and the

provision that would, in some measure, have compensated for the Government's planned repeal of section 28, which will allow the promotion of homosexuality through local education authorities. I was sorry to hear the Secretary of State make it clear this afternoon that he intended to use the Government's majority to delete both provisions from the Bill. I suspect that that intransigence may give the Government further problems when the Bill leaves this House. I hope that they are eventually prevailed upon to see sense.

5.57 pm

Mr. Ian Pearson (Dudley, South): Learning and skills, along with innovation and entrepreneurship, are the global currency of the new knowledge economy. Britain's future economic prosperity will depend on having a well-educated, highly skilled work force that can adapt to the massive changes in learning and work that will take place over the next decade or more. It is an indictment of the previous Administration that, in Britain today, more than 6 million adults have no formal qualification and more than one adult in five has a lower level of literacy than is expected from an 11-year-old. The glaring problem of skill shortages across the country, particularly at technician level, is also a result of their failure, which contributes to Britain's 25 to 40 per cent. productivity gap with France, Germany and the United States.

I am the first to admit that the best further education colleges and training and enterprise councils do a great job, but too often their performance has been patchy and disappointing. Drop-out rates in further education and in TECs are far too high. Qualification achievement rates in the FE sector vary from 34 per cent. to 94 per cent. In TECs, course completion rates vary from 40 per cent. to 70 per cent. We cannot afford to tolerate delivery systems that are at best flawed and second rate. Along with the expansion that we want in further education in the coming years, we need modernisation and reform. I am pleased that the Bill provides for that.

On Second Reading in the other place, Baroness Blackstone said:

> The LSC will focus on customer need, collaboration rather than competition, and on cutting out bureaucracy.—[*Official Report, House of Lords*, 17 January 2000; Vol. 608, c. 878.]

I fully share her sentiments. Given the limited time available, I shall make three brief comments.

First, it is a bit rich of the Conservatives to criticise us on the grounds that the Bill is bureaucratic. They introduced TECs, which, on average, spend 14 per cent. of their budget on administration. They have a TEC operating agreement that runs to more than 100 pages and monthly, if not weekly, reporting to the Government offices for the regions. Their agenda was strangled by the Conservatives.

However, I am acutely aware that we need to consider whether we can do things better across a range of Government initiatives. I use the analogy of whether we can put foot to floor faster.

Can we get better at moving from voting resources in the House of Commons to delivering them to people on the ground, whether they be students, trainees or workers? We need to look again at the Government model—the traditional civil service model. As a party, we have spent much time thinking about politics and policy, but we have not examined the system to get to the implementation level. Where new Labour thinking is needed is in ways of having a lean production model for getting benefits to those who need them most. I am optimistic that, through the Bill, we can provide a lean-burn model that shows how it can be done.

Secondly, on collaboration rather than competition, I have been around a number of FE colleges. In my local area, we have four FE colleges within six miles. They offer similar courses in mechanical and electrical engineering. All are under-resourced. All offer poorer-quality education and training for that. If they came together and offered one or two courses in a subject, they would be far more efficient. Each of the 10 FE colleges around the Birmingham area employs more people in marketing than Birmingham council did when it covered all 10. That cannot be an efficient use of resources.

We need to develop a system that offers real quality and choice. Across a range of areas, private sector providers already offer training courses that TECs contract with. We need to examine whether the private sector should offer some courses that have traditionally been offered by the FE sector: for example, information technology, law and accountancy. There is strong evidence that private sector training providers already offer courses of a far higher quality than the average further education college in those areas.

Thirdly, I focus on customer need. We need to talk about different types of customer. For the individual, there must be choice and quality provision. For employers, we need to ensure that, as customers, they get the skilled employees that they require and that local learning and skills councils reflect the skill needs in their areas. They need discretion to be able to do that.

There is a community customer need, too. I am concerned that some of the good things that TECs did in economic development should not fall through the cracks in the system. It is clear that learning and skills councils need an explicit local economic development agenda.

I could give chapter and verse on the number of instances where TECs have made a major contribution to local economic development, whether it be building partnerships, preparing business plans or providing resources to make things happen, which otherwise would not. They add value. One local example is Red House cone, which was originally used to make glass in my constituency. A £1.8 million project is in place, with funding from the European regional development fund, the heritage lottery fund, English Partnerships and English Heritage. It would not have happened without the TEC providing some resource, working with the local authority.

Britain faces enormous challenges as it competes in the global knowledge economy. We need modern, efficient delivery systems for learning and skills. I commend the Bill to the House.

6.4 pm

Mr. Peter Brooke (Cities of London and Westminster): The hon. Member for Dudley, South (Mr. Pearson) and I were, in higher education and in Milton's words, although not at the same time, nursed on the self-same hill. It is a pleasure to follow him in such a debate.

My remarks will be brief and certainly briefer than some. I should declare two unremunerated personal interests and ask for one past position to be considered in

[Mr. Peter Brooke]

mitigation. The first personal interest is that, although I doubt whether I am the oldest president of any youth club in the world, I am the president of the oldest youth club in the world: St. Andrew's club, which is within half a mile of the House. Secondly, I am the president—and I used to be the chairman—of the Conference on Training in Architectural Conservation. As a plea in mitigation, I should say that when I was Minister with responsibility for higher education 15 years ago, I also had responsibility for adult education and for the youth service. Unlike my hon. Friend the Member for Daventry (Mr. Boswell), I did not have responsibility for further education or for sixth forms.

Like the hon. Members for Enfield, North (Ms Ryan) and for Hammersmith and Fulham (Mr. Coleman), I speak as a London Member. As such, I was proud of the verdict in the 1997–98 report on the London training and enterprise councils from the Government office for London. It said that, in the preceding year, the London TECs had played a leading part in preparing the London development partnership's strategies for competitiveness and skills.

I was proud not least because, given the presence of seven TECs in London, the Department for Education and Employment had voted almost a third of its London budget to the TEC that covered my constituency. I can only regret that that substantial contribution to local economic development was a notable absentee from the "Learning to Succeed" White Paper published in June 1999.

Although my references to each will be brief, I propose to cover five topics in my speech. The first is funding and saving, as that is a national and overarching issue. The second topic is partly related—the substantial local flexibility which the Secretary of State has claimed that the Bill will confer. The third topic, and again it is partly related, is that of sixth forms. The fourth topic is adult education and lifelong learning, and the fifth and last is commercial and business involvement in the new councils.

I begin with funding and savings. The Secretary of State said in his statement on post-16 education made on June 30 last year that employers would be involved in spending £5 billion. On 14 December last year, he told a business audience in No. 10 Downing street that the Learning and Skills Council would have a budget of around £6 billion. An American once famously said, "A billion here, a billion there, and soon you're talking about serious money." No doubt he might give the same verdict on the question of a billion more or a billion less.

Lest the Secretary of State should himself enter a plea in mitigation that the upward statement of £1 billion was an accidental slip of the tongue, made when he was addressing a business audience on a private occasion, I should add that Department for Education and Employment press release 587/99 of the same day confirmed the figure of £6 billion. Yet the figure of £5 billion still appeared on the Department's website as recently as 27 March—this week. It would be helpful if the Minister who winds up the debate would either say which figure is right, or rationalise the discrepancy between them. Unless he does that, I must confess to a certain anxiety about the Secretary of State's personal housekeeping.

In the same statement on post-16 education in which he originally quoted the figure of £5 billion, the right hon. Gentleman compared the £5 billion to the £1 billion under which, he said, the TECs were operating. Given that the present TECs budget is more than £1.5 billion, that also looks like a discrepancy of some size.

That looseness with large figures necessarily increases one's anxiety about the savings figures quoted by the Government. We have already had the exchange between my hon. Friend the Member for Maidenhead (Mrs. May) and the Secretary of State on the £300 million that the Government are expecting to claw back from those elements of the TEC reserves that are funded by the Department for Education and Employment. Some of us will follow the development of that narrative in the future with close interest, as a significant element of the Government's funding and savings scenario depends on it.

On the savings of £50 million, Baroness Blackstone told the House of Lords that the total was made up of £15 million savings in Government office spending thanks to the reduction in staff contracting with 72 TECs. The balance of £35 million would come from the reduction in local branch spending as the number of branches fell from 72 to 47. As the branches have shrunk by about a third, we assume that branch administrative spending was previously three times £35 million, or a little more than £100 million. That figure is another that needs to be verified in Committee.

In his answer to the hon. Member for Reading, West (Mr. Salter) of 14 December 1999, the Secretary of State claimed that the Bill would entail substantial local flexibility. In part, he predicated that claim on the 10 to 15 per cent. of the learning and skills budget that will make up the local discretionary budgets, whose definition of discretion has already been dissected by my hon. Friend the Member for Maidenhead. Whether the total budget will be £5 billion or £6 billion will make quite a lot of difference to the amount realised when 10 or 15 per cent. of the total is calculated. With a total of £5 billion, 10 per cent. would equal £500 million, and 15 per cent. £750 million; with a total of £6 billion, the same percentages would come to £600 million and £900 million, respectively. When I was the Higher Education Minister, I would have commissioned a mass out of my own pocket if I had been given an extra £250,000 to spend on adult education nationally.

In that capacity, I was also the chairman of the National Advisory Body for Public Sector Higher Education. Our Government created that body to introduce some rationalisation into local authority-funded higher education, but I would never have claimed among its attributes that it conferred substantial local flexibility. Nor would I have said, as the Department press release 473/99 said on 28 October 1999, that key decisions would be driven from the bottom up, rather than from the top down.

On sixth forms, I echo what my hon. Friends have said—notably my hon. Friend the Member for Maidenhead—about different streams of funding, which historically has been one of the antipathies to Treasury conventional wisdom. I want to dwell for a moment on per capita funding for sixth forms. The permanent secretary at the Department revealed at a conference of the Society of Education Officers, reported by BBC News Online, on 3 August last year that what became the Learning and Skills Council prospectus safeguard—that a schools sixth form budget would not reduce in real terms

provided numbers were maintained—does not ensure that sixth forms with increasing numbers will continue to receive the necessary resources, since the permanent secretary had said that per capita funding would not be included.

The LSC only delegates funds for sixth forms to local education authorities for local decisions by them, but its power does involve closing down sixth forms—rather as the mayor of London can only call in planning decisions, and not press for good, but controversial, planning decisions to be supported.

When I lived in the United States 30 years ago, the front page of the *Wall Street Journal* reported that the recession had become so severe that the mafia had had to lay off two judges in New Jersey. I would not want to carry the analogy too far, but, in this transfer of overall sixth form funding to the LSC, there is a flavour of the mafia being invited to fund neighbourhood watch schemes at a headline level.

On adult education and lifelong learning, I should declare a further family interest, in that my great-uncle, Sir Graham Balfour—chief education officer for Staffordshire and one of the first CEOs to be knighted—chaired the great report on adult education that the Government commissioned immediately after the first war, and my family were close friends with Albert Mansbridge, who dandled me on his knee as a child, but who played a rather more remarkable part in the history of adult education.

I draw to the House's attention the fact that the Bill appears to contradict the learning and skills prospectus, which was published two days before the Bill. The former, notably in sections 4.3 and 4.4, draws attention to the way in which the age profile is rising in the labour force, even over the next 10 years, whereas the explanatory notes for the Bill make it clear that the LSC will give priority to meeting the learning and skills needs of a younger age group.

That goes some way to dilute the high-minded remarks in the prospectus about older learners, when it says:

> we want the learning and skills council to ensure that high-quality learning opportunities are available to meet the needs of all learners across the range of abilities and aptitudes.

The Bill says, more bleakly—in Procrustean mode—that the opportunities for older people are to be

> of a quality and quantity which the Learning and Skills Council can reasonably be expected to provide taking account of the resources available to it.

This underlying attitude was also pinned down when I was the only Member of Parliament to attend a feedback of the university of Lancaster's review of the two past decades in higher education in the UK, which was funded by the EU. We were the one large-country study in a multi-country project. A consultant to the review, who is also a frequent consultant to the Department, said that it was a matter of concern that, in all the current talk of lifelong learning, no significant effort was going into finding out what lifelong learners actually wanted to learn about.

My hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) made some effective play with the commercial and business involvement in the councils. The Secretary of State said on 28 October last year that

> a minimum of 40 per cent. of the membership of both the national and local councils will be those with recent experience in business and commerce,

and he said immediately afterwards

> that the chairman of the national council and the majority of local council members will similarly have had recent business and commercial experience.—[*Official Report*, 28 October 1999; Vol. 336, c. 1079.]

The second quotation—which was in the same sentence as the first—clearly expands the first. However, I appreciate that there may have been a slip of the tongue in the *Hansard* of the day—later corrected—and that what the Secretary of State meant was the majority of local council chairmen. The briefing issued for the debate by the TEC national council states that there will be 40 per cent. business representation, but that is a case of "put not your trust in princes". As my hon. Friend the Member for Westmorland and Lonsdale indicated, Baroness Blackstone resisted Conservative amendments in the Lords to enshrine in legislation the chairmanship and membership commitments that the Secretary of State gave the House on 28 October last year, and said that they should not be written into the Bill.

Let me make a final plea that the chief executive of the council appointed should be independent of the Further Education Funding Council and the TEC movement, and should have a decent experience of work-based learning.

I wish this sector of education well, and want to give it the best possible chance of success.

6.15 pm

Valerie Davey (Bristol, West): In Bristol recently, within the space of one week, I met two groups of young people. They were in their late teens and early 20s, men and women. The first group was homeless. They had been sleeping on the street, and some were involved in drug abuse. Courageously, they were beginning to find their way back into the wider community. They were beginning to feel confident again, talking to other people and finding their way into their future.

The second group were "live wires", so-called because they were competing for a young business award of that name. With courage, they were stepping into the future and gaining confidence. They were setting up in business—a good business, that they were proud to explain.

The contrast was enormous. The first group on the street was literally on the pavement. The second group on the street had a business address. If we were to analyse the reasons for that, they would be complex and personal. It is too easy to make generalisations. However, the first group is part of the 170,000 young people who have slipped through the net and who have been failed by the present system. I would like to draw briefly on the elements of the Bill that will better serve that group of young people. Before I do so, let me also declare an interest—an interest of enthusiasm. I am an unpaid member of the board of Learning Partnership West in Bristol, which deals in the main with the careers service in the Avon area.

The TEC system—the proud legacy of the previous Government—was fragmented. It did not celebrate the diversity that we want. It was underfunded and, in many cases, inappropriately funded. It was based on individual institutions, not local area needs. It met the needs of high fliers rather than those of lesser ability who needed more basic skills. The new approach looks in particular to the

[Valerie Davey]

needs of 16 to 19-year-olds from a more disadvantaged background, who would otherwise be less likely to succeed.

I was delighted by my right hon. Friend's announcement today of the extension of the education and maintenance allowances. I look to a third-phase development, when Bristol will be included.

The work of ConneXions and its progress are crucial to the Bill. I know that the careers service and youth support workers have identified that they will still need to make a general provision to serve all the young people in that age range—some 4 million. However, they do not demur from focusing on those with particular need.

I want to say a word about the youth service and its ability to make contact with these young people. We have talked about the wonderful range of qualifications that will be available under a more integrated and collaborative scheme. However, many young people are not connected. The youth service will provide a bridge, giving young people the standard of having to turn up on time for an evening meeting once or twice a week, making contact and having a meaningful conversation.

The young people whom I met who had been on the streets of Bristol said that they did anything to gain safety and security during their first six months of contact with an adult. No matter how apparently supportive those adults were, the young people told them what they thought they wanted to hear. Time and mentoring are needed. Imagination is required, and youth and community workers often give that imagination to their work with young people.

The young people said that they were looking not for expertise, but for people whom they could trust. I want to turn that statement on its head. The Bill, through the youth service and other mentors, will offer people of experience who will trust young people. Every young person has much to offer, and the aspect of ConneXions which we should celebrate is that we shall take account of the views of young people. We can pontificate in the House as long as we like, but unless we get alongside young people and listen to their needs, we shall fail them yet again. The Bill brings new opportunities, and it will enable young people to be heard. Many more of them will succeed as a result.

6.22 pm

Mr. Nick St. Aubyn (Guildford): I have listened to as much of the debate as possible and have found it most interesting. Like the hon. Member for Bristol, West (Valerie Davey), I am a member of the Select Committee on Education and Employment, and have worked through two reports into further education—one under the able chairmanship of the Under-Secretary of State for Education and Employment, the hon. Member for Croydon, North (Mr. Wicks).

I hope that the Minister will be the first to recognise that the really great achievement of further education over the past decade came in 1992, when we liberated FE colleges from the dead hand of the local education authorities. In many cases, colleges had been held back, not being given enough funding or an opportunity to deliver as much, or as effective an education, as they were capable of giving. In a written reply to me a couple of months ago, the Minister confirmed that, between 1992 and 1997, the number of full-time equivalent students funded by the Further Education Funding Council increased from 860,000 to 1,084,000—nearly 30 per cent. more students.

By comparison, the Labour Government's more modest aim was half that increase. They intended an increase of not 200,000 but barely 100,000 full-time equivalents over the course of this Parliament. I am disturbed to note that they are in no way achieving even that. It is another case of the Government's being all mouth and no delivery. I asked the Minister about the number of full-time equivalents in our FE colleges since the Government came to power, and, with a bit of cavilling, he eventually admitted that it had dropped by 1 per cent. last year. Fewer people are in further education today than there were when the Government came to power.

The Government have spoken of hundreds of thousands—the Prime Minister mentioned half a million, and 700,000 was mentioned on another occasion—but the numbers are actually down over the first two years by more than 1 per cent. Far from being on course to deliver, they are on course to disappoint hundreds of thousands of people who would depend on further education for their best chance in life—the chance of job with a future.

The Minister gave franchising as an excuse for his Department's failure. Interestingly, several hon. Members have said how they value the role of the private sector in contributing to training and development. They recognise that alliances between the private sector and further education colleges can deliver results. We should not be surprised by that because, in the first report of the Select Committee, that is exactly what the all-party group found. It stated:

> We believe that high quality franchising can play a valuable role in the FE system, because of the way it can increase participation, extend access and contribute towards a more skilled workforce.

The Minister himself became Chairman of that Select Committee. Yet, when he reverts to his partisan political role, he sings a different tune. In his reply to me he talks about the

> unacceptable aspects of franchising which grew up under the previous administration.

The Minister cannot have it both ways. He cannot, with his colleagues on the all-party Select Committee, applaud the achievements of the FE sector, which must include the vital role played by franchising, and then try to get away with excuses for his Department for failing to deliver further places.

When the Select Committee delivered the report, we recognised that there was an element of curtailment in franchising because, when we Conservatives were in power, we ended the demand-led element of funding for franchising and in doing that, we acknowledged that there would be a drop in the numbers in further education. When the Prime Minister and the Ministers pledged to increase the numbers in FE by up to 700,000, they knew that this curtailment of enfranchising was in the pipeline. Therefore, it is no excuse now to say that, because of the drop in the numbers in franchising, the target cannot be achieved. The Government must achieve their target knowing now what they knew then—that the numbers in franchising might drop in this period.

We are entitled to ask how, from this stage, the Government can achieve a 10 per cent. increase in full-time equivalent numbers in just over a year. Is it wise

to aim still for an increase of 10 per cent? Can the quality of courses be guaranteed by achieving such a massive increase in such a short time? Again, we see the Government talking high numbers, but failing to deliver and not having any clue how they will get there.

The other aspect of the Bill that disturbs me is the instinct for conformity which, I am afraid, is the hallmark of the way in which the Secretary of State runs his Department. He wishes to destroy diversity in our education system rather than build it up. He wants to destroy grammar schools rather than preserve what is good in the education system that they represent. Now, he has set his sights on the sixth forms in schools, which are a vital part of the diversity of our provision.

Let us be clear about the difference in funding between sixth forms and FE colleges and sixth form colleges. The differences are only a few per cent. As the Select Committee report made clear, there is a difference of 4 per cent. per year of funding for students in sixth forms in schools as opposed to sixth form colleges and of 7 per cent. between sixth forms in schools and FE colleges. If one looks at the post-16 provision overall, there is still greater diversity of funding between different colleges offering the same course in different areas.

As the history of the sector since 1992 demonstrates, it is not the amount of money put in that counts, but the sum that we get out. We did not put a great deal more money into the FE sector, but we got out of it a 30 per cent. improvement in the quality and quantity of courses that were being delivered, and that measurably closed the skills gap. This Government are putting in more money, but getting less out. With their agenda on skills, without extra effort and concentration, we will see a widening of the skills gap, particularly in areas such as mine, where the curtailment of the careers service means that children thinking how best they can serve in the fast lane of Britain's economy are not getting the advice that they need if they are to give society what they want to. The Government's short-sighted treatment of the sector will undermine the aspirations of such children. The Minister has much to answer for, when he deals with those points.

6.30 pm

Mr. Tim Boswell (Daventry): In general, the debate has been good-natured and informative. Many Members on both sides of the House share a strong personal commitment—as I do—to further education, to appropriate vocational routes and to the engagement of all young people in the high-quality development of their abilities.

I do not normally think of the Under-Secretary of State for Education and Employment as a mad axeman, although he has taken on that role in the execution of the TECs movement. Even though he may be generally well-intentioned towards adult education and the 16 to 19 sector, it is possible to do much damage by accident or inadvertence.

To pursue the analogy of cutting, the hon. Gentleman would do well to remember the dictum of the mediaeval philosopher Occam, who said that entities should not be multiplied beyond what is strictly necessary. My hon. Friend the Member for Maidenhead (Mrs. May) made a most distinguished speech, when she opened the debate for the Opposition. She analysed in some detail the additional bodies that would be created and that would overlap or interlock—according to the jargon.

Perhaps my hon. Friend did not make enough of the point that consultation will be necessary with the private sector or with non-government organisations. For example, liaison will be needed with employers, with trade unions—who are major education providers—and with the voluntary sector. The Government have not told us much about the local learning partnerships either. Only Uncle Tom Cobbleigh has been left out of my list.

Even if we make the heroic assumption that there is nothing wrong with the Bill—not many of us would want to do that—there is a danger that practitioners in further and adult education, who work long hours for little remuneration and who sometimes have to deal with demotivated or disadvantaged people, may be so busy understanding the new regime, filling in forms, coping with consultation exercises and clarifying the interacting or sometimes mutually exclusive policies from the players in the jigsaw that they may not get around to doing much teaching. If we add to that the problems of those from the world of business, who may feel that the new arrangements will leave them with nothing much worth doing, we have a recipe for failure.

I do not want to overstate the case. There will not be a dramatic or catastrophic collapse. However, the slow atrophy of the sector may be a greater danger—an ebbing of life, enthusiasm and activity.

The Secretary of State graciously acknowledged the amount of staff work that had gone into the measure and the contributions of the predecessor bodies that will be extinguished or transmuted under the Bill. There were many worthwhile contributions from hon. Members, so the Secretary of State and the Under-Secretary will go away from the debate with some understanding of the increased complexities of the matter—if with nothing else.

There were some distinguished contributions from Labour Members; it would be invidious to list them. I hope that those Members who have even a smidgen of criticism will be able to participate in Committee.

I was delighted to hear the speeches of my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) and my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins). Both of them emphasised the vandalism being done to the TEC movement.

My hon. Friends the Members for New Forest, West (Mr. Swayne) and for Altrincham and Sale, West (Mr. Brady) made serious contributions on the impact on school sixth forms and other school provision.

My right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) and my hon. Friend the Member for Guildford (Mr. St. Aubyn) concentrated on their experiences. My right hon. Friend referred to his administrative experience as a Minister. Both spoke about some of the practical implications of the measure for further education.

All the contributions should have given the Government food for thought. They tie in with the formal consultation exercises that are still proceeding in some depth and with what I might describe as the mega-consultation exercise that took place recently in their lordships' House when it considered the Bill. That consideration has given the Government occasion to think and a considerably bloody nose in respect of section 28 and grammar school ballots. It remains to be seen what will happen in practice on those matters.

[Mr. Tim Boswell]

To be fair, a number of useful changes were made, and assurances received from Government, in the other place. However, it is clear to Members of this House that many people—not necessarily card-carrying ideologues of any kind—remain dissatisfied at best or, in some cases, deeply unhappy with the Bill's provisions. I do not want to overstate the nature of any of the objections received, but in the past 24 hours I have received further representations from, among others, the National Institute of Adult and Continuing Education, the four designated London colleges and the Institute of Careers Guidance. We have also to receive further comments from the national open college network.

Some interesting exchanges took place in the debate about which I can offer some expertise of my own. I live 300 m from both a county and a regional boundary, and interesting points were made about cross-border collaboration between local learning and skills councils areas. The hon. Member for Enfield, North (Ms Ryan) also referred to sectoral issues in relation to specialist colleges.

It should be clear to everyone that much needs to be done. I hope that the Government, who have not started too well in this House by rushing in Second Reading a mere week after the Bill concluded its passage in the other place, will not rely on their large majority to ram the measure through. I hope that they will accept in humility that there is a great deal to do even to make the Bill workable, let alone successful.

I return to our strategic objections, which are set out in our reasoned amendment. I would like briefly—although others, including my hon. Friend the Member for Guildford, did so more eloquently—to remind Ministers that the Further and Higher Education Act 1992 provided a structure that paved the way for success. However much the point is argued, we increased further education enrolments by 1 million and we freed further education institutions to pursue their mission. All the waffle about franchising and real concerns about quality in some cases cannot take away those substantial achievements. They have not yet been matched by the present Government.

With a fanfare, Ministers have recognised—I would have told them this for nothing three years ago if they had asked me—that there were certain anomalies in the funding and the delivery of education for 16 to 19-year-olds and for adults as well. No first-class honours degree will be awarded for noting the anomalies. However, Ministers have reacted not by seeking a sensible measure of evolution, by building on the framework that had been set or by adopting a genuine partnership approach, except in nominal terms. The Government's idea of a partnership is a compulsory one. They rely on the press release and the White Paper, which pose more problems than they resolve. It is not joined-up but kit-form government.

First and foremost of our concerns is the issue of bureaucracy, to which hon. Members have referred, and that is coupled with the reference to central control. We know that giving independence and their own governance to further education colleges, within the framework of the public sector and continued public financing for the greater part, worked in responding to local labour market demands and in meeting the needs of students. We do not need a local learning and skills council to tell us that. If the new councils are to estimate, for example, how many hairdressers are required by the local economy, that is useful information for further education colleges. However, if that means that the councils say that they will not fund more than 85 places in a region because that is their calculation of what is required, we shall end up in a sad old world of micro-management and manpower planning. That will have the same lack of success as always accompanies that approach.

Training and enterprise councils draw on business for two thirds of their membership and actively involve senior business players. If TECs are destroyed and business participation is shrunk to a notional and uncertain commitment to 40 per cent. membership of local learning and skills councils, which themselves are a branch economy or wholly owned subsidiary of a national body, we are unlikely to get the same positive response from business.

At best, the first year or two after the changeover next April are likely to be dominated by issues about the split of assets, the reconstruction of private sector chambers of commerce where they have been merged with TECs—as they are in my county; there are 16 in all—and the renegotiation of local partnership agreements, particularly where they cross existing TEC boundaries or the new local learning and skills council boundaries.

Business is not the only sector that the Government have upset. It has become clear in recent weeks, not of course in statements to the House but in briefing by Ministers, that the Government are, to put it mildly, increasingly disenchanted with local education authorities, and it is reasonable to infer that they may have an agenda for progressively eroding LEAs' powers. The Bill alters the basis for sixth form funding, but it also threatens adult and community education and the youth service outwith the ConneXions operation.

The threat to sixth forms is separate from, but not unrelated to, the grammar school issue, and those matters are at the centre of our concerns about the Bill. The Minister occasionally gives us helpful written replies, and I received one from him on 20 March about the percentage of pupils achieving grades A to C in schools with a sixth form and without a sixth form in England—there are roughly equal numbers of each. That test, which strictly has nothing to do with sixth forms, showed that there was a huge disparity of 9 percentage points. The figure was 49.9 per cent. for schools with a sixth form and 40.9 per cent. for those without. That convincingly demonstrates that the benefits of sixth forms can spread by osmosis throughout the secondary school, and that is certainly my local experience.

We know that there are great benefits for certain pupils in having the transition from compulsory to post-compulsory education handled within the school framework. They may perhaps lack the confidence to go to college or they may live, as many of my constituents do, scattered over a rural area. In addition, much of that sixth form provision also provides a basis for the conduct of local adult education courses.

By 2003, there will be the flimsiest of safeguards for sixth forms as the money will be top-sliced through the Learning and Skills Council. Any fall in pupil numbers, any expansion in numbers where the unit funding is scaled down or any decision on inadequacy under schedule 7 will lead to the extinguishment of the sixth form in question.

That brings me on to the inspectorate. We will end up with two and a half inspectorates and many anomalies in the provisions for 16 to 19-year-olds. The Government are not prepared strictly to follow their logic to its conclusions and to extend Ofsted's remit to the training of young people in the workplace. I am not saying that they should do so, but that is an example of continuing untidiness.

Other hon. Members have talked eloquently about the exclusion of young people. I do not want the House to feel that we are not interested in those issues. The Government will not solve the problems simply by announcing that there are many people on whom they want to concentrate and that there will be a new service called ConneXions to deal with them and personal mentors if they can be recruited on a basis that has not been fully established. There are many difficulties involved, including fitting that service in with school provision and ensuring that there is adequate careers teaching and guidance. I am deeply worried, as are my colleagues, that the new ConneXions service may well amount to a service for the socially excluded rather than one available to all pupils. I know of no better way of consolidating social exclusion than by categorising teenagers as "in" or "out".

The best that can be said of the Bill is that it seemed like a good idea at the time. Perhaps the worst but one comment that I could make is that it will be buried under a pile of bureaucracy. I still feel that there is a strategic failure of imagination. The Government have noticed that there is an administrative problem and an education problem for 16 to 19-year-olds, particularly when the emphasis is put on social exclusion. Yet there is no context for this. There are some moves to look back on the earlier compulsory school years, but that needs a more vigorous approach in relation to curriculum reform and development, and the resources to match them.

There is scant reference to the further transition to higher education, which is already a normal option for many young people, and central to any programme of lifelong learning. There should be a vision of continuing professional development, adult learning and the learning society, and it is not really in the Bill. For all the pretensions of Ministers and for all their claims, this is work in progress. Some of it is perverse, some of it will not help and some of it is certainly speculative. We have expressed our doubts in our reasoned amendment and we shall be opposing the Bill shortly.

6.46 pm

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Malcolm Wicks): This is legislation for the 21st century. I believe that the 20th century will be seen essentially as one where we took the education of children seriously for the first time and recognised the state's obligation. We all know that that agenda is still a lively and active one under the Government. In this century, however, school education will be complemented increasingly by learning and skills over the life cycle, enhanced academic and vocational education opportunities for young people, skills for those of working age, and adult education. That is the sheer joy and challenge of education. It applies not least to those in later life as we appreciate that the silly term "retirement" becomes increasingly a new learning zone for older people. It is fitting that the Bill has been introduced in the first months of our new century. It represents a new policy for a new century.

We have had a useful and wide-ranging debate. I think sometimes that those who belittle the House should occasionally listen to it at its best, which I think we have seen today. There has been consensus about the need for change. I am pleased that hon. Members on both sides of the House recognise that skills and lifelong learning must underpin our drive for a knowledge-based economy.

The Government's vision is clear. We believe that learning is crucial in offering the right start in life and in allowing people throughout their lives to improve their employability, to play an active role in local communities and to help secure the economic prosperity of our country. Learning becomes a common currency throughout the life cycle for the six-year-old, the 16-year-old, the 46-year-old and perhaps for those aged 86 or 96.

It is clear, too, what principles should be at the heart of our system for delivering this vision. We must break down the unnecessary barriers between different funding and planning regimes, which are a recipe for confusion, waste and lost opportunity. We must replace them, as we will, with a single system for all post-16 learning and skills. We must put the consumer—the learner—at the centre of the system. That is why we want employers and individuals to lead, not to provide for us. The Bill is about demand and need, not existing supply. We must equip businesses and our citizens if we are to create the inclusive society.

We must work in partnership with employers and the public and voluntary sectors to build on what is best in our current approach to learning. There are many existing strengths on which to build, and I shall emphasise them. We must combine the benefits of a single unitary system guaranteeing consistency and coherence for employers and individuals with local decision making and flexibility. The system must be strong at the centre and at local level. The Bill is at the centre of our vision. It offers the prospect of a real change of culture in both England and Wales.

The Bill is a fine example of how the National Assembly for Wales can work with Government Departments in Westminster to meet the needs of the Welsh people. It contains radical and important provisions for the reform of post-16 education and training in Wales. Many of the provisions are similar to those for England, but there are important differences, reflecting the circumstances of Wales and the views of the National Assembly. We will have an opportunity to debate the provisions in Committee. The Under-Secretary of State for Wales, my hon. Friend the Member for Delyn (Mr. Hanson), will join me in Committee to deal with the detailed points raised by hon. Members.

I cannot respond to all the points made today, but I acknowledge the thoughtful contribution from my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands). He said much about training programmes and described the Bill as sensible, but there is much to reflect on in his speech.

The Liberal spokesperson, the hon. Member for Sheffield, Hallam (Mr. Allan), also made a thoughtful contribution, pointing out the connections with regional development agencies, the Small Business Service and national training organisations—important matters for us to take up in Committee.

[Mr. Malcolm Wicks]

My hon. Friend the Member for Enfield, North (Ms Ryan) highlighted the plight of the 170,000 young people not in education, training or work, and she mentioned the particular circumstances of London.

The right hon. and learned Member for Folkestone and Hythe (Mr. Howard) produced a robust defence of training and enterprise councils. We agree about many of the strengths of TECs, although our critical analysis would be somewhat different from his.

My hon. Friend the Member for Hammersmith and Fulham (Mr. Coleman) focused on the 16-to-19 age group and spoke about the good results achieved at the William Morris academy in Fulham—William Morris being someone who understood both the academic and the vocational aspects of education.

The hon. Member for Westmorland and Lonsdale (Mr. Collins) recognised that TECs were imperfect. He mentioned centralisation, a subject to which I shall return.

My hon. Friend the Member for Stoke-on-Trent, South (Mr. Stevenson) spoke about the problems of the existing system and emphasised the importance of training.

I missed the opening of the speech of the hon. Member for New Forest, West (Mr. Swayne), but I shall read it carefully in *Hansard*. He then went into the somewhat strange and the bizarre, and I shall need to read that with a cool glass of water, so that I can understand the full significance of his point.

My hon. Friend the Member for Worcester (Mr. Foster), whose constituency I visited recently, focused on the essentials of the Bill and the importance of further education, and raised some important questions.

My hon. Friend the Member for Blackpool, South (Mr. Marsden) made important comments about the links between higher education and further education, and the increasing importance of further education as a route into universities.

The hon. Member for Altrincham and Sale, West (Mr. Brady) made an interesting contribution, drawing on the experience of his own constituency.

My hon. Friend the Member for Dudley, South (Mr. Pearson) focused on delivery, which is a vital issue for us to consider in Committee.

The right hon. Member for Cities of London and Westminster (Mr. Brooke) raised important points about the funding of the new system. I will write to him with a detailed response. I hope that he will forgive me, but I do not have time to reply now.

My hon. Friend the Member for Bristol, West (Valerie Davey) stressed the importance of young people, the need for a proper deal for them and the need for us to hear their voice.

The hon. Member for Guildford (Mr. St. Aubyn) raised some challenging points about further education numbers. We have a robust answer, which will have to be given in writing because of the shortage of time. I hope that he will forgive me for that.

I take this opportunity of thanking all the bodies that have done such good work in recent years. They include the TECs, the further education colleges, the youth service, the careers service, the local learning partnerships which are developing so well, national training organisations and many others. Of course we are not abolishing good work. We are looking forward, not back. We will build on good experience in order to produce comprehensive best practice across our country.

I shall deal with some substantive points. Much of the concern expressed from the Opposition Benches was about school sixth forms. The cat has been let out of the bag. We have a document, a letter on Conservative party paper, from the hon. Member for Maidenhead (Mrs. May). It is being sent to schools, I understand, and here it is:

> The Conservative Party will shortly be launching a campaign to support the retention of school sixth forms.

I could not understand why we were hearing gross scaremongering, which will frighten many parents in our communities, instead of constructive opposition. Here we have a crude Conservative party campaign, complete with illiterate questionnaire:

> Questionnaire for Headteachers whose school have a sixth form.

We shall have to discuss with my right hon. Friend the Chancellor whether the literacy hour can be extended to Tory Front Benchers, such is their illiteracy.

Let us state the truth about school sixth forms. The best do a superb job and many achieve excellent exam results, but under the last three years of the previous Tory Government funding for secondary schools, including those with sixth forms, was cut by £200 a pupil in real terms. Although we shall defend excellent and good school sixth forms, it is only right to take seriously the opportunity presented by the Bill to take action when school sixth forms fall well short of the standards of education that young people need to succeed in the modern world. Our priority is the decent education of young people in sixth forms—whether in sixth form colleges, further education colleges or schools—and good school sixth forms will be maintained and improved under the Government.

There has been much false talk about centralism from the Opposition. We want a Learning and Skills Council that is strong at the centre and strong locally. For the first time, two funding streams—£6 billion—will come together to enable us to consider education and training. Local LSCs will have not only a 10 to 15 per cent. discretionary spend, but a big say over the whole 100 per cent. in making local decisions about how national strategy affects local communities. The LSCs are about local people making local decisions. That is at the heart of our concern.

As for bureaucracy, we are replacing three funding systems and 250 funding bodies with one streamlined route, which will mean less red tape, shorter contracting chains and greater consistency. The £50 million saving means a £95,000 saving for each and every constituency. We are not prepared to spend money on bureaucracy, as the previous Government did. We are spending it on front-line learning. Surely that is the absolute priority. The ConneXions service is equally important and it is high time we built on good practice to offer all 13 to 19-year-olds proper advice and guidance, but there will be a special focus on the most disadvantaged.

These are new policies and funding streams, and we deal with three major areas: young people aged 16 to 19, skills for those of working age, and adult and community education. That policy is at the heart of our economic strategy because it deals with learning and skills and the knowledge-based economy, but as important for some of

us is the fact that it is also at the heart of our social policy. It is about inclusion, the fair society, decent options for young people, and equal opportunities for those with learning difficulties and for others, not squandering the talents of too many of our young men and women. This is an equal opportunity measure—a clear national policy—but local people will make local decisions.

Our policy is fit for the 21st century. Why? Because education is the liberator for the individual, because learning empowers the community and because skills become the engine for economic development. With enthusiasm, I commend the Bill to the whole House.

Question put, That the amendment be made:—

The House divided: Ayes 119, Noes 280.

Division No. 133] **[6.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Collins, Tim
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Gale, Roger
Garnier, Edward
Gibb, Nick
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
May, Mrs Theresa
Moss, Malcolm
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Geoffrey Clifton-Brown and
Mr. John Randall.

NOES

Abbott, Ms Diane
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Blair, Rt Hon Tony
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Keith *(Withington)*
Bradshaw, Ben
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chaytor, David
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Donohoe, Brian H
Dowd, Jim
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John

Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Meale, Alan
Merron, Gillian
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
O'Hara, Eddie
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Quin, Rt Hon Ms Joyce
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Sawford, Phil
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul
Tynan, Bill
Vaz, Keith
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. Don Touhig and
Mr. Clive Betts.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 62 (Amendment on second or third reading), and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

7.13 pm

Mrs. Angela Browning (Tiverton and Honiton): On a point of order, Mr. Deputy Speaker. During questions to the Secretary of State for Trading and Industry this morning, the Secretary of State refused to give information about meetings and telephone calls that had taken place between him, or his Department, and BMW. At 1 pm today, I faxed the permanent secretary at the Department of Trade and Industry, asking him to make the departmental records available and to place them in the House of Commons Library. I have received no reply, but I understand that at 4 pm journalists from the House of Commons were invited into the Department and briefed on the departmental records—information that was denied to the House this morning.

May I ask through you, Mr. Deputy Speaker, for the records to be placed in the House of Commons Library as a matter of urgency?

Mr. Deputy Speaker (Sir Alan Haselhurst): As the hon. Lady probably understands, that is not an issue that the Chair can directly affect. Those on the Government Front Bench will have heard what she has said.

LEARNING AND SKILLS BILL [*LORDS*] [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),

That, for the purposes of any Act resulting from the Learning and Skills Bill *[Lords]*, it is expedient to authorise the payment out of money provided by Parliament of—

(a) any expenditure of the Secretary of State incurred in consequence of the Act;

(b) any increase attributable to the Act in the sums payable out of money so provided under any other enactment.—*[Mr. Mike Hall.]*

Question agreed to.

COMMITTEES

Mr. Deputy Speaker (Sir Alan Haselhurst): With permission, I shall put together the motions relating to Committees.

Ordered,

ENVIRONMENTAL AUDIT COMMITTEE

That Dr. Brian Iddon be discharged from the Environmental Audit Committee and Mr. David Chaytor be added to the Committee.

EUROPEAN SCRUTINY COMMITTEE

That Mr. Bill Rammell be discharged from the European Scrutiny Committee and Mr. Allan Rogers be added to the Committee.

SELECT COMMITTEE ON PUBLIC ADMINISTRATION

That Dr. George Turner be discharged from the Select Committee on Public Administration and Mr. Anthony D. Wright be added to the Committee.

LIAISON COMMITTEE

That Mr. Peter Luff be discharged from the Liaison Committee and Mr. David Curry be added to the Committee.—*[Mr. Mike Hall.]*

Coal Miners' Compensation Claims

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Mike Hall.]*

7.15 pm

Mr. Kevin Barron (Rother Valley): I thank Madam Speaker through you, Mr. Deputy Speaker, because I understand that she selected my debate for this evening. The practice known as administration or success fees has been an issue in my constituency and many others for many months. The fees are asked by some solicitors from ex-miners who make successful claims under the schemes that have been agreed with the Department of Trade and Industry and a group of solicitors.

In the middle of last year, I was approached by someone who works for the Coal Industry Social Welfare Organisation—CISWO—which is based in my constituency. The organisation has a long and proud record of working in coal mining communities, looking after the interests of retired miners and miners' widows. Families that suffered bereavement due to industrial accidents used to get good support from the organisation.

I was told that miners and miners' widows were asking for advice on correspondence from solicitors that they found confusing. In July last year I sent copies of some correspondence to the previous Minister, my hon. Friend the Member for Leeds, West (Mr. Battle), showing that a firm of solicitors called Raleys in Barnsley is involved in the practice of getting claimants to agree to an arrangement under which 3 per cent. of any compensation received, up to a maximum of £750, is paid to them. That sum is paid in turn to the National Union of Mineworkers.

Raleys argued:

> Under a Conditional Fee Agreement ("no win, no fee") solicitors are entitled to receive up to 25 per cent. of the claimant's damages (however large the damages are) which for a £25,000 claim could be up to £6,250; but under the mandate the Union administration fee is limited to £750 (3 per cent. of £25,000) and in many cases will be less.

Does my right hon. Friend the Minister agree that, in the circumstances, the statement of the solicitors is grossly misleading? As part of a package agreed with the legal profession, the Government are paying all solicitors' costs for successful claims and even some costs for unsuccessful claims.

Another argument used in the correspondence is:

> I believe that the Union exists to fight for the rights of working men and women. . . . The Union has for nearly 30 years been at the forefront of the campaign to have bronchitis and emphysema recognised as an industrial disease.

I am sure that we all agree with those sentiments; I have been arguing the case for many years. However, that does not justify the union taking a cut from the compensation awards for those disabling diseases.

Mr. Alan W. Williams (East Carmarthen and Dinefwr): The South Wales area of NACODS—the National Association of Colliery Overmen, Deputies and Shotfirers—has a similar levy of 5 per cent. of the eventual award, or 10 per cent. in the case of lapsed members. In one case, there is a claim of £7,250 from a member's compensation.

Mr. Barron: I am grateful for that intervention.

Mr. Allan Rogers (Rhondda): As one of the Welsh members on the monitoring group that was set up by the

[Mr. Allan Rogers]

Government to expedite the claims, I have had a number of complaints. My hon. Friend the Member for East Carmarthen and Dinefwr (Mr. Williams) has passed some on to me. To put it in context, I understand that the solicitors are being paid tens of millions of pounds out of the money that has been made available. It is not as though it is petty cash. I am sure that the Minister for Energy and Competitiveness in Europe, my right hon. Friend the Member for Airdrie and Shotts (Mrs. Liddell), will give the exact figure.

Mr. Barron: I ask my right hon. Friend to do exactly that.

I have a constituency case of an ex-miner who was originally asked by Russell Young Solicitors of Newcastle to pay an administration fee of £1,000. He objected. That was consequently reduced to a maximum of £200. Because Russell Young went out of business, his claim, which was for vibration white finger, was sent to Thompsons Solicitors of Newcastle, which asked for and, I understand, has now received consent to take a £200 administration fee from my constituent's compensation.

On 1 November last year, I sent those two cases to the Office for the Supervision of Solicitors, asking if it were able to take action to stop the practice of asking for fees from compensation, when the solicitor fees had already been met by the taxpayer.

I emphasise that I did not write in any formal complaint on behalf of any constituent. I was concerned simply about the practice that I have outlined. I intended to bring the matter up in Parliament on Wednesday 10 November last year in a debate on the coal industry, but, sadly, I was not called.

On that day, an article appeared in the *Yorkshire Post*, explaining what I had done and including some comments from the Minister. I received a letter from a firm of solicitors in Sheffield, Irwin Mitchell, which wrote on behalf of the co-ordinating group of claimants' solicitors, which represents former mine workers in the litigation. That firm was responsible for the handling agreement, which it agreed with the Department of Trade and Industry.

The firm stated in its letter that the article in the *Yorkshire Post* was misleading. I wrote back telling it what the Minister had said in correspondence and asking the following three questions, given that it seemed to be the lead partner in the group.

The first was:

> Why do you think it is right that a successful claimant or, on some occasions, his widow, has the responsibility/obligation to pay money towards an unsuccessful claimant's costs?

The second was:

> Why is it that some solicitors are charging different administration fees? I have seen examples of some charging £200 and some charging up to £750.

We have heard from my hon. Friend the Member for East Carmarthen and Dinefwr (Mr. Williams) that there are different charges in South Wales.

The third question was:

> Why is it that one firm of solicitors is charging an administration fee on successful claims and passing it on to a third party (the claimant's trade union)?

Irwin Mitchell's replies to my three questions are as follows. In reply to question one, it was stated:

> During the course of the passage of the Access to Justice bill and the withdrawal of legal aid for personal injury claims, the Government has made it clear that solicitors should adopt a business-like attitude towards claims funded by Conditional Fee Agreements and view successful claims which attract success fees as funding for unsuccessful claims.

In answer to question 2, it was said:

> I am not in a position to comment on administration fees levied by some firms of solicitors. Funding and billing arrangements between solicitors and their clients are essentially private matters and I have no knowledge of the arrangements that most members of the solicitors group have made with their clients.
>
> I know some firms make no charge at all until the end of a case and from what I know of the litigation personally a charge of £750.00 would seem to be a lot, however I am unaware of the circumstances in which this sum is claimed and thus I am not in a position to express a considered opinion. The regulation of solicitors costs does allow clients the facility to challenge charges that they think might be inappropriate and if you consider it helpful I can provide you with the information as to this process.

In answer to my third question, I was told that the

> arrangements made by trade unions to fund their members' claims varied from union to union. The matter you raise is one between the particular firm of solicitors, that firm's clients and the trade union concerned. I am not in a position to offer an explanation.

In reference to the reply to my first question, does not my right hon. Friend agree that, if solicitors agree that they should be more businesslike, they should agree some form of code of conduct and scale of charges? However, I find it difficult to accept that successful claimants have any form of obligation to fund unsuccessful claims.

Although the firm considers that the charge of £750 is high, it does not argue against some charge. As to the final response to my final question, I go back to the reply to my first question: on what basis can one of the charges be made when these solicitors are not retaining the fees for funding unsuccessful claims but are handing them over to a third party—in this case, a trade union?

I sent this correspondence to the Office for the Supervision of Solicitors, which has appointed a leading solicitor in the west midlands to look into the matter. His preliminary report was completed on 27 January, and I am waiting to see whether there will be a full investigation. I would hope that that would include the collection of more evidence into what I believe is a very unsatisfactory situation.

Meanwhile, the problem goes on. I received a letter dated 6 March from CISWO, stating that it had identified a differential fee charged by the company Irwin Mitchell, which is based in Sheffield. That differential fee is charged particularly in posthumous cases. One widow was asked to sign a conditional fee agreement for 10 per cent. payment, while another was asked to sign for a deduction of 20 per cent. CISWO pointed out that the charge can go as high as 25 per cent. in some cases.

BEST COPY AVAILABLE

That is true. I have here correspondence sent last month to a miner's widow in my constituency. Under the heading "Respiratory Disease", it states:

> If your claim proves to be successful generally "costs follow the event". This means that if you are successful in proving your claim for compensation then the party paying that compensation will in addition pay your legal costs. Under the terms of a Conditional Fee Agreement, you will then be liable to pay a success fee. The success fee being 25 per cent. of our basic costs.

The letter goes on to state that the terms of the conditional fee agreement mean that if a claim failed, the claimant would not have to pay any costs. However, the fee agreement sent to my constituent to sign stated, under the heading "Paying Us", stated:

> If you win the case, you are liable to pay our disbursements, basic costs and success fee.

Will my right hon. Friend confirm that, under the scheme agreed with the Government, disbursements and basic costs are met by the taxpayer, not by the successful claimant? Yet the conditional fee agreement makes it clear that that is what is expected to happen.

I agree with CISWO: the whole matter is confusing to my constituents, many of whom are elderly or who have difficulty reading the reams of paper involved and coming to decisions that are in their own interests. I believe that most solicitors dealing with mineworkers' claims are not charging any success or administration fee.

I have evidence from two solicitors' firms. Towells from Wakefield states in correspondence received by my constituents:

> We also confirm that whether or not your claim is successful, no charge will be made by this firm for work undertaken in connection with your claim. In the event that you are awarded compensation, our fees will be paid by British Coal's insurers. No monies whatsoever will be deducted from your compensation.

Keeble Hawson in Sheffield, whose offices are a few hundred yards from those of Irwin Mitchell, states:

> I confirm that this firm does not charge any success fee on any claim whether the claimant is referred to us by a Union or from any other source.
>
> In addition we do not charge for any unsuccessful case again whether or not the individual has been referred from a Union or not. The only item we would charge is if we have to incur any disbursements such as GP records etc, then we usually ask the Claimant to confirm that they will meet the costs of such a disbursement or deduct it from their compensation. I would say at this stage, it has been rare if ever this has actually happened.

Is there any way in which we can get messages to retired mineworkers to tell them that they do not have to sign up to these additional fees if they do not want to? Has my right hon. Friend thought of using the newsletter of the mineworkers' pension scheme—obviously at the Government's own expense—to put the message across to people, many of whom will be getting the newsletter, that they do not have to sign up to those solicitors who are levying charges on their rightful compensation?

My right hon. Friend wrote to Members earlier this week with a progress report on the processing of compensation claims. I am grateful that the Department has come to an agreement with the British Medical Association regarding general practitioners assisting quickly in retrieving medical records of claimants. Will the Department look into the retrieving of mineworkers' past work records, as I understand that that matter is causing some delay in terms of the levying of these claims?

The Government are doing all within their power, and they have put many millions of pounds into this area to compensate people who have been disabled by these diseases. As a Member of Parliament from a coal mining area, I am grateful that that is happening, and it has the potential to help many hundreds, if not thousands, of my constituents. However, we need to try to speed the process up as best we can, and we need to make sure that constituents are getting good, sound advice on what they should be paying, or not paying, in relation to settling these damages against British Coal.

7.33 pm

The Minister for Energy and Competitiveness in Europe (Mrs. Helen Liddell): I congratulate my hon. Friend the Member for Rother Valley (Mr. Barron) on securing the debate. I am grateful to him for putting so many of these issues on the record. I have been dealing with this matter since August last year, and my emotions have gone from shock to despair to anger at some of the stories that I have heard about how men—and their widows, sadly—are being abused in a situation where the Government are trying to make due recompense for terrible suffering that they have experienced as a result of their occupation.

My hon. Friend has raised a large number of issues, not all of which I may have time to answer this evening. I will take on board the issues that he has raised. I draw to his attention and that of the House the fact that I am accompanied on the Front Bench by the Parliamentary Secretary, Lord Chancellor's Department, my hon. Friend the Member for Wyre Forest (Mr. Lock), who has taken copious notes of the points made by my hon. Friend in relation to the activities of solicitors.

First, let me make it clear that there are some solicitors involved in this matter—as my hon. Friend pointed out—who are extremely honourable and give of their time with great dedication, often above and beyond the call of duty. Regrettably, there are others who see this as a dripping roast and do not give a service, leaving us in a situation where not only do we have difficulty progressing these claims but, in some cases, we cannot even get a response from them at all.

Mr. Rogers: I hope that my right hon. Friend and my hon. Friend the Member for Wyre Forest (Mr. Lock), who represents the Lord Chancellor's Department, will look not only at the morality but the legality of solicitors charging success fees when they are not involved in litigation. All that solicitors do in this instance is process claims. They are not taking the matter to the courts, so how on earth they can claim success fees is beyond me.

Mrs. Liddell: I am grateful to my hon. Friend for raising that point. We will look into it.

It may help the House if I go through the handling agreement that we have with solicitors and what they get paid for. We are paying solicitors' fees to the tune of £100 million. We are not talking about small sums of money.

[Mrs. Liddell]

My hon. Friend the Member for Rother Valley also talked about obtaining information using the mineworkers' pension scheme. I will look into that. I am aware of the difficulty of accessing British Coal records. There are five and a half miles of records, many of them incomplete, which also slows down the process. I say to my hon. Friends—hon. Friends, because the Opposition Benches are completely empty for this important debate—

Mr. Deputy Speaker: Order. I have to say, consistent with Madam Speaker's rulings, that Adjournment debates, which are individual debates initiated by a particular Member, are not a matter for any Member of the House other than the Member speaking to the motion and the Minister who replies. They are not general debates.

Mrs. Liddell: I am grateful to you, Mr. Deputy Speaker, and I apologise for that remark. May I make the point, however, that these are extremely significant issues? Nearly 100,000 miners or their widows have already submitted claims.

I would like to go through the handling agreement so that people in this House and outside know exactly what solicitors are paid for. Solicitors have a table of tariffs that cover their profit costs plus reasonable disbursements. The tariffs relate to the stage in the process that a claim is settled and the complexity of the work. At the lower end, a solicitor who represents a claimant who accepts an expedited offer after the initial spirometry test would receive £900 plus reasonable disbursements. At the top end, a solicitor representing a claimant who receives compensation having gone through the medical assessment process is entitled to £1,750 plus reasonable disbursements. In addition, certain top-ups are paid, ranging from £200 to £500, to reflect various difficulties that may be encountered during the life of a claim. Involving co-defendants, invoking the disputes procedure and carrying out complex calculations of special damages can all merit top-up payments.

In addition—I make this point forcefully—the Department is paying a proportion of solicitors' costs incurred on unsuccessful claims because we agreed to pay towards client care for all claims received before 14 June 1999, regardless of whether they are ultimately successful or not, so any of the success fees recovered by the solicitors would be additional to these sums and would obviously reduce the compensation received by the claimant.

The solicitors' tariffs were agreed after a great deal of negotiation. They reflect a great deal of work and cover a variety of tasks, such as keeping clients informed of the progress of their claim, giving face-to-face assistance with completing the various forms—which can take between one and one and a half hours—checking that offers of compensation are correct and that they accord with the terms of the agreement.

I have seen the preliminary report of the complaint that my hon. Friend the Member for Rother Valley made to the Office for the Supervision of Solicitors. It is important that the conclusions are borne in mind. However, many of the claims are being settled under an agreement whereby the Department of Trade and Industry meets the cost of collecting all medical records and the cost of medical consultation, regardless of the outcome of the claim. This is a risk-free enterprise for solicitors. The Government are carrying the risk. That is what I find so difficult to accept.

I have some encouragement for my hon. Friend. First, in relation to the British Coal records, we will be content with a statement of employment where no record exists, to ease the search for records. However, the Parliamentary Secretary, Lord Chancellor's Department, informs me that under any conditional fee agreements entered into after 1 April, success fees can be claimed and paid by defendants, not out of damages. Not only will the success fee be paid by defendants—in this case the Government—but the percentage can be challenged by the defendant if the fee is excessive. My Department will take that into account if we receive evidence of excessive success fees being claimed after 1 April. We shall study all claims carefully.

The president of the Law Society may have some interest in several points made this evening. Any claims for success fees from before 1 April can be challenged, and the reasonableness of charges can be analysed through an application for a remuneration certificate. Many elderly people will not want to go down that route. I hope that moral suasion will bring common sense to some of the activities taking place.

This is the largest ever personal injury case, and that has brought significant difficulties. It is a one-off case, and we are to some extent learning as we go. It is a source of intense frustration to the Government that we have not made more progress, although the first major MAP compensation—in excess of £50,000—has been paid this week. To those awaiting payment, I can say only that we need the co-operation of solicitors. We need them to fill in forms and to have mandates signed. We shall consider every opportunity to progress matters as quickly as possible.

Let me take the opportunity provided by my hon. Friend's debate to appeal to doctors and health authorities to help us to make quicker progress. People are dying. We are helping lawyers and health authorities with the administration related to releasing medical records. We are paying £100 a day for access to the records, and I appeal to the caring professions to help us to proceed as quickly as we possibly can.

Much of what we have discussed tonight is not illegal, although it is immoral—a point that should be forcefully made. I want to issue another warning. We have talked tonight about solicitors, but the substantial sums of money involved have also been recognised by many people who describe themselves as claims handlers. IRISC—which handles claims for the Department—has been approached by claim-handling firms asking for a database of the miners who seek to pursue claims. The claim-handling firms also want success fees.

I have no doubt that when significant sums are eventually paid to miners, another new form of vulture will appear in the mining communities—people who will

seek to advise miners, their widows and their families on how to invest the compensation. It is as well to warn people now to be cautious and not to be taken in by those who would seek to make a killing from people who are suffering, and, in some cases, from people who have lost their lives.

We have heard that unions are seeking contributions from compensation. I can see a case for that in some circumstances. The unions began the whole process, and we recognise that they need help with the legal costs that they incurred. However, fairness is vital.

I urge those who are circling people who are desperately ill to be aware that wider society and the Government are watching what they do. I repeat that these people are very ill.

Many important points have been put on the record tonight, and my Department and the Lord Chancellor's Department will consider them closely. I hope that the wider community will do the same.

Question put and agreed to.

Adjourned accordingly at sixteen minutes to Eight o'clock.

House of Commons

Monday 3 April 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

SOCIAL SECURITY

The Secretary of State was asked—

Pensioner Poverty

1. **Mr. Ernie Ross** (Dundee, West): What progress the Government are making in tackling poverty among pensioners. [115863]

The Secretary of State for Social Security (Mr. Alistair Darling): As a result of Government policy, all pensioners will be £3 a week better off, and those aged over 75 will be £5 a week better off. On top of that, many will benefit from our tax changes. Because we are committed to tackling pensioner poverty, the poorest pensioners on the minimum income guarantee are £14 a week better off than they were under the previous Government, and those aged over 75 who are on the minimum income guarantee are £16 better off.

Mr. Ross: Can my right hon. Friend tell us how many retired people do not qualify for the full basic state pension—for example, people who were self-employed or many married women—and who therefore do not benefit from any increase? Does he understand how necessary it is that such people take up benefits and the minimum income guarantee?

Mr. Darling: My hon. Friend is quite right. It is frequently overlooked in discussions of pensions that many people—more than half a million—receive no basic pension because they do not have the required contributions. On top of that, some of the 2.7 million married women have full contributions, but many do not. The point of the minimum income guarantee is to address the problem that we inherited. Far too many pensioners—nearly 1 million single pensioners and 1 million pensioner couples—did not receive enough money to make ends meet. The minimum income guarantee is important to them, and some pensioners will be £16 a week better off because of it. During the final three days of last week, following the announcement of the minimum income guarantee freephone number, more than 11,500 pensioners called to ask for help.

Mr. Julian Brazier (Canterbury): What message does the Secretary of State believe that he is sending to the next generation of pensioners—those people on modest incomes who are scrimping and saving for their retirement? The minimum income guarantee will be available to those who, for whatever reason, do not provide for themselves, but those who do provide for themselves, and achieve small pensions or savings, will find that they have no advantage.

Mr. Darling: I can say two things to such pensioners. First, my right hon. Friend the Chancellor has announced a doubling of capital limits that enable people to qualify for the minimum income guarantee, about which the hon. Gentleman has asked many questions. The capital limits were last raised in 1988—nothing was done about them during the last 10 years of the previous Government. We have doubled the limits, which will help.

Secondly, the pensioner credit, on which we shall consult in a few months, is designed to help pensioners who have not only a small amount of capital, but a modest occupational pension. We are determined to make sure that people who save and build up a pension are rewarded for their thrift, and not, as in the past, penalised for it.

Mr. Tony Benn (Chesterfield): Does the Minister recall that the previous Labour Government linked pensions to earnings on the basis that the wealth we enjoyed had been built up by people who had retired? Does he recall that the Conservative Government abolished that link, costing pensioners more than £20 a week? Is he aware that millions of pensioners are frustrated, angry and—some of them—bitter that our moral obligation to them has not been met. Means-tested benefits are not the same as benefits as of right.

Mr. Darling: May I take this opportunity to wish my right hon. Friend the Member for Chesterfield (Mr. Benn) many happy returns of the day? He will look forward to receiving his free television licence in November.

I remember the previous Labour Government, although I was not in the House at the time. It is worth recalling that that Government increased pensions by the better of prices or earnings because inflation in the 1970s sometimes rose by 25 per cent. a year. In fact, the real-terms increase received by pensioners was negligible because of high inflation rates, which my right hon. Friend no doubt remembers well.

If my right hon. Friend considers what has happened over the past 25 years, he will see, in the pensioner income paper that I published last week, that we inherited a situation in which the incomes of better-off pensioners have gone up by 80 per cent. while the poorest pensioners have had increases of only 30 per cent. In the interests of fairness and equity, I should have thought that he would support the Government in doing the right thing by the oldest and poorer pensioners, who have benefited by as much as £16 a week that they would not have had but for this Government.

Of course, we are helping all pensioners—to the tune of about £3 a week this year, and £5 a week for those aged over 75—but it must be right, given what has happened over the past 25 years, to ensure that we help those who lost out so badly during the Tory years.

Mrs. Jacqui Lait (Beckenham): Does the right hon. Gentleman agree that divorced women form one of the

groups of women who could fall into poverty? What has happened to the regulations on pension sharing on divorce—all 122 pages of them—which were due to be laid by 30 March? We were promised that they would be passed by Easter, but so far nothing has happened. Does the right hon. Gentleman not agree that he needs to get on with that, so that that group of women are lifted out of poverty as soon as possible?

Mr. Darling: I would have more sympathy with the hon. Lady if her party had not opposed pension sharing on divorce when it was in government.

Mr. David Willetts (Havant) *indicated dissent.*

Mr. Darling: Well, the hon. Lady did, for the sake of the record. However, I can tell her that the regulations in relation to pension sharing and divorce will come into force in December of this year, as we promised.

Pension Entitlement

3. **Mr. Nick St. Aubyn** (Guildford): If he will make a statement on the number of pensioners awaiting computation of their full pension entitlement. [115865]

The Minister of State, Department of Social Security (Mr. Jeff Rooker): As I said on 7 February, there were then about 83,000 people still to have their benefits reviewed following the NIRS2 problems. Some 17,000 of these have now been cleared, but the total number outstanding has increased to 88,000 as a result of further reviews produced from NIRS2 for existing awards to be revised and the continuing need to carry out clerical calculations for some new awards. So far, 48,000 claims have been cleared clerically and there are about 13,000 currently awaiting action. However, as I said in February, we still anticipate that all payments will be fully brought up to date before the end of the year.

Mr. St. Aubyn: We are all holding our breath to see whether the Minister can deliver on that commitment, given that it is now 18 months since the Secretary of State told us that the matter would be cleared up within a matter of weeks. I have a constituent, who wrote to me only this week, who retired as head teacher of a special school last summer and, nine months later, is still waiting to have her pension entitlement sorted out.

Is it not a disgrace that a Government cannot even authorise that the Benefits Agency pay pensioners their projected benefits, which they were told that they could expect when they retired, until such time as the exact figure can be sorted out?

Hon. Members: Hear, hear.

Mr. Rooker: Conservative Members can say all the hear, hears they like. The hon. Gentleman has raised the matter several times, as have other hon. Members, and he is quite right to do so, but the answer is the same. We are reliant upon a computerised system. That new product was purchased on the cheap by the previous Government. It does not do the job that it was intended to do—hence the delay, and hence so far we have paid out £2.5 million in compensation for late payment of people's pensions.

Asylum Seekers

5. **Mr. Nigel Evans** (Ribble Valley): How much was spent on benefits for asylum seekers in *(a)* 1996–97, *(b)* 1997–98, *(c)* 1998–99 and *(d)* 1999–2000 to date. [115867]

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): The estimated annual expenditure for asylum seekers was approximately £400 million in 1996–97, falling to £305 million in 1997–98 and falling again to £285 million in 1998–99.

A final estimate is not yet available for 1999–2000.

Mr. Evans: But we know that the figure will be higher. Is it not true that the measures that the Government are taking today, with the launch of a voucher scheme, are just a knee-jerk panic reaction to a situation that has gone completely out of control under the present Government? Is it not true that there has been an influx of bogus asylum seekers into this country, leeching off the British taxpayer and genuine claimants? Is it not true that Britain is now seen as a soft-touch magnet for economic migrants throughout the world, and that the Government need to get a grip on the situation?

It would be far better if, instead of trying to fuel the fire with alternative means such as vouchers, the Government introduced mechanisms now which stopped the tide of economic migrants coming into this country in the first place.

Mr. Bayley: Those who listen to today's events on "Yesterday in Parliament" will miss the look of shock and surprise on the hon. Gentleman's face when he learned that social security expenditure on asylum seekers has fallen year on year under this Government.

Mr. Evans: What about the council tax?

Mr. Bayley: The hon. Gentleman's complaints about the council tax would have more credibility if his party had not opposed every one of the measures that our party has introduced that have had that effect on social security spending.

Mr. David Winnick (Walsall, North): My hon. Friend is perfectly right. It is obvious that the hon. Member for Ribble Valley (Mr. Evans) was totally surprised by the answer that he received. Does my hon. Friend agree that, although there is no doubt that bogus asylum seekers should be dealt with quickly, the hon. Gentleman expressed quite clearly the racism and xenophobia of many Tory Members who are deliberately whipping up feelings about asylum seekers? The very same Tory Members have never shown the slightest interest in working and retired people in this country.

Mr. Bayley: Yes, I agree with my hon. Friend. The nub of the problem is that the number of asylum seekers banked up waiting for decisions to be taken on their cases increased under the Conservatives and the time that it took to resolve their cases and to decide whether asylum should be granted lengthened. Our policies are reducing the time that it takes for such decisions to be made. In the latest figures for February this year, there were 6,110 new

applications for asylum, but 7,840 decisions. We are reducing the total, which is something the Conservatives did not manage to do.

Mr. Peter Lilley (Hitchin and Harpenden): Can the Minister confirm that the figures for expenditure that he has just given do not include support provided by local authorities? Will he also confirm that the majority of those claiming benefit as asylum seekers entered this country claiming to have come here on business, for tourism or to stay with relatives? To do that, they had to convince the visa and immigration authorities that they had the means to support themselves and to return home. What will the Minister do to hold them to their word rather than allow them to be supported by the taxpayer?

Mr. Bayley: I have to ask the right hon. Gentleman why the Conservative party opposed the £2,000 fine on lorry drivers bringing people into this country. If he is serious about reducing the number of economic migrants coming into the country—

Mr. Lilley: Answer the question.

Mr. Bayley: In answer to the question, I say to the right hon. Gentleman that he will recall from his time as Secretary of State for Social Security that decisions taken by the Home Office on the administration of immigration and asylum matters meant that people were banked up for months and years while decisions were taken and expenditure was offloaded from the Home Office on to his Department. We are ensuring that expenditure takes place under the control of the Home Office, so that it has incentives for, and gains the benefits of, speeding up the decision-making process.

Benefits (Post Offices)

7. **Mr. Harry Barnes** (North-East Derbyshire): What arrangements will be made for the establishment of bank or building society accounts under the automatic credit transfer system for those who wish to continue to cash their benefits at post offices. [115869]

The Secretary of State for Social Security (Mr. Alistair Darling): We want banks and the Post Office to offer banking services to people currently without bank accounts. We have already begun discussions with the banking industry on issues surrounding benefit recipients, charges and others matters, and discussions with the industry will continue. We have also made it clear in the past—I do so again—that people will still be able to collect their cash at post offices, both before and after the move to paying benefits by ACT begins in 2003.

Mr. Barnes: I realise that if pensioners take out accounts with certain building societies and banks, they will still be allowed to cash their benefits directly at post offices. The problem, however, is how they will be able to register. To establish accounts, will they have to search out a bank, turn up and take a great deal of paraphernalia with them to show who they are, or will there be provisions through the Post Office itself to make it automatic and easy for them to set up accounts? If it is easy for them to set up accounts, they will continue to use the Post Office and it will remain the only organisation that they use.

Mr. Darling: My hon. Friend may be aware that almost half the new pensioners receiving their pensions now choose to have their money paid directly into their bank accounts. I do not think that there is an overwhelming obstacle against that. However, regardless of whether people receive their money from a bank account or from a post office, some formalities have to be followed because we need to be sure that the money is paid to the right person. As I said, we are in discussions with the Post Office and the Post Office will, in turn, discuss with the banks the formalities that are necessary. We want to make it as easy for people to be able to receive their pensions and other benefits provided that that is consistent with ensuring that the system is secure. That benefits individuals as well as the system as a whole.

Mr. Steve Webb (Northavon): Will the Secretary of State confirm that since his Government came to office, the rate of post office closures has accelerated and that this year looks to be the worst ever? Will he confirm that the move to ACT will undermine post offices? What steps is he planning to take to enable those pensioners who want to exercise the choice of going to the post office to do so? They will be unable to do so if post offices are closing all around them.

Mr. Darling: The hon. Gentleman has to accept that if we do nothing, as the Liberal Democrats advocate, more and more post offices will close because almost half the people coming into the system are opting to have their money paid into a bank or building society account. We are ensuring that the Post Office has the investment to set up banking facilities, which did not happen when the Conservatives were in power, to ensure that post offices can compete with banks and building societies.

The Liberals are being completely dishonest about their position and raising fears although they have no suggestions for securing the future of the Post Office. We are determined that the Post Office will have a future, so we are giving it the investment necessary to ensure that there is a network in years to come—something that the Liberal policy, whatever it happens to be from day to day and hour to hour, could never ensure.

Mr. Simon Thomas (Ceredigion): May I assure the Secretary of State that the concerns to which he refers are genuine concerns in a constituency such as mine? Will he consider another type of bank account, which could prove to be a valuable way to deliver not only ACT but the Government's social exclusion strategies? I refer to the credit union method—a third way, if he likes. Will he ensure that, in his discussions with the Post Office and the banks, credit unions are not closed out? If he has any doubts about the ability of the credit union movement to deliver a highly secure system, he can look to Ireland, where millions of pounds are held in credit unions. Will he consider that as an alternative way of building communities and delivering social security payments?

Mr. Darling: The hon. Gentleman makes a good point, and credit unions are popular. They are not as well developed in this country as they are in others, but some are successful and well supported. He latches on to the important point that it must be in the whole country's interests to ensure that as many people as possible are included in the banking system, rather than having a section of society that is completely excluded from that system.

The object of our reforms is to take account of the fact that people are choosing to receive their benefits in different ways, and choice ought to be supported, but at the same time we want to ensure that the Post Office and other institutions have the means to receive those payments so that they can pay them out to members of the public. It is precisely because we are facing up to the problems that we inherited of years of under-investment, indifference and neglect that we can ensure that there will be a post office network in future.

Mr. Frank Roy (Motherwell and Wishaw): In my constituency, 80 per cent. of post offices depend on the Benefits Agency for over 50 per cent. of their business. Will my right hon. Friend confirm that when ACT is introduced those who receive their money through the bank will be able to go to a post office to collect their money? People who do not use a post office at present may therefore start to use it, which would help post offices.

Mr. Darling: The object is to make sure that people have a choice as to where they receive their money. I repeat that it behoves all those who oppose the Government's proposal to come up with an alternative that will work. The Liberals and Conservatives are now saying, opportunistically, that they would do absolutely nothing, which would mean that more and more people would ask to have their money paid into their bank account, and more and more post offices would close. We are ensuring that people have a choice, because we believe that people should be allowed to choose where they receive their pension or their benefit, and at the same time we are giving the Post Office the additional investment that it needs to ensure that there will be a viable network in future.

Mr. Tim Boswell (Daventry): Pensioners account for a significant number of the 8 million disabled people in this country, and many of them suffer from mobility problems while others find administrative procedures increasingly perplexing. In the light of that, will the Secretary of State give the House an absolute and unequivocal assurance that those who want to receive their pension in cash at the post office will be able to do so? Furthermore, and in the spirit of that pledge, will he assure the House that there will be a network of post offices that are reasonably convenient for those people, where they will be able to draw that pension?

Mr. Darling: I remember that, during the previous Parliament, the Conservatives tried to sell off the entire postal network, which would not have enabled such guarantees to be given. My colleagues and I have made it clear that people will have a choice as to whether they receive their benefits and pensions at a post office or in a bank account. I should have thought that those who are disabled and unable to go out would quite like their money to be paid into a bank account, instead of their having to queue up at a post office to get it.

Retirement Provision

8. **Mrs. Sylvia Heal** (Halesowen and Rowley Regis): What steps he is taking to help low-paid people to provide for their retirement. [115870]

The Minister of State, Department of Social Security (Mr. Jeff Rooker): The state second pension will help low and moderate earners to build up increased pension entitlement. Low earners—by which we generally mean those earning less than £9,500 this year—will receive a dramatic boost to their additional pension entitlement; under the state second pension, that will be more than double their entitlement under the current system. In addition, carers and long-term disabled people with broken work records will, for the first time, be able to build up a second pension.

The state second pension will help 18 million people to build bigger pension entitlements. Those people include 4.5 million low earners, 9.5 million moderate earners and 4 million carers and disabled people with broken work records. That is something in which the Government and those sitting on the Benches behind me can take extreme pride.

Mrs. Heal: Does my right hon. Friend acknowledge that one of the problems with SERPS is that it provides least to those who earn least? Is he aware that many of those low-paid people are women in low-paid, part-time jobs? Will he assure me that the Government's proposed state second pension will ensure that such women will have access to a decent state pension in their retirement?

Mr. Rooker: Yes. Most part-time workers and low-paid workers are women. To someone earning £9,500 this year—the upper limit of the low-earners category—the state second pension will be worth double the sum that SERPS currently pays. SERPS was and is good: it delivers excellent pensions to those retiring today, despite the fact that in 1986 and 1995, the Conservative Government cut into it. However, because SERPS is earnings related, it gives least to low earners; the state second pension will correct that.

Mr. David Willetts (Havant): May I remind the right hon. Gentleman of the document on which he fought the last election—the Labour manifesto? It states:

> Labour will retain Serps as an option for those who wish to remain within it.

The proposals are clearly a breach of that manifesto. The Minister claims that everyone will be better off under the state second pension, but he must know that certain groups—those caring for children aged six to 16, who will not receive the promised home responsibilities protection; people with earnings from self-employment and employment; and people in receipt of working families tax credit—will lose out as a result of the changes that he is introducing. He is clearly in breach of his manifesto promise and is clearly disadvantaging many people as a result.

Mr. Rooker: I note that the hon. Gentleman does not deny the fact that there will be 18 million gainers under the state second pension. Nobody earning up to £20,000 a year will lose—that cannot be contradicted. He claims

that we are abolishing SERPS, but we are not; we are reforming it, and using SERPS legislation to introduce the state second pension—*[Interruption.]* If the Liberal Democrats had deigned to attend the Standing Committee on the Child Support, Pensions and Social Security Bill instead of holding themselves remote from it, they would know that SERPS legislation is being amended and reformed to introduce the state second pension.

As for the remarks of the hon. Member for Havant (Mr. Willetts), we have been consistent with our manifesto commitment: even when the state second pension becomes flat rate, as it will after a number of years, the contracted-out rebates will be earnings related and will go toward the second pension of the people involved. To that extent, we are fulfilling our commitment.

Dr. Lynne Jones (Birmingham, Selly Oak): In 1980, the basic state pension was worth 23 per cent. of average earnings. According to Government figures, by 2051 the combination of what is left of the basic state pension and the new state second pension will be about 21 per cent. of average earnings. It will be set by the Government at about £85 a week at 1999 figures. The figures suggest that there will be more pensioners reliant on means-tested benefits. Does my right hon. Friend consider that that is a satisfactory aim for pension reform by the middle of the 21st century in one of the richest countries in the world?

Mr. Rooker: If we do nothing and abandon the pensions reform package, one in three pensioners will retire straight on to the means test in the middle of the century. With the package of reforms of the stakeholder pension, the state second pension and other changes, we can reduce that ratio to one in five. I know that the number of pensioners will increase from nearly 11 million to nearer 15 million, but we want to keep pensioners off the means test. We do not want a system that automatically puts millions of people on to it. We have not quite reached the stage where we can say that our package will eradicate the means test, but we shall be on our way in that direction.

Capital Thresholds

9. **Mr. David Heath** (Somerton and Frome): What plans he has to adjust capital thresholds for social security benefits. [115871]

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): We have delivered on the pledge in our pensions Green Paper better to reward savers with low incomes. From next April we will increase the capital limits for pensioners to £6,000 and £12,000.

Mr. Heath: I welcome the Budget announcement, but is there not a case in logic and in justice for automatic uprating across all benefits where a capital limit applies? If it were necessary to disparage the actions of the previous Government—a view which I share—in not increasing limits for the poorest pensioners, why was it necessary to wait for this Budget for an increase to be put in place, and why will that increase not apply for yet another year?

Mr. Bayley: I do not need to remind the hon. Gentleman that this year his party voted against all the social security upratings, including those for pensioners. In answer to his specific question, I do not think that automatic upratings would be a good idea. I welcome strongly the fact that half a million pensioners who missed out in the past on the minimum income guarantee will become eligible for it as a result of our decision to raise capital limits.

Mr. Frank Field (Birkenhead): I welcome the Government's announcement to raise capital limits. It is welcomed on both sides of the House and by the country as a whole. However, does my hon. Friend accept that even with the changes that have been announced there will be many pensioners who have saved and other pensioners who have small occupational pensions who will not be eligible for the minimum income guarantee? Would it not be possible to change the rules for qualifying for MIG so that the criterion is not whether an individual qualifies for income support but whether his pensionable income is below the minimum income guarantee, when it would be brought up to that level?

Mr. Bayley: My right hon. Friend will be aware that in the longer term, through the pension credit, we shall be considering this issue.

Mr. Field: What about now?

Mr. Bayley: Now, or in April next year, we shall be dramatically improving the situation for half a million pensioners. That is something for which hon. Members on both sides of the House have called. It is something that we said we would consider in our pensions Green Paper, and we have done so, and it is something which my right hon. Friend the Chancellor of the Exchequer acted on in his Budget.

Mr. Edward Leigh (Gainsborough): May I ask a supplementary question to the question posed by the right hon. Member for Birkenhead (Mr. Field)? I remind the Minister that recently the right hon. Gentleman said:

> As more and more people in work on low wages realise the futility of saving when every penny is taken from the Minimum Income Guarantee which is gained by people with little or no savings, fewer and fewer people on low income will save.

Is that statement not a devastating critique of the minimum income guarantee? Is it not true that the Minister has no answer to the criticism levelled at his policy by the right hon. Gentleman?

Mr. Bayley: I do not need to remind the hon. Gentleman that his party left the capital limits unaltered for a 10-year period, and we are doubling them. The Government's approach is to target additional resources on those pensioners who need help most—the poorest pensioners. That is what we are doing through the minimum income guarantee. We realised that there was a problem for pensioners with small savings, and that problem has been addressed by the change announced by the Chancellor.

Mr. Michael Jabez Foster (Hastings and Rye): May I tell my hon. Friend how welcome the increase has been to some of my constituents in Hastings and Rye? However, a problem has arisen. A lady who wrote in last week, and who qualifies, received a form headed "income support".

She said that that was nothing to do with her. May I ask my hon. Friend to change the name to supplementary pension or something other than income support? His campaign to change the system is great, but there must be a change of terminology.

Mr. Bayley: I understand the point that my hon. Friend makes. We are, of course, bound by statute, which refers to income support, but it is important to get the message across to pensioners that the minimum income guarantee is an entitlement. It is not charity; it has been paid for by their own and their spouses' national insurance contributions throughout their life. We will, as my hon. Friend knows, shortly be taking forward the take-up campaign with television advertising. I can assure him that the minimum income guarantee will get a plug in that advertising; we want to get it into everyday currency. We want to get pensioners talking about the minimum income guarantee, and claiming it as well.

Benefit Fraud

10. **Mr. Andrew Robathan** (Blaby): What assessment he has made of the impact of the provisions of the Human Rights Act 1998 regarding surveillance on his measures to combat benefit fraud. [115872]

The Minister of State, Department of Social Security (Mr. Jeff Rooker): The Department is working with the Home Office on the Regulation of Investigatory Powers Bill, which is currently before the House. That will give greater assurance that my Department's surveillance activities comply with the Act.

Mr. Robathan: We hear a lot about joined-up government, but the Human Rights Act 1998 is another classic example of disjointed government. Two weeks ago, my office was told by a Benefits Agency official that the agency could no longer keep people under surveillance without their permission. I have checked the Benefits Agency's code of practice. The official was not quite right; I do not blame her—she was confused, as are many people. The code of practice states that officers must get written authorisation for surveillance operations, even in public places. Does the Minister agree that that is hampering the fraud investigations of the Benefits Agency? It is creating more paperwork, hampering the police and Customs too, and wasting their time. Does he further agree that the Human Rights Act will help only the criminals, whom we all want to see unable to defraud the Benefits Agency or rob the taxpayer?

Mr. Rooker: I have not heard it argued by the Opposition that we should unincorporate the European convention on human rights from our legislation.

Mr. Robathan: We voted against it.

Mr. Rooker: We have not heard an argument for a repeal—*[Interruption.]* That is a fair point. The legislation will be important. If the Opposition are intent on committing themselves to repealing it, they should say so. The hon. Gentleman's first point is valid, and misunderstandings do arise. Most of the observations carried out by officers of my Department take place in public places. They require authorisation from their superiors.

Mr. Ian Davidson (Glasgow, Pollok): If my right hon. Friend is experiencing difficulty with the Human Rights Act, may I urge him to ensure that instead of investigations being suspended, they are channelled into other areas? In particular, forensic accountants should be employed to look into landlord fraud. The Human Rights Act would have no impact on that activity, and the Department could continue the pursuit of fraud, bringing many of the big criminals to justice instead of chasing small fry.

Mr. Rooker: We are chasing small fry and big fry, including collusive employers and collusive landlords.

Mr. David Willetts (Havant): Let us see whether the Minister of State can defend his manifesto a little better this time. It states:

> We will start with a clampdown on Housing Benefit fraud, estimated to cost £2 billion a year.

Is he aware that the Audit Commission has shown that detected housing benefit fraud was £95 million in 1998-99? That is one twentieth of the figure that Labour undertook to tackle. It is not a very good start, is it? What does the Minister of State intend to do to deliver on his manifesto promise, or is this something else that he will do only to some extent?

Mr. Rooker: The benefits fraud inspectorate will inspect the 30 authorities that spend most on housing benefit in this country. The top 30 authorities in this country spend 30 per cent. of the £12 billion of housing benefit on checking their systems and finding out whether they are secure. Another 40 authorities will subsequently be inspected. The reports are published so that we can learn from good practice.

We must consider the effects of the Royal Mail "do not redirect" scheme. More than half our local authorities have signed up to that. Giro drops and so on were a way of ripping off housing benefit. Every local authority has remote access terminals; local authority staff can now get into Department of Social Security computers.

We are joining up the benefits system. That is the best way to stop fraud, including council tax benefit and housing benefit fraud. Although local authorities deliver those benefits, they are provided through central Government funds.

State Pension

12. **Ms Oona King** (Bethnal Green and Bow): If he will make a statement on the uprating of the state pension. [115874]

The Secretary of State for Social Security (Mr. Alistair Darling): We are supporting all pensioners by uprating the state pension; we are giving free television licences to those aged 75 and over from November, and we are increasing the winter fuel payments again, to £150. To tackle pensioner poverty, we are increasing the

minimum income guarantee, and doubling the lower capital limit to £6,000 and the upper capital limit to £12,000, to ensure that those with modest savings do not lose out. That measure alone means that the poorest pensioners are some £5 a week better off.

Ms King: I thank the Secretary of State for that reply. I am sure that all Labour Members welcome the Government's good work, especially the commitment to raising the minimum income guarantee in line with earnings next year.

On the subject of pensioners who do not qualify for the minimum income guarantee and rely on the basic state pension, will the Secretary of State consider amending the retail prices index so that the formula takes account of the rent increases of pensioners who are council tenants and registered fair rent tenants?

Mr. Darling: My hon. Friend is right to draw attention to the fact that in many parts of the country—sadly, especially in her constituency—many pensioners were not able to accumulate enough money for a pension during their working lives. As a result of the Government's measures, all pensioners will gain about £3 a week and the over-75s some £5 a week. Unfortunately, Tower Hamlets has many of the poorest pensioners. They will be £14 a week better off through the measures that we have introduced.

There is a problem with trying to find an index whereby the basic state pension can be increased and my hon. Friend's anxieties for pensioners can be taken into account. The costs that they face are different in different parts of the country. The basic state pension is paid universally throughout the country. I am therefore not sure whether seeking such an index is right. However, I repeat the points that I made to my right hon. Friend the Member for Chesterfield (Mr. Benn) earlier: in the past 20 years, pensioner income inequality has grown; as a result of what that lot over there did, it is now the same as it was in 1961. We are determined to ensure that we help all pensioners, especially those who are poorest and who lost out most in the past 20 years.

Child Support Agency

13. **Mr. Simon Burns** (West Chelmsford): If he will make a statement on the reform of the Child Support Agency. [R] [115875]

17. **Mr. Desmond Swayne** (New Forest, West): If he will set out a timetable for implementing the reforms of the Child Support Agency currently before the House. [115881]

19. **Mr. Michael Fabricant** (Lichfield): If he will make a statement about the timetable for the implementation of his proposed changes to the Child Support Agency. [115883]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): We are on course to introduce the new system for new cases by April 2002.

Mr. Burns: Does the Minister realise that the possible attractions of a simplified child support system will be undermined by the creation of a new injustice, owing to the system's potential rigidity? Does she accept that, in places such as Chelmsford, the home counties and London, the costs of travelling to work and housing are significantly higher than in other parts of the country? Will the Minister consider changing the variations to take into account housing and travel-to-work costs, so as not to undermine the improvement of the system through simplified methodology?

Angela Eagle: No; we believe that one has to choose between the complex system, which includes the departure scheme and the hundred bits of information that have to be gathered before an assessment can be made, and a simple system which can be easily administered and whereby an assessment can be made in weeks instead of the months that it currently takes. The hon. Gentleman's proposal would risk a reintroduction of all the complications of the current system and of making child support reform ineffective.

Mr. Swayne: Because there is no means of delivering payments directly to the child, an impression may grow that the absent parent is subsidising the life style of the parent with care. If the absent parent's income is modest and that of the parent with care relatively high, that may give rise to a burning sense of grievance which will undermine compliance. What plans has the Minister to address that problem?

Angela Eagle: Fewer than 200 parents with care in the current child support case load earn more than £500 a week so the hon. Gentleman is worried about something that will affect almost nobody. Nearly 700,000 parents with care have no income at all, although they look after the children. We have to put the system right so that we can help to end child poverty; and we know that up to 1 million children will gain from the reforms.

Mr. Fabricant: How can the Minister guarantee that she will not be blown off course? She well knows that there have been continual computer problems in her Department. Indeed, the Minister of State blamed not only the previous Government, as this Government always seem to do, but the computers. Is she not aware that there have been problems with the NIRS2 programme? Is she not aware, either, that there have been problems with making winter fuel payments? Those are all computer problems. When will she accept that bad workmen always blame their tools—or computers in this case—and when will the Government accept the computer maxim "garbage in, garbage out"?

Angela Eagle: That was the biggest pile of garbage that I have heard for a long time, and the hon. Gentleman should consider the legacy that his Government left us. When the Child Support Agency was introduced, they were to have a bespoke, specially designed computer system, but they decided it was too expensive. They bought a cheap, off-the-shelf system from Florida that cannot even recognise national insurance numbers. It cannot do a whole load of other things—I shall not bore the House with them—and it is a miracle that any child support has been collected with the pile of rubbish bought by the Conservative party.

Ms Sandra Osborne (Ayr): I welcome the reform of the CSA, which we all know is much needed, but how

will the Minister ensure that parents with care can opt out of child support action when there is a risk of domestic violence?

Angela Eagle: The "good cause" parts of the new Bill will ensure that child support does not have to be pursued if a parent with care has any worries that she will be subject to violent threat by a violent partner. However, I can tell my hon. Friend that 70 per cent. of parents with care were trying to opt out of pursuing the non-resident parent for maintenance when we inherited the CSA from the Conservative party. We have got that down to 15 per cent. by better working with the Benefits Agency and the CSA to reassure women that they will get the money.

Under the new scheme, there will be a positive incentive for both the non-resident parent and the parent with care to pay. The child maintenance premium will ensure that £10 extra goes to the family looking after the child, and the non-resident parent will be well aware that his money supports his child and does not go back to the Treasury.

Mr. Peter L. Pike (Burnley): My hon. Friend will know that there are a wide variety of problems with the CSA. Can she give some idea of when those who are already in the CSA system will have their assessments re-examined and brought into line with the new system?

Angela Eagle: The transition is one of the most difficult parts of the reform for everybody to organise. We estimate that there will be 1 million cases to transfer by the time the new system is introduced, in 2002. That will be done in a timely fashion, but people will have to bear with us. It cannot be done in a great big bang, but we shall ensure that the transition is as brief as possible.

Mr. Desmond Browne (Kilmarnock and Loudoun): Will my hon. Friend resist the temptation to introduce any more complexity? Many hundreds of thousands of women out there are being defeated in their child maintenance claims by men—absent parents—who have reconstructed their financial circumstances to suit the departures and complications that the previous Government put into the system.

Angela Eagle: I wholeheartedly agree with my hon. Friend. That is why I resisted the suggestions of the hon. Member for West Chelmsford (Mr. Burns).

Mr. Eric Pickles (Brentwood and Ongar): With respect, surely that answer is wrong. The Minister has repeated four times that the simplified system will make matters better. Does she not understand that there will be a great deal of argument over the income of the non-resident parent, especially the calculation of his net income? Will she answer the question that hon. Members from both sides of the House posed to her last Wednesday, but which she refused to answer? Will she give an undertaking that if, in making those calculations, the Child Support Agency makes a mistake—through no fault of the non-resident parent—the CSA will not look to the non-resident parent for backdated payments?

Angela Eagle: We hope that the new system will make maintenance calculations in four to six weeks, rather than the six months that it currently takes, so there will be a lot fewer problems with arrears. The problem that the hon. Gentleman fears should not arise. We have a clear formula for establishing net income, and it should be much simpler to work with.

State Pension

14. **Mr. David Amess** (Southend, West): What recent representations he has received about the level of the state pension. [115877]

The Minister of State, Department of Social Security (Mr. Jeff Rooker): Since January, we have received about 2,000 further letters that mention the level of the state pension, some of which raise other issues as well. We record only the subject of the letter. In addition to letters, we receive representations in this place. Two weeks ago the Government organised a three-hour debate on pensions reform in Westminster Hall, which was attended by one Back Bencher, who happened to be a Labour Member.

Mr. Amess: Is the Minister aware that he is about to receive thousands of letters from senior citizens who regard the 75p increase as an absolute disgrace? Does he remember sitting on the Labour Opposition Benches and castigating the Conservative Government on their treatment of senior citizens? Will he now admit that the Labour Government have misled senior citizens about the state pension? What does he intend to do about giving them back a decent standard of living?

Mr. Rooker: We will tell the truth, for a start. We shall reply to all the letters that we receive, but I hope that the hon. Gentleman will tell his constituents, as other hon. Members do, that in the first three years of this Parliament pensioners as a whole will have received £800 million more, through the winter fuel payments and the minimum income guarantee, than they would have received through the earnings uprating of the basic pension. The policy we are operating is the policy that we were elected on, which was to raise the basic state pension at least in line with earnings—the same policy as the one on which the Conservative party and the Liberal Democrats were elected.

Hon. Members: Prices?

Mr. Lindsay Hoyle (Chorley): Obviously we welcome what the Government have done for pensioners to ease their plight following 18 years of neglect. I have talked to many pensioners in my constituency, and their need is for an increase in the basic state pension. Through my right hon. Friend's discussions at No. 11, will he ensure that there is a substantial increase in the state pension in the future?

Mr. Rooker: When I answered the previous question, my mind was concentrating on the minimum income guarantee, which increases in line with earnings. I referred to the basic state pension rising in line with earnings, but I meant prices, as everyone in the House understood—except me. I was carried away with the success of our minimum income guarantee take-up campaign.

People will campaign on the basic state pension, but 20 years ago most people had no second pension. The only fair comparison to make is with total pensioner incomes. Currently, the average for a single person is £132 a week and it is £248 a week for a couple. Net housing costs come out of that. That is double the basic state pension, and is born out of the success of occupational pensions, personal pensions and, above all, the state earnings-related pension scheme introduced by the last Labour Government. We cannot wipe away the pension provision that was legislated for all those years ago, and concentrate, to the exclusion of everything else, on the basic state pension. It is not a fair comparison.

State Earnings-related Pension Scheme

15. **Mr. David Rendel** (Newbury): When he will publish further details of the inherited SERPS scheme announced on 15 March. [115879]

The Minister of State, Department of Social Security (Mr. Jeff Rooker): As my right hon. Friend the Secretary of State said in his statement to the House on 15 March, once we have developed the details of the scheme for inherited SERPS we shall put them to the House. The National Audit Office and the parliamentary ombudsman will be fully involved in developing the procedures. We want to ensure that we get the scheme right, so that we can deal with the problem we inherited. Later today, the Public Accounts Committee will begin its inquiry into the report.

Mr. Rendel: In his original statement, the Secretary of State said:

> We want to ensure that everyone who has been misled and has lost out gets redress.—[*Official Report*, 15 March 2000; Vol. 346, c. 308.]

Can the Minister guarantee that there will be no cut-off point for claims?

Mr. Rooker: There will be a scheme, which will have to be submitted to the House for approval. I cannot say when that will happen: I cannot be certain whether it will be before the summer recess, or in the autumn.

We said at the time that we did not expect the scheme to be up and running until next year. We have delayed the date of the inherited SERPS change until 6 October 2002, 30 months later than would otherwise have obtained. There will then be a massive advertising scheme to get people to apply for their benefit. If people claim and can show that they have been misled by my Department owing to maladministration, they will be included in the scheme.

The scheme will not run for ever.

Mr. Rendel: Ah!

Mr. Rooker: I must make that clear: the scheme cannot run for ever. I do not know when and for how long it will run. Subsequently, we shall put to the House regulations that will be properly debated in both Houses. We simply do not have detailed answers to the legitimate questions asked by the hon. Gentleman, but I do not want to give him the impression that the inherited SERPS scheme will be open for the next 30 years, because it will not be.

Lone Parents

16. **Caroline Flint** (Don Valley): What his Department has done to help reduce the barriers to work faced by lone parents. [115880]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): We are tackling the barriers to work for lone parents with a raft of measures, including the new deal for lone parents and the working families tax credit. The Budget announced still more help for lone parents. For example, from April 2001 all lone parents working 16 hours a week or more will receive at least £155. They will receive £214 if they work more than 35 hours.

Caroline Flint: I welcome the opportunity for lone parents to keep their benefits for four weeks during their transition to work. Will my hon. Friend explain how changes in housing benefit will assist lone parents in that transition? Will she also look into the ending of the top-up allowance pilot? It affects a number of my constituents, some of whom are lone parents. When it ends, they may be back on benefit, especially if they have taken up part-time work.

Angela Eagle: The housing benefit run-on announced, and made automatic, in the Budget statement will guarantee that anyone who ceases to depend on benefits and takes up work can receive housing benefit for the month in question before receiving his or her first wage. We know that the transition from benefits to work, and the gaps that must be filled, lead many people to believe that they cannot make such a transition. It is therefore important for us to produce welfare-to-work measures to reassure those people that it is possible for them to return to work, and that we will remove the barriers so that they can become independent again.

Dr. Julian Lewis (New Forest, East): Does the Minister accept that, according to figures from her own Department, fewer than 6 per cent. of lone parents invited to join the scheme have secured employment as a result? Does she regard that as a success or a failure?

Angela Eagle: We consider the new deal for lone parents a success. Some 41,000 lone parents are now in work who would not have been if it had not existed.

The hon. Gentleman's party abandoned lone parents. It left them no way of obtaining work, and gave them no extra help. It just lectured them about having children and being on their own. We are offering real help and support for people who want to return to work, as part of our crusade to tackle child poverty. The only way in which we can eliminate child poverty, as the Prime Minister wishes us to do within 20 years, is to help the parents too—and that includes lone parents.

Benefits Take-up

20. **Ann Clwyd** (Cynon Valley): What estimate he has made of the numbers of people entitled to social security benefits who are not claiming them. [115884]

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): Estimates on take-up of benefits are published annually. While take-up of benefits among some client groups is high, there is a particular and long-standing problem of relatively low take-up of income support among pensioners. We have therefore decided to focus on that group, and, last week, announced details of a take-up campaign which will identify pensioners who may be entitled and encourage them to claim their minimum income guarantee.

Ann Clwyd: Will my hon. Friend take the opportunity to pay tribute to voluntary organisations such as Age Concern in the Cynon Valley, whose advice surgery I visited last week? That organisation has enabled thousands of people in my constituency to take advantage of the benefits to which they are entitled. Will he ensure that, in the Government's advertising campaign to start in May, it is made clear that claiming benefits to which one is entitled has no stigma at all attached to it?

Mr. Bayley: Yes, we will do that. We will encourage people to claim, because it is their entitlement and their right to do so. We shall have an extremely vigorous campaign, and welcome any support that we receive from voluntary bodies in pursuing that take-up campaign, and in making it more successful than it has been hitherto.

Rover

3.31 pm

Mrs. Angela Browning (Tiverton and Honiton): Madam Speaker, I wish to ask a question of which I have given you prior notice.

The future of Rover is becoming a question of the future of the Secretary of State—

Madam Speaker: Order. The hon. Lady should ask the private notice question, and then reply to the Secretary of State's statement.

Mrs. Browning (*by private notice*): To ask the Secretary of State for Trade and Industry if he will make a statement about the latest developments in respect of Rover.

The Secretary of State for Trade and Industry (Mr. Stephen Byers): I think that we now know the first sentence of the hon. Lady's response to my statement, even before I have made it.

Thousands of individuals and their families have been affected by the decision taken by BMW in relation to Rover. Whole communities also will have to deal with the consequences. Those individuals and their families and communities are the focus of the Government's efforts.

On 16 March, the BMW supervisory board announced that it had entered into an agreement with Alchemy Partners to negotiate for the disposal of Rover Cars within six weeks. The following day, it announced that the heads of agreement had been reached with Ford for the sale of Land Rover, at Solihull. The same day, I established a taskforce involving all the partners in the areas most affected by BMW's decision to advise me on how we can support those affected. The taskforce is led by Alex Stephenson, who himself has personal experience as a former Rover director.

The Longbridge taskforce has three objectives: first, to assess the impact of any reduction in activity at Longbridge on the people, businesses and communities of the region; secondly, to advise on the public and private resources that are already available to help deal with those consequences; and, thirdly, to draw up proposals for action by local partners and by central Government. The taskforce is working hard on an interim report, to be submitted in the next few weeks.

I have asked the taskforce to take a wide remit, looking at what measures it will best use to regenerate the area and to replace economic activity lost at Rover. I have committed £129 million to support the taskforce's recommendations. The taskforce is looking at everything, including the implications for the supply chain and what we can do to support it; at training; and at infrastructure, including transport links. The taskforce has already issued a questionnaire to 5,000 companies, including 450 direct suppliers of Rover, to quantify the scale of impact on the supply chain. It will feed its recommendations in to me.

At this stage, I am not ruling anything out—I shall await the report. I can, however, say that I will do everything we can to encourage job creation and economic activity in the area—not only by stepping up my Department's action on attracting new inward investment to the area, but by supporting the development and growth of home-grown companies.

My right hon. Friend the Secretary of State for Education and Employment has taken action to help those affected by any redundancies at Longbridge. The Employment Service has established a unit to offer help and assistance. A jobshop is in place at Longbridge to help those workers affected to find new jobs. Anyone made redundant at Longbridge will qualify for fast-tracking of benefit claims and early access to training and Employment Service programmes such as new deal and jobfinder services.

The taskforce, with the jobshop, has launched a freephone advice hotline, supported by BT, to advise supply chain companies with difficulties and to pool information on vacancies currently available in the car industry. The local training and enterprise council is also looking at specific training to meet the needs of those affected.

On 23 March, I met BMW representatives. We agreed that we needed to look forward and plan for the future. During our discussions, BMW agreed to minimise the job losses resulting from its decision. I explained that we felt it important that BMW should co-operate with the taskforce. BMW responded positively to this proposal.

Over the next few weeks, our objective is to manage the changes that will flow from BMW's decisions in a way that minimises the number of jobs to be lost, whether directly, or indirectly in the supply chain or dealership network. We shall also need to put in place a programme of economic regeneration and job creation.

When I met workers on the assembly line at Longbridge the day after BMW's decision, their anger and shock were clear, but so were their commitment and strength of character. The west midlands has come through difficult times in the past. I am confident that the area will do so again. The Government will do all that we can to ensure that together we can meet the challenges that lie ahead.

Mrs. Browning: In the seven months since the Secretary of State announced the deal that he had brokered at Rover-BMW, he has failed to come to the House to make a statement, despite many requests—not just during the crisis—from the Conservative party, to get him to answer questions. It is clear that he knew in December that Rover was in jeopardy. Only last Wednesday, when asked by my right hon. Friend the Leader of the Opposition, the Prime Minister refused to deny that BMW told the Secretary of State in December:

> We may have to reconsider our whole investment in Britain altogether.

The details of the Secretary of State's meetings and discussions have been the subject of a cover-up. If the situation that faces BMW-Rover is now a crisis, it has been exacerbated by the way in which the Secretary of State has dealt with the matter. His incompetence has added to the turmoil in which the company finds itself today.

Last Thursday, the Secretary of State briefed the press about the detail, having refused only that morning to brief the House. He doctored the facts that he gave to the press. He refused to tell the House the details. The Secretary of State has been negligent. On the fate of Rover, he knew it and he blew it.

Will he undertake to publish today all the details of meetings, minutes and phone calls between his Department and BMW-Rover, to give the House and the

[Mrs. Browning]

Select Committee on Trade and Industry the fullest information? Will he answer the question that he refused to answer last Thursday: when was he first aware that Rover was in trouble? What was the first date on which Rover-BMW suggested that the company was in difficulty?

Is it true, as reported in *The Sunday Times*, that the chairman of BMW told the Secretary of State on 22 December that Rover was "in critical survival mode" and "in serious trouble"? What action did he take in response? What action did he take when he heard that the European Union grant was in difficulty? Does he want to correct anything that he has told the House or the public to date about how he has supposedly managed the BMW-Rover deal?

Is the Secretary of State disturbed by the fact that the Prime Minister clearly no longer has any confidence in him? We do not want semantics: the Prime Minister made it quite clear last week that he believed that a telephone conversation had taken place on 22 December between the Secretary of State and BMW, yet last Thursday, the Secretary of State clung to the idea that the date was 20 December. We want to know whether it was 20 or 22 December. The workers at Rover want to know.

On behalf of thousands of workers and suppliers who will lose their jobs, we want answers and we want them now. We want to know today whether the Secretary of State will resign in recognition of his incompetence and negligence or whether he will leave the people at Longbridge under a stewardship that is not only incompetent but that, on many occasions, has failed to produce the truth when it has been asked for?

Mr. Byers: Unlike the hon. Lady, I have spoken directly to the assembly-line workers at Longbridge. I know who is on their side, and it is not her. That is the reality.

Among the rhetoric, the hon. Lady asked some specific questions, to each of which I shall give clear answers. I hope that she will listen carefully. She repeats the mistaken allegation first made in the House last Wednesday by the Leader of the Opposition, when he said that the chairman of BMW, Professor Milberg, had said in our telephone conversation that BMW

> may have to reconsider our whole investment in Britain altogether.—[*Official Report*, 29 March 2000; Vol. 347, c. 333.]

I am pleased to say that last Thursday Professor Milberg made a statement. He said—*[Interruption.]*

Madam Speaker: Order. The Opposition asked for this private notice question. They might now listen to the answers.

Mr. Byers: Professor Milberg had seen the Leader of the Opposition's comments, so he had to go public. He said:

> Concerning the requested state aid for Longbridge . . . I never said that the BMW group may have to reconsider its whole investment in Great Britain altogether.

The chairman of BMW made that statement on the record because he was worried about media reports that had been supported and restated by the Leader of the Opposition.

More interesting are the hon. Lady's points about the decision taken by BMW. She implied that the decision had been taken last year to pull out of Rover and the United Kingdom. We now have the benefit of the evidence given last week by Professor Samann, head of Rover in the United Kingdom, to the Select Committee. He said: "We"had to tell

> the public and dealers until the end of February that we would like to continue the business. The decision not to continue the business was made between 1 March and 16 March.

There we have it. A conversation was conducted between me and Professor Milberg on 22 December. A decision had not been taken at that stage. Professor Samann made the point very clearly.

The hon. Lady asks a precise question: when did I know that Rover was in trouble? We have all known that it has been in trouble for a long time. In fact, I heard someone behind me say that it had been in trouble since before I was born, so we all know the situation, but, as the Chairman of the Select Committee said last week, it takes a leap of the imagination to go from a company being in trouble to a company deciding to dispose of Rover. That is the reality of the situation.

We now know that no decision was taken by BMW to dispose of Rover before 1 March this year. There was no indication that it was to pull out of Rover. That, too, is the reality of the situation. It is now about time that the hon. Lady and other Conservative Members stopped playing party politics and put the interests of the workers of Longbridge first.

Mr. Richard Burden (Birmingham, Northfield): Is it not a fact that the people of Longbridge, the workers of Rover and, indeed, everyone else, were assured by BMW that it was in for the long term? It was not just in words. New plant for the new Mini was still going in at the very time that BMW made the announcement; indeed, work was still going on last week.

Is it not important that we look to the future? Is that not the real issue in the interests of workers at Longbridge and elsewhere? After the huge rally in Birmingham on Saturday, does not a message need to go to BMW that it is not acceptable to trade away the future of entire communities in secret boardroom deals, and that the long-term interests of its employees and the communities that rely on Rover must be a central part of its decisions and negotiations in coming weeks?

BMW should consider all credible potential bidders. The long-term interests of those communities should be one of its central considerations. Will the Secretary of State back the people of Longbridge and all Rover workers in asking for those things to be done?

Mr. Byers: My hon. Friend has been a powerful advocate for the work force at Longbridge. I will certainly take his important points into account.

My hon. Friend touches on the decision by BMW to continue in January and February with the investment in the Mini at Longbridge, a clear sign that it was committed to Rover and to the UK. Running alongside that were further signs. BMW had a team working with the Department of Trade and Industry to submit the application for European Union aid, which went in on 24 February. It called together its UK Rover dealers and

encouraged them to invest in new showrooms for the future. At the Geneva motorshow on 28 February, Professor Milberg said:

> We are committed and steadfast to Rover in the United Kingdom.

There were all those public demonstrations, which every reasonable person would have assumed meant that BMW and Rover were in for the long haul. That is the reality of the situation. There was no indication that it intended to pull out of Rover and the UK.

Dr. Vincent Cable (Twickenham): May I first express solidarity and support for the workers of the west midlands, whose livelihoods, despite the valuable measures that the Government have announced, look extremely bleak, particularly for the older and more specialised workers?

The following point is probably the only one with which the Secretary of State will agree. Does he not agree that it is pathetic for the Conservative Opposition to launch an amateur detective story about who said what to whom—almost certainly because of their inability to deal with the fundamental issues affecting manufacturing and the motor car industry as a result of their ideologically driven belief that the exchange rate, which is the price at which British manufacturers compete overseas, should always be set in the free market, and that the British economy should be delinked from the euro area, in which the British motor industry is so heavily integrated?

I have a specific question for the Secretary of State. Given how much British industry and manufacturing depend on foreign investment in this country, does he now regret that he cast doubt on the good faith of the German manufacturers, and does he doubt the wisdom of those of his ministerial colleagues who attacked the trustworthiness of foreign investors in general?

Finally, has the right hon. Gentleman rethought his belief that manufacturers considered the exchange rate to be an excuse, in light of statements from Honda, Ford, the engineering union and the CBI that the exchange rate is absolutely fundamental to the industry's competitiveness?

Mr. Byers: A number of manufacturers—including some that export into Europe—have raised with the Government the question of the relative strength of sterling against European currencies. However, it is worth re-stating that the pound has remained at par against the dollar for five or six years, and that it has depreciated in value against the Japanese yen. That leads one to think that there must be economic reform in continental Europe if those currencies are to strengthen against the pound. I happen to believe, as does my right hon. Friend the Prime Minister, that the agreement secured at Lisbon 10 days or so ago will go a long way towards achieving that economic reform.

Interestingly, however, a number of manufacturers are being very successful, even in these difficult times. Although Honda has raised concerns about the strength of sterling, it decided 10 days ago to invest in a new plant at Swindon, which will employ 1,000 people. We heard on Saturday that Honda was planning to reduce production levels. The great irony is that that was somehow interpreted as a bad-news story, even though Honda had stated very clearly that the reduction was due to the installation of an assembly line for the new model car being developed at Swindon. There is good news in the manufacturing sector, and it is about time that people recognised that.

Mr. Martin O'Neill (Ochil): I thank my right hon. Friend for explaining clearly the role and responsibilities of the taskforce, and how it is to be funded, as much of the hopes of the people of the west midlands depend on it at this time. However, to end the paranoia of the second-rate Miss Marples on the Opposition Front Bench—

Madam Speaker: Order. That description is quite unnecessary, and I hope that the hon. Gentleman will rethink it.

Mr. O'Neill: I am sorry, Madam Speaker, if that description caused gratuitous offence. I thought a reference to one of Agatha Christie's minor detectives was not inappropriate.

Madam Speaker: I know exactly who the hon. Gentleman means, but quite frankly his reference causes me offence.

Mr. O'Neill: In that case, I withdraw it without reservation, Madam Speaker.

Will my right hon. Friend the Secretary of State save the House time and, before the end of business today, place in the Library of the House copies of the conversations that he has had with Professor Milberg?

Mr. Byers: My hon. Friend is Chairman of the Select Committee on Trade and Industry and I certainly intend to supply the Select Committee with those details before its hearing on Wednesday. I will also make those details public more generally, provided that BMW agrees.

Miss Julie Kirkbride (Bromsgrove): The Secretary of State will know that 1,500 workers at the Longbridge factory live in my constituency. I represent them, and their jobs are directly affected by the company's decision. They, and others in the west midlands, are not impressed by the headless chicken act performed by Labour Members who are determined to blame only BMW for the problems at the plant, even though most of the failure is due to the Government's economic management and the Secretary of State's failure to get an EU loan in time for the investment to be approved.

The right hon. Gentleman said earlier that it required a leap of imagination to know that the factory was in trouble, but Professor Milberg has insisted that he told the Department that

> if structural aid is not approved, the BMW Group has to reconsider its investment plans for the R30 at Longbridge.

Does not the Secretary of State know that car making at Longbridge, in volume terms, depends entirely on the R30? Without the R30, there is no long-term future for volume car making at Longbridge. If he does not know that, he is either naive or ignorant. Either way, it is his fault that Longbridge now faces an uncertain future.

Mr. Byers: On occasions such as this, there will be comments such as those. It is probably more beneficial to the House to see what BMW has said about those matters.

[Mr. Byers]

The hon. Lady raises an important point about European aid. Let me quote from Professor Samann's evidence before the Select Committee on Trade and Industry last week, with specific reference to aid. He said:

> There is no direct relationship between the grant aid issue and the situation now of us selling the Rover cars and the Land Rover business . . . We never mentioned that the grant aid deal would lead to a survival of Rover or would be absolutely necessary for Rover.

When asked specifically whether the aid last June would have made a difference, Professor Samann said:

> We would be in exactly the same position.

Mr. Ken Purchase (Wolverhampton, North-East): Does the Secretary of State agree that, given the promises made earlier by BMW and throughout the piece, it has used the veneer of commercial confidentiality as a cover for treachery? That is all that I can see has happened. The Secretary of State negotiated, spoke and exchanged information honestly, while not all the cards were on the table, which should not happen in international dealings of this kind.

Will my right hon. Friend further accept that Renault in France is a highly successful, light-touch state-owned industry, and that any option that we look for in Britain should not rule out the possibility of European alliances with successful car companies such as Renault? Will he give an undertaking today—given that my constituency is also in trouble with regard to the Goodyear plant, and with 100 more jobs going at the Lucas plant—that he will keep an open mind and consider every option, particularly if it keeps a British hand on Rover and lets it find stronger, better markets than it has so far been able to do?

Mr. Byers: My hon. Friend has already privately raised with me his concerns about the situation at Goodyear. We are engaging with the company to see what help we might to be able to give to overcome the difficulties that Goodyear may have.

On the possibility of European restructuring and consolidation, much of that has already taken place. We know, for example, that Renault has gone into a partnership with Nissan. We know that there is overproduction in the European car market, which is bound to lead to further restructuring. The only way in which the change that we are witnessing will bring benefits and new opportunities is if we can manage that change. It is a matter of great regret, as far as BMW and Rover are concerned, that because the Government were not involved, we never had the opportunity of taking BMW through the arguments and the debate about what steps it should have taken and, in the process, putting the needs of the community in the west midlands and the individuals affected first.

Sir Norman Fowler (Sutton Coldfield): I declare an interest as a member of the Rover taskforce. Should not great credit be given to the workers at Longbridge who have worked hard to reverse the previous reputation of the plant? Will the Secretary of State confirm that whatever happens, they will provide an invaluable skilled resource in the west midlands? In that regard, can he say whether in his talks with BMW, any assurance has been given that production at Longbridge will continue, at whatever level, until the sale of the company has been completed?

Mr. Byers: I thank the right hon. Gentleman for agreeing to serve as a member of the taskforce. Its deliberations will be enhanced by his presence.

The right hon. Gentleman makes an important point about the improvements in productivity at Longbridge. The figures that I saw showed that in just over 12 months, there was a 24 per cent. improvement in productivity from Longbridge workers. I have no doubt that in the months ahead that will stand them in good stead. They have shown real commitment and dedication to trying to turn Longbridge around.

In discussions with me, BMW has been guarded about negotiations with Alchemy Partners. It has made a commitment that no action will be taken before negotiations are completed, which provides some reassurance. However, job losses appear likely at Longbridge and the precise figures depend on the negotiations between BMW and Alchemy Partners. That is why it was important to have BMW give an assurance that it would do all that it could in those negotiations to minimise job losses.

Mr. Ian Pearson (Dudley, South): May I tell my right hon. Friend that we in the west midlands are not saft? We know that the blame for Rover lies with BMW, which has betrayed midlands workers at Longbridge.

Miss Kirkbride: Your Government.

Mr. Pearson: If the hon. Members for Bromsgrove (Miss Kirkbride) and for Tiverton and Honiton (Mrs. Browning) had been at the march on Saturday, they would have seen the men, women and young children who are worried about their future livelihoods. That might have made them start to talk some of the common sense in which their party is supposed to believe. The hon. Member for Bromsgrove should take a leaf out of the book of the right hon. Member for Sutton Coldfield (Sir N. Fowler) and be a little more constructive in trying to find solutions that will help people.

Mr. Byers *rose—*

Hon. Members: Answer!

Mr. Byers: My hon. Friend made an important point, as always. Difficult decisions and questions lie ahead, and the answers will affect individual workers, their families and the whole community of the west midlands. The people of the west midlands know where responsibility lies. An understanding was reached between the work force, the Government and BMW that, up to 2002, BMW would make losses, but would bear them and move on to break even. On that basis, we were prepared to give a commitment to provide £152 million. On that basis, working practices at Longbridge changed and productivity improved directly. That is why we all feel so badly let down—I should not be more intemperate than that, Madam Speaker—by the decisions taken in the dark by BMW without consultation or prior discussion.

Mr. John M. Taylor (Solihull): Is the Secretary of State able to say more about the security of retirement

pensions for former Rover employees, particularly former employers of Land Rover in my constituency and that of my hon. Friend the Member for Meriden (Mrs. Spelman)?

Mr. Byers: I understand the concern felt by individuals at Land Rover or Longbridge about the possible effects of decisions by new owners. We have held discussions with BMW, and with Ford, which is likely to be the new owner of Land Rover at Solihull. BMW gave me assurances about pensions being protected at a meeting on 24 March. We must continue to revisit the point as it is clearly a cause of concern for existing workers and former employees who rely on the pension. The hon. Gentleman and the hon. Member for Meriden (Mrs. Spelman) will doubtless continue to raise the matter, and I welcome that. We shall certainly continue to do all that we can to ensure security for those who receive a pension from Rover and BMW.

Mr. Dennis Turner (Wolverhampton, South-East): I, too, represent a constituency in which thousands of workers will be affected by the decision taken on Rover. They and their families do not look forward to facing problems in the weeks and months ahead when many of them will be laid off. I want to say to the Opposition—*[Interruption.]* I hope that this will be the last time that we shall hear an issue as important as Rover raised in the way in which they have raised it today. [HON. MEMBERS: "Ask a question."] May I ask—

Madam Speaker: Order. This is a very emotive issue. Members know that thousands of their constituents may be laid off. I understand the emotion felt by many Members, but I ask the hon. Gentleman to put a question to the Secretary of State. That is what private notice questions are all about.

Mr. Turner: I want to ask the Secretary of State not to rule out any possibilities; I know that he has said from the Dispatch Box today that he will not rule any out. I hope that the Government will keep an open mind on any situation that might arise where a proactive response from the Government is needed to save many of the jobs that are currently involved.

I hope that the Government will listen to the people who were with us on Saturday's demonstration, marching and telling us what they want of this House of Commons and of this Government; and I hope that the Opposition will be more positive in future, and speak on behalf of those families, as Labour Members do.

Mr. Byers: We have no intention of walking away from this problem. This Government will discharge their responsibilities to the people of the west midlands and those individuals directly affected by BMW's decision. A number of economic regeneration programmes are already in place; these can be used as they provide a range of initiatives, which may well be appropriate to the situation that we now face at Longbridge.

I can give my hon. Friend an assurance that we do not rule out any of the proposals that might emerge from the taskforce. We need a comprehensive programme of economic regeneration and job creation. In the long term, that will be the only way forward for those affected by BMW's decisions.

Mrs. Caroline Spelman (Meriden): The Secretary of State said in his statement that he would like to support the affected communities, so how does he think they feel when they see that he was prepared to offer BMW £152 million of state aid but that he has offered the significantly lower sum of £129 million for the rescue package for the west midlands?

Mr. Byers: The £129 million that I have pledged is the Government's contribution towards the £152 million. The remainder is made up of a local package, and I hope that the local partners might feel able to make a contribution in kind to take us up to £152 million.

Mr. Robin Corbett (Birmingham, Erdington): I am among those who have constituents affected by BMW's betrayal, both directly and among the component manufacturers and suppliers. However, may I say to my right hon. Friend that Jaguar demonstrates that, on the back of real commitment and sustained long-term investment, the motor industry in Birmingham and the west midlands can succeed and is succeeding? To overcome this particular problem, will he consider adding, let us say, £20 million to the budget for the objective 2 status money for the west midlands, to give the taskforce time to come up with plans and proposals to ease the impact of this blow?

Mr. Byers: My hon. Friend refers to the great success story that is Jaguar—nearby Peugeot has also been extremely successful—demonstrating that the car industry is strong in the United Kingdom. He raises the point about additional funding for the taskforce. The £129 million has been an immediate reaction to the needs of the taskforce—money which we had identified for alternative purposes. Of course, if good programmes come forward from the taskforce, we shall reconsider whether additional resources need to be made available.

Mr. Peter Luff (Mid-Worcestershire): May I push the Secretary of State on that last answer? As I understand it, the £152 million was a sum negotiated between the Government and BMW for the aid for the investment at Longbridge, and now the Secretary of State has arbitrarily plucked that figure out of the air as a sum necessary to fund the taskforce's recommendations. May I press him urgently to say that if the taskforce—about which I have serious reservations, not because of some of its members but because of its leadership—comes forward with a workmanlike programme, additional money will be available, if necessary, to undo the disaster at Longbridge?

Mr. Byers: The £129 million was available to be committed immediately because it was money that was tied to BMW's further investment in the R30 at Longbridge. Given BMW's decision to dispose of Longbridge to Alchemy Partners, that was money that was then freed up, so I can make an immediate commitment of that funding to the taskforce. As I told my hon. Friend the Member for Birmingham, Erdington (Mr. Corbett), if good proposals emerge from the taskforce that require additional funding, £129 million is not a cap; we can of course go higher if there are good proposals coming forward that will assist the economic regeneration of, and job creation in, the west midlands.

Mr. Steve McCabe (Birmingham, Hall Green): With two notable exceptions, Conservative Members are

[Mr. Steve McCabe]

seeking to make cheap political capital out of this issue. Their remarks do not reflect how we are feeling in the west midlands.

I welcome my right hon. Friend's assurance that he will do all that he can to bring additional resources and new industries to the area. Will he consider holding talks with the banks and the building societies so that Rover workers and their families are spared the additional concern of losing their homes as well as their jobs?

Mr. Byers: I can fully understand the concerns of those who might be affected by a redundancy programme about how they will pay their mortgages. My hon. Friend has already raised with me the issue of trying to get the banks and the building societies to look sympathetically on people who might have short-term difficulties. Certainly, we are prepared to do that, and the taskforce will consider specifically what help can be given to firms in the supply chain to overcome cash-flow problems that many of them will have as a result of BMW's decisions in relation to Longbridge. Those are practical measures that we are putting in place. We are not being distracted from our course by the smoke and the political arguments from the Conservative party. We are committed to putting the interests of those workers and their families first and we will continue to do that. They have to be the focus of our attention at present.

Mr. John Redwood (Wokingham): The Secretary of State has failed to deliver a crucial grant to Rover, he has upset BMW, he has upset the new owners of Rover and he has put off many people who were thinking of buying cars. It is diplomatic incompetence on a scale that the Foreign Secretary would be proud of.

Will the Secretary of State answer a simple question today? Should an individual wanting to buy a new car in this country delay their purchase for longer in the belief that the right hon. Gentleman will force further cuts in car prices, or not? The right hon. Gentleman's indecision about car prices and his incompetence about the grant is destroying Rover and is destroying the British motor industry. He has made the dog's breakfast of it. Will he now go before it gets worse?

Mr. Byers: There is a delicious irony in such an anti-European trying to make a political comeback out of the actions of a German car company. That is what is happening and people will see it for what it is. I tell Conservative Members that I feel far more secure in my post than the hon. Member for Tiverton and Honiton (Mrs. Browning) feels in hers.

On the right hon. Gentleman's specific point, I make no apology for having referred the question of car prices to the Competition Commission on the advice of the Director General of Fair Trading. We will respond to its findings within the 10-week administrative period that is laid down and we will respond before Easter. We will put the interests of consumers first for the simple reason that strong and assertive consumers build strong companies. That is the American experience; it now needs to be the British experience as well.

Dr. Lynne Jones (Birmingham, Selly Oak): May I remind my hon. Friend that, when the former Tory Prime Minister was asked about the sale by British Aerospace of Rover to BMW, he said that that was not a matter for him? In contrast, may I welcome this Government's immediate action in setting up the taskforce and making £129 million available, and my right hon. Friend's assurances that additional money will be made available if it is needed?

Will my right hon. Friend assure the House that the Government will give every possible support to any credible alternative to the Alchemy deal that will maintain volume car production at Longbridge, and that he will encourage BMW to co-operate with any such proposal? Will he also consider whether it might be appropriate to strengthen the rights of British workers, so that they are not always the first to be made redundant when European and multinational car companies seek to cut back?

Mr. Byers: What is interesting in this case is that there is a European works council for Longbridge and the workers at Rover, but it was not consulted as part of the process, so clearly there are flaws in the existing structure.

On an alternative to Alchemy Partners, the Government have made it clear that if Rover has to be sold, and Longbridge has to be part of that sale, we want a new owner who is committed to maintaining the maximum number of jobs and to maintaining car production. That is the objective that we have set ourselves, and we hope that someone may come forward to achieve that. However, as I am sure my hon. Friend is aware, Professor Samann said in his evidence to the Select Committee last week that at present Alchemy Partners is the only show in town.

Mr. Nicholas Soames (Mid-Sussex): Why, in respect of the tragedy that has befallen Longbridge, has the Secretary of State been so dilatory in appearing in Parliament to brief us about the awful events at Longbridge? What lessons has he learned from the dismal, negligent way in which he has handled this matter, in respect of the hard and heavy rumours that are emanating from Ford at Dagenham?

Mr. Byers: The hon. Gentleman may like to base his decision making on rumours and speculation; I would much rather base my decision making on answers that I receive to clear questions. When I have asked BMW clear questions, I have received clear, precise replies, but none of them indicated, or even hinted, that the disposal of Rover was one of the options that it was considering. That is the reality. I am looking forward to giving evidence before the Select Committee on Wednesday, when I will have a further opportunity to go through, in detail, exactly what was said when and where.

I can understand why Opposition Members are on this detective chase: one, because they have no policies of their own which would deal with a situation such as this; and two, because they do not care about the impact on the individuals and communities affected. It is worth reminding ourselves that they are the party which in the early 1990s presided over an economic situation in which millions of manufacturing jobs were lost, tens of thousands of them in the west midlands. We shall not repeat those mistakes.

Mr. Tony Benn (Chesterfield): Is the Secretary of State aware that everybody outside knows that the

responsibility for this tragedy rests with BMW, and not with the Government, and therefore the attempt to make capital out of it carries no weight? At the same time, however, this is a catastrophe because some of the greatest skills in British manufacturing could be lost, and communities could be destroyed. Those of us who represented mining areas know exactly what that is like.

Are not there lessons to be learned from this to which the Government should turn their attention? Is it right that our industrial future should rest in the hands of foreign companies without any requirement from the Government to oblige them to enter into agreements with them of a kind that have been contemplated in the past?

Is it not a fact that the exchange rate, although perhaps not the only consideration, was a serious consideration in this case? I know of a potential closure in my constituency where the exchange rate was the dominant consideration. Is it prudent to have a financial policy that endangers manufacturing? Would not it be right for the Government to offer support by way of investment in shares in companies, so as to get a commitment to manufacturing?

After Harland and Wolff, Dagenham and now, possibly, Honda, is it not clear that there needs to be a plainer statement of commitment by the Government not only to workers in difficulty but to the maintenance of manufacturing industry in Britain, on which our whole past strength was built and our future depends?

Mr. Byers: I agree with my right hon. Friend about the importance of manufacturing to the United Kingdom economy. The Government have already taken a number of steps to support manufacturing. There are many great successes in UK manufacturing, and the great danger when we face particular problems, whether at Harland and Wolff or, in this case, with BMW's decision about Rover, is that we will lose sight of those success stories. The manufacturing sector can learn from the strengths that exist. The skills and innovation in the UK need to be developed because that is where our future prosperity lies.

Great insecurity is felt at a time of globalisation, and there is a role to be played by Government, but I do not think that it is the role identified by my right hon. Friend. We can manage a process of change and lead people through it, but we cannot dictate the way in which multinational companies make commercial decisions. Inward investment has brought great benefits to the United Kingdom and created hundreds of thousands of jobs. We should not adopt a kneejerk reaction to events at Longbridge, because immediate steps which appear attractive at the time might lead to our no longer being a country that is attractive to inward investment. That would deny opportunities to many hundreds of thousands of people who are currently employed by companies that could have chosen to go anywhere in the world, but chose to come to the United Kingdom.

Mr. Christopher Chope (Christchurch): What did the Secretary of State say to the chairman of BMW on 22 December?

Mr. Dennis Skinner (Bolsover): "Good morning"?

Mr. Byers: I did not say "Good morning"—or "Guten Morgen" for that matter. I said that the grant aid would be subject to an investigation that would take four to five months; he replied that that was disappointing and that he would have to report it to his board. The conversation was all about investing in the R30 model, which is the new investment that BMW had planned for the Longbridge site.

It is interesting that, after our conversation, the chairman set up a team at BMW that worked with my Department to make a submission to the European Commission in support of the European aid; it was submitted on 24 February. Most important, the company continued its investment in the Mini: I believe that members of the Select Committee who visited Longbridge last week saw that, until a few weeks ago, the Mini assembly line was being installed at Longbridge, and it remains there. Those are clear indications that BMW was committed to Longbridge until, as Professor Samann said last week, 1 to 16 March this year, when the decision was taken to pull out.

Points of Order

4.22 pm

Mr. John Bercow (Buckingham): On a point of order, Madam Speaker. I seek your guidance. Have you received a request from the Secretary of State for Education and Employment to make a statement about the future of grammar schools? There has apparently been a change of heart on the part of the Government. On 8 December, during an Adjournment debate in Westminster Hall, the Minister for School Standards clearly told me and other right hon. and hon. Members, at column 265WH, that she had no intention of being dragged into the trap of stating her personal views on the future of grammar schools. However, over the weekend, we have received news that the Secretary of State has provided moral succour and personal encouragement to the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Stretford and Urmston (Ms Hughes), in campaigning for a grammar school ballot in Trafford. My question is simple: if the Government's policy has changed and Ministers now want to work hand in glove with educational vandals in that respect, should we not be informed of that in the House and given the opportunity to subject the Secretary of State to proper scrutiny?

Madam Speaker: I have not been informed of such a request, nor do I believe that the Secretary of State is seeking to make a statement on that issue. May I give the hon. Member some guidance? If he raises points of order in future, it will be better if he is brisk about them and comes immediately to the point. They will then be more appreciated by the occupant of the Chair and by the entire House.

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. Over the weekend, there have been a number of reports, some of them somewhat garbled, that guidelines for the use of NATO and UN forces in Kosovo have come into the hands of those whom they ought not to have reached. To clarify the matter and for the sake of the whole situation in Kosovo, not least that of UN forces, has there been a request to make a statement from Ministers at either the Ministry of Defence or the Foreign and Commonwealth Office?

Madam Speaker: I have to tell the hon. Gentleman that I have received no indication that anyone from the Ministry of Defence seeks to make a statement on that issue. I direct him to the use of parliamentary questions, with which he is very familiar.

Orders of the Day

Child Support, Pensions and Social Security Bill

[2ND ALLOTTED DAY]

As amended in the Standing Committee, further considered.

Clause 69

CONTRIBUTIONS IN RESPECT OF BENEFITS IN KIND: GREAT BRITAIN

4.24 pm

Mr. David Willetts (Havant): I beg to move amendment No. 62, in page 68, line 37, at end insert—

'( ) Nothing in this section shall apply to any childcare provision by the employer, which shall be exempt from Class 1A National Insurance contributions.'.

Madam Speaker: With this it will be convenient to discuss amendment No. 63, in page 68, line 37, at end insert—

'( ) Nothing in this section shall apply to any healthcare provision by the employer, which shall be exempt from Class 1A National Insurance contributions.'.

Mr. Willetts: Clause 69 is the stealth tax clause. It is the clause that imposes employers national insurance contributions on a range of benefits in kind, from Christmas parties to rape alarms. Its purpose is to raise £225 million of extra revenue without the Government being caught out by anybody spotting what they are up to. The clause is where the damage is done.

We thought from the exchanges that we have already had with Ministers that the Government were arguing that everything that bore income tax as a benefit in kind should also bear employers national insurance contributions. That was very much the tenor of the Minister of State's remarks in Committee. He said:

> The trigger for the change is the taxation of the benefit in kind, not the other way round. The national insurance does not cause the tax to be paid; the tax causes the national insurance to be paid.—[*Official Report, Standing Committee A*, 2 March 2000; c. 675.]

The Minister of State was formulating what we could flatteringly regard as the Rooker doctrine. In effect, he was saying, "If there is a tax liability, there should be a national insurance liability as well." We could understand that doctrine. We might not agree with it, but at least it was coherent and consistent.

The problem for the Minister is that the Chancellor of the Exchequer has knocked that argument away in his Budget statement. The right hon. Gentleman proudly announced that when it comes to child care, although that is taxable as a benefit in kind, it will not be subject to national insurance contributions for the employer. Paragraph 4.47 is entitled "Encouraging employers to provide childcare." It states:

> To encourage employers to help employees with childcare, all provision in kind will remain exempt from employer class 1A national insurance contributions when these are extended to other employee benefits from April 2000.

The Chancellor has therefore made it clear that it is possible for a benefit in kind to bear tax and that it does not need automatically to bear employers national insurance contributions as well.

That has an unfortunate consequence for the Minister of State. It leaves the ingenious doctrine that he formulated in Committee looking rather threadbare. He cannot say that he must impose national insurance contributions on all these items because they are taxable, because the Chancellor has taken credit for doing exactly the opposite. He has chosen something that will bear tax but does not have to bear national insurance contributions.

Amendment No. 62 takes the Chancellor at his word. It would deliver what the right hon. Gentleman was talking about in his Budget statement and would exempt child care from employers national insurance contributions. Perhaps this is the triumph of optimism over experience, but we rather hope that the Government will accept the amendment. It is absolutely in line with what the Chancellor said in the Budget. It would be a challenge even to the Minister of State's ingenuity to work out why he should whip his right hon. and hon. Friends to vote against an amendment that merely implements one of the Chancellor's announcements.

Mr. Edward Leigh (Gainsborough): Perhaps I can help my hon. Friend to understand why the Government may not want to accept the amendment. If the provision is on the statute book, it will be in tablets of stone and they will be committed to it, whereas if it is not, the Chancellor can always change his mind in future.

Mr. Willetts: My hon. Friend makes an ingenious suggestion. I hope that he is not right, but he may be. We shall be interested to see what grounds, if any, the Minister offers for not accepting the amendment.

Mr. Steve Webb (Northavon): I intervene on a point of clarification. We are listening to the debate with genuine interest. The amendment refers to child care. Is that a reference only to employer workplace-provided child care? Does it include vouchers? What comes within the scope of the amendment?

4.30 pm

Mr. Willetts: I would be happy to accept the definition that the Chancellor offered in the Red Book. If the Minister offered a revised text of the amendment so that it exactly followed the lines of the Red Book, I would be happy with that. The Red Book states:

> This employer NICs exemption will apply to direct provision, childcare vouchers and payments under contracts between employers and third party providers.

We would be happy with a provision that exactly matched what the Chancellor said. If any change in the drafting were needed to clarify the amendment, we would welcome that.

Amendment No. 62 would merely implement through the Bill what the Chancellor said that he wanted to do in the Budget. We know from the fascinating exchanges between my hon. Friend the Member for Brentwood and Ongar (Mr. Pickles) and the Minister in Committee that changes to national insurance contribution rates may be better implemented in social security legislation than in Finance Bill measures.

If the Government do not do so now, it is not clear that they will be able to do so in the Finance Bill, so they may have to wait for some other social security legislation. Given that we want to get on with the policy, I do not see why the Minister would not choose to use the vehicle conveniently before us, so I hope that he will accept amendment No. 62.

Amendment No. 63 applies the same philosophy to payments for insurance for medical care. If the Government recognise that employers NICs do not have to be applied to every taxable benefit, and if they proudly make a virtue of exempting child care from employers NICs, our view is that exactly the same arguments apply to health care and medical insurance.

If an employer is so public spirited as to want to provide child care facilities for his staff, and will not bear employers national insurance contributions for that, and if he wishes to provide flu jabs for his staff, why is that not at least equally deserving? Why does not that, as well as the entire range of medical insurance payments, merit exemption from employers NICs?

We say that if there is an argument for an exemption from employers NICs for child care, there is at least as good an argument for an exemption for private health care. If the argument is good enough for the Chancellor to use with reference to child care, we want to hear from the Minister why he thinks that employers providing medical care in whatever form for their employees should be taxed more heavily—should bear an extra 12 per cent. employers NICs—than for providing child care. We regard the benefits as equally desirable, and we see no basis for exempting one from national insurance contributions, but not the other.

Mr. John Bercow (Buckingham): I am grateful to my hon. Friend for giving way. As usual, he is intellectually right, but is not the reason why the Government may have a problem with the argument that although they have no known ideological objection to children, they have a known and inveterate ideological objection to private health insurance?

Mr. Willetts: When my hon. Friend said that I was winning the argument intellectually, I knew that that was a polite way of saying that he thought I was losing. He may well be right about the reason why the Government may not accept the amendment—because of their hostility to private health care.

I end my brief comments by referring the Minister of State yet again—I promise him that it will be the last time today—to what the Labour manifesto states on the subject. I found a couple of copies of the Labour manifesto remaindered in the fiction section of a bookshop, and I have enjoyed citing quotations from it all afternoon. On taxation, it states:

> Taxation is not neutral in the way it raises revenue. How and what governments tax sends clear signals about the economic activities they believe should be encouraged or discouraged, and the values they wish to entrench in society.

That is why my hon. Friend the Member for Buckingham (Mr. Bercow) was absolutely right. If the Government oppose amendment No. 63, it is because they do not like private health care and private medical insurance. That is

[Mr. Willetts]

wrong and irresponsible, especially in view of the pressures on the health service. We therefore urge the Government to accept the amendments.

Mr. Laurence Robertson (Tewkesbury): Unless the amendments are accepted, the Bill will discourage people from becoming good employers. After all the Government have said about encouraging people to be good employers, they should accept such amendments, which will enable people to become good employers by encouraging them to look after their staff.

My hon. Friend the Member for Havant (Mr. Willetts) gave some good examples of charging income tax but not national insurance. He could have gone on to say that tax but not national insurance is charged on salaries that are above a specific amount. There are many different ways of viewing the matter. It is wrong of the Government to suggest that there are precedents and that, if something is subject to tax, it automatically has to be subject to national insurance. That is wrong and inconsistent.

I believed that the Government intended to encourage employers to provide child care facilities. We have sat here time and again and listened to such proposals. I would therefore be surprised if the Government did not accept amendment No. 62.

Our national health service is struggling and we have to find not only more private provision, but more money for the health service. We should therefore try to do that. If we are to build the sort of health service that everybody wants and that people rightly demand nowadays, we have to find new ways of putting money into the health service or any health care provision. It would therefore be rather perverse to discourage employers from providing money that would relieve the strain on the health service.

With those few remarks, I support amendments Nos. 62 and 63.

Mr. Desmond Swayne (New Forest, West): The Minister must explain why amendment No. 62 is not a Government amendment. If the Government do not take this opportunity to implement the Chancellor's proposals, what opportunity will they take? I look forward with interest to finding out why the Minister has not introduced such a proposal, never mind his reasons for not accepting the amendment.

In addition to the comments of my hon. Friend the Member for Havant (Mr. Willetts) on amendment No. 63, it strikes me that it is an employment-creating measure. Many small businesses provide insurance through the sort of cover with which the amendment deals because they cannot afford to lose key individuals through medical problems for a prolonged period. That would have detrimental consequences for the employment opportunities of other personnel in the small firm. They therefore provide for private health care insurance so that there is no delay when medical treatment is required for conditions such as hernias. We should encourage such activity by accepting amendment No. 63. That is desirable and will create greater efficiency in the workplace.

With respect to what my hon. Friend the Member for Tewkesbury (Mr. Robertson) said, the Prime Minister has attached a target to the percentage of gross national product that we should spend on health care. He cited the European average, but comparable economies such as Germany and France spend a great deal more on health care than Britain—approaching 10 per cent. At the current rate of growth in health expenditure, it will take us 19 and 25 years to achieve their respective levels of provision. Those countries achieve those levels by relying on private sector funding, which is precisely what amendment No. 63 would promote. It may be the answer to the problem for which the Prime Minister has been seeking a solution, and I urge the Minister to give it full consideration.

Mr. Quentin Davies (Grantham and Stamford): My hon. Friend the Member for New Forest, West (Mr. Swayne) pertinently asked why the Government have not tabled such amendments, but we shall not receive a frank answer to that question from Labour Members, and the reason for that must be exposed in the debate. The Government have a double agenda, which they do not want to reveal explicitly to the electorate, but which my hon. Friend the Member for Havant (Mr. Willetts) has exposed, and usefully so, by tabling the amendments.

The first part of the double agenda is the extension of employers national insurance contributions to such benefits. That is one of a range of stealth taxes that have been imposed on the British people since they misguidedly voted for a Labour Government in 1997. They were not least misguided by the Prime Minister's explicit promise, "We have no plans to increase taxes at all." That was a thoroughly dishonest promise: the pensions tax was introduced within a few weeks, there have been enormous increases in petrol duty, and married couples allowance and mortgage interest relief have been removed—an endless series of stealth taxes. The proposal is simply another in the series and it cannot be understood except against the background of the covert Government policy of increasing the tax burden while pretending to the British public that it is not increasing at all. The amendments have exposed that particular purpose and it is no surprise that the Government are not only not adopting them, but, I am convinced, will oppose them if my hon. Friends decide to put them to the vote.

The second part of the agenda is also covert, but it has already been revealed as it has surfaced in a number of contexts and we ought to be alive to it: the Government intend to run down private sector medicine, private sector provision and private health insurance for the most destructive of ideological reasons. That cannot be in the interests of the country's health, and I shall explain why in a moment.

The Government's agenda has already manifested itself in the removal of the tax break provided by the previous Conservative Government to people of retirement age for paying private medical insurance premiums. That compensating tax break was provided because people beyond a certain age, and certainly those in retirement, have to pay much higher premiums, but it has been taken away. That was also a stealth tax, though it has never been admitted as such, and an attack on the private medical insurance system. The Government want to reduce the flow of premium income to the private health sector and the proposal is part and parcel of that agenda.

The Government are penalising employers by taxing them for providing such benefits to their employees and people out there who elected us to the House will think that particularly cruel as the national health service is

breaking down. This winter, the NHS has been in an unprecedented crisis. Waiting lists are increasing, and the nasty new phenomenon of a waiting list to get on a waiting list has entered the system in our country—and our country alone among EU countries, as my hon. Friend the Member for New Forest, West said.

4.45 pm

Against that background, the Government want to penalise employers who try to help their employees because the national health service is falling down and may not be there when they need it. That is bad not only for the employers who are being penalised, but for the health of the country as a whole. The effect of the Government's proposals will be to reduce the total flow of funds through private health insurance premiums and the private health insurance system into the provision of health care. That is bound to happen. That flow will be reduced unless amendment No. 63 is adopted so as to restore the position. As night follows day, if the price of something is increased, the demand for it is reduced. The net price to employers of providing such protection will be increased by the Bill unless it is amended.

We should clear our minds of any ideological prejudice on this matter, and consider the practical consequences of voting through the Bill without this amendment. If the amendment is not accepted, it will be very bad for the health of the nation for two reasons. If people have their own provision and can purchase private sector care, they no longer claim on the national health service. People can be taken off NHS waiting lists if their employer is providing private sector cover for them, and others who are not lucky enough to have an employer who can afford to provide such cover can be brought forward on the waiting list, all other things remaining equal. Under the Labour Government, no doubt the waiting lists will get worse, but all other things being equal, if the amendment is accepted, the position will be alleviated not just for the beneficiaries of private sector insurance, but for those who do not enjoy such private sector cover.

Another aspect may not have occurred to the Minister of State. More resources coming into the health service means that more people are employed, and that those who work in the private sector and the NHS are provided with a higher total income than they would otherwise receive. It is well known that many consultants practise in the health service under NHS contracts for four days a week, and are at liberty on the fifth and sixth day—they often work on Saturdays—to provide care for their private patients. Those private patients do not therefore have to wait in line, and the consultants, junior doctors and nurses get more income than they would get if we did not have that system.

If doctors and nurses were deprived of that income, the gap between medical earnings in this country and those in other EU countries or in the rest of the civilised world would increase even further. People would be dissatisfied with that, and fewer people would take up a medical career. Many people who practise medicine—especially the best people—would go abroad. They would obviously be allowed to work in EU countries, but they could also work in much of the world, even in countries where work permits are required. It is easy for a qualified doctor or nurse to acquire a work permit. There would be a real loss. It would be a double whammy attack on the provision of health care if the Government were allowed to proceed in that direction.

These two amendments are an attempt to save the country from a further manifestation—one more instalment—of the Government's two agendas: stealth taxes and the desire to penalise and ultimately to undermine private sector health provision. Those are two important issues. They are no less important because the Government continually try to bamboozle the British public so that people do not realise what agenda they are pursuing. On those two bases, we should support the amendments tabled by my right hon. and hon. Friends.

Mr. Leigh: This has the makings of an interesting debate, and we can be justified in looking forward to the Minister's reply. It will enable the Government to clarify their attitude to the way in which employers should provide for their employees. What sort of tax and national insurance system do we want to create?

To be fair to the Government, some argue that the tax system should provide no allowances. They argue that it should be entirely neutral, and that the Government should have no role in trying to persuade people to adopt particular modes of behaviour. That, they say, is why the married persons allowance and the mortgage allowance should be swept away. That is a point of view, although it is not one with which I agree, and it is relevant to our debate about national insurance contributions. The Government could say, "We are not interested in what provision employers make for their employees. It is not our business whether the provision involved relates to small matters such as Christmas parties or big matters such as health care or pensions."

An employer may wish to provide not just a perk—something enabling him to avoid paying tax—but something that he considers to be essential to himself and his employee. The Government could say, "Whatever extra provision the employer makes for his employee, we are justified in taxing it." Again, that is not a point of view with which I agree, but the issue is now so confused that the Government should explain their position.

Doing the right thing for society means saving for the future, for pensions, for health care that the NHS may not be able to deliver and for many other purposes. We can persuade people to do that only if we envisage a partnership between employee and employer. We are talking about good employers, not about fly-by-nights who try to do everything through sub-contractors, and do not care about their employees. When employers make provision for employees, we should welcome that, rather than saying, "This is another opportunity for us to raise £220 million in tax. The public will not notice, because it is buried deep in the Red Book. No employees will be affected. It will be a tax on employers, and they will not complain too much."

I understand where the Government are coming from, in terms of trying to raise money. What I cannot understand is the mixed message that they are sending to employers and employees about how good employment practices can be created. My hon. Friends are making the powerful point that we cannot possibly catch up with countries such as Germany and France in terms of health care provision for all employees—all people—simply by raising more taxes to pay for the national health service.

[Mr. Leigh]

If we are to improve health care for everyone, we must encourage private sector involvement. At present, people—many on marginal incomes—are given no encouragement to provide for their own private health care: indeed, they are given positive disincentives. What harm can it do to tell good employers that it is a good idea for them to help their employees with private health insurance, if they have reason for doing so?

Mr. Bercow: Although many large companies already provide such assistance in the form of corporate medical insurance schemes, should we not do more to encourage small businesses to provide the same level of support, given that they constitute 99.6 per cent. of firms in Britain? They employ about 50 per cent. of the private sector work force, and generate two fifths of our national output. Should not Ministers be far more sensitive to their needs?

Mr. Leigh: Of course Ministers should be sensitive to the needs of small employers. At present, arrangements involving private health insurance are very much the prerogative of larger, wealthier companies. As my hon. Friend said, if we are to make any progress on the matter, we must try to find ways of encouraging smaller employers to make such provision.

There is, of course, nothing wrong with employers providing child care. However, I cannot understand why the Government are putting all their efforts and resources into child care. For Ministers, child care is a totem of their political correctness. Child care is the one thing that they are going to achieve—and I have no argument with that. If a good employer wants to help his employees with child care, I would welcome it. However, I cannot understand why the Government are promoting that type of social insurance—which in itself is an excellent thing to do—while ignoring all other concepts of social insurance.

Child care is important, but making provision for one's old age, health and even travel are equally important. I therefore hope that Ministers will not simply dismiss this group of amendments, but deal with the arguments. Surely the House is entitled at the very least to a clear manifestation of the philosophy behind the Government's objectives. Are they simply trying to raise money, or are they trying to send clear moral messages to employees and employers about how they should try to create a better society? We look forward to hearing the Minister's speech.

Mr. Howard Flight (Arundel and South Downs): All that I wish to add to the points that have already been made in the debate is that Governments of any party never consider the knock-on effects of this type of action.

The old sectors of our economy are hard pressed—they are suffering from major competition and examining ways of saving money. What will be the consequence of the Government's proposed new stealth tax? The consequence of the Government's proposal to subject provision of child care, health care and other services to national insurance is that the old companies will cease to provide those benefits to their staff. I say to the people of Britain, "Just remember: when you lose your health care, you have this Government to thank for it."

What about the new economy? Cisco says, "You just try assessing national insurance contributions on our share schemes. If you do, we'll move our research and development business overseas." The new economy is much rougher and tougher, and it probably will not even begin providing health care or other benefits. Nevertheless, the new economy will not simply lie down and accept this type of stealth tax.

Therefore—both on the specific issues of health care and child care, and on the wider issue of this wretched, bamboozling national insurance stealth tax—the Government are failing to take account of the impact of their actions on ordinary British citizens and on the quality of the total package that they receive from their employers.

The Minister of State, Department of Social Security (Mr. Jeff Rooker): I shall do my best to respond as briefly as possible to this group of amendments. I should like, first, to deal with the stealth tax bit of Opposition Members' speeches. Those hon. Members are simply playing around—and destroying the English language on an unparalleled scale—with such nonsense.

I am holding the regulatory impact assessment of the Child Support, Pensions and Social Security Bill, which was published last year, when the Bill was published, and is available free of charge. It contains 10 pages explaining the regulatory impact of the Bill on national insurance contributions. Some stealth tax! I also have the Inland Revenue's document on "Class 1A National Insurance Contributions on Benefits in Kind", which, in draft, was sent to more than 1 million companies and employers. Some stealth tax! It is absolute nonsense to say that we are making proposals that people do not know about.

Mr. Quentin Davies: Will the Minister give way?

Mr. Rooker: I will not give way now.

Conservative Members should be ashamed of themselves for some of their comments—such as saying that we are taxing Christmas parties. Conservative Members have just ambled into the debate from their City jobs. We should let those who are viewing the debate know that—this is the reality—employers do not pay tax on a Christmas party that they provide for employees unless they provide at least £75 a head worth of benefit. That is not the type of Christmas party that any of my constituents would recognise. I wanted to get those points out of the way and on the record before we dealt with the main issues.

5 pm

We ask the House to disagree with both amendments. The national insurance provisions in the Bill are a step towards the alignment of tax and national insurance benefits. They are part of a package for implementing the recommendations in Martin Taylor's report "The Modernisation of Britain's Tax and Benefit System".

The extension of class 1A was announced by my right hon. Friend the Chancellor in his 1999 Budget. From April 2000, it will cover benefits in kind such as private health insurance, beneficial loans or the use of the company yacht. I am grateful to hon. Members for pointing out that employers will pay national insurance only on benefits in kind that are already subject to income tax. The employer will pay the same amount into the national insurance fund, however they reward their employees.

It seems to have escaped the attention of those on the Conservative Front Bench that national insurance has not been the bailiwick of the Department of Social Security since the Contributions Agency went to the Inland Revenue. It is not possible to deal with national insurance in a Finance Bill. Those who have served on Finance Bill Committees understand that. That is why we have included these clauses. The only reason why we do not have a Treasury Minister present is that it is only a couple of weeks since the Budget and it is an incredibly busy time for Treasury Ministers, with the Finance Bill about to be published. I am speaking on behalf of the Government, but in particular on behalf of the Treasury. We are putting a Treasury area of responsibility in our Bill.

Mr. Leigh: On a point of order, Mr. Deputy Speaker. I wonder whether we are elevating a new principle for our proceedings. We have just heard from the Minister that the issue that we are discussing is a matter for the Treasury, because that is the only Department that can make decisions on it, but Treasury Ministers cannot be bothered to come to the House because they have other things to do. Is not the House more important—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. That is not a point of order for the Chair. It is for the Government to choose who represents them on their policy.

Mr. Rooker: And it is not what I said, either. There is another aspect of the Bill that is essentially a matter for another Department, but it is wholly in order and I shall answer on that later in the debate, just as I did when we debated the Welfare Reform and Pensions Bill last year.

Mr. Eric Pickles (Brentwood and Ongar): What about child care?

Mr. Rooker: The decision on child care will be made by my right hon. Friend the Chancellor of the Exchequer, who made the original decisions—and announced them in his 1999 Budget—on the extension of national insurance to benefits in kind. Since then, he has decided to introduce a child care exemption. I do not know the exact figure, because we do not have the necessary wording in the regulations, but it is about £1 million. The changes that we are considering will raise £225 million, so the child care element is peripheral.

We can deal with amendment No. 62 very quickly. It is unnecessary, because of my right hon. Friend the Chancellor's Budget announcement. The Bill provides powers for the issue to be dealt with by regulation in due course. We shall carry that through for issues that are exempted. Section 10(9), to be inserted in the Social Security Contributions and Benefits Act 1992 by clause 69, provides for class 1A contributions not to be payable or to be reduced in prescribed circumstances. The issue is fully covered and will be dealt with in regulations in due course. There is no secrecy. Provision will be made, but not in the Bill.

I also cannot support amendment No. 63. Excluding private health care provision from class 1A contributions would undermine the main purpose of the measure, which is to align the tax and national insurance treatment of benefits in kind and to make the national insurance system fairer by bringing closer together the treatment of cash and non-cash earnings. The extension of class 1A will reduce the distortion in the national insurance system, which provides the incentive for employers to remunerate their employees with benefits rather than cash.

Bearing in mind what hon. Members have said about the national health service, of the £225 million that will be raised—roughly half of which will involve health care—£17 million will go to the NHS.

Mr. Pickles: Extra?

Mr. Rooker: Of course it is extra. It is £17 million new income.

The measure's prime purpose is to make the scheme fairer and to reflect modern pay practices. Rather than subsidising large firms, which can afford to offer their employees large packages of benefits in kind, at the expense of small firms and their employees, we prefer to level the playing field—and put more money into the national health service.

The amendments would deprive the NHS of £17 million.

Mr. Willetts: We have had a useful short debate. I congratulate my hon. Friends the Members for Tewkesbury (Mr. Robertson), for New Forest, West (Mr. Swayne), for Grantham and Stamford (Mr. Davies) and for Gainsborough (Mr. Leigh) on making some telling points, but I am afraid that the Minister's contribution was extremely depressing. It leaves us with no option other than to press the amendment to a vote, for two reasons: because we believe in encouraging child care and responsible employers rather than in imposing an extra 12 per cent. employers' contribution, which is a tax on child care; and because it will make the Government look absolutely ridiculous.

We are trying to implement a Budget measure, and the Minister will have to explain why he has decided to put his troops through the Lobby to vote against something that was in the Budget. We know that the Budget has had a rocky couple of weeks, but it seems a bit much when, the first time that a Budget measure is presented to the House, the Government Whips decide to vote against it. That is getting rather carried away.

The Minister's ultimate defence was, "Don't worry. We don't want to vote with you on the amendment tonight, but we will introduce a regulation that will have exactly the same effect." Why will he not simply vote with us to make the amendment? I look forward to seeing his correspondence with the Chancellor, explaining why he was not able to support an amendment that simply implements what was in the Budget.

Question put, That the amendment be made:—

The House divided: Ayes 143, Noes 265.

Division No. 134] **[5.8 pm**

AYES

Ainsworth, Peter *(E Surrey)*	Boswell, Tim
Allan, Richard	Bottomley, Peter *(Worthing W)*
Amess, David	Brady, Graham
Arbuthnot, Rt Hon James	Brake, Tom
Ashdown, Rt Hon Paddy	Brazier, Julian
Atkinson, Peter *(Hexham)*	Breed, Colin
Ballard, Jackie	Brooke, Rt Hon Peter
Beith, Rt Hon A J	Browning, Mrs Angela
Bercow, John	Burns, Simon
Beresford, Sir Paul	Burstow, Paul

Butterfill, John
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cotter, Brian
Cran, James
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gillan, Mrs Cheryl
Gray, James
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat–Amory, Rt Hon David
Horam, John
Hunter, Andrew
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
MacGregor, Rt Hon John
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Malins, Humfrey
Maude, Rt Hon Francis
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sanders, Adrian
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Geoffrey Clifton-Brown and
Mr. Peter Luff.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony *(Chesterfield)*
Bermingham, Gerald
Berry, Roger
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Byers, Rt Hon Stephen
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Gardiner, Barry
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hill, Keith
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Meacher, Rt Hon Michael
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Moffatt, Laura

Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ryan, Ms Joan
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Ward, Ms Claire
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Jamieson and
Mr. Don Touhig.

Question accordingly negatived.

New Clause 38

PRESERVATION OF RIGHTS IN RESPECT OF ADDITIONAL PENSIONS

'.—(1) In the provisions of the Social Security Contributions and Benefits Act 1992 that are set out in subsection (2) (provisions relating to additional pensions for surviving spouses)—

(a) the references to 5th April 2000 (wherever occurring) shall have effect, and be deemed always to have had effect, as references to 5th October 2002; and

(b) the references to 6th April 2000 (wherever occurring) shall have effect, and be deemed always to have had effect, as references to 6th October 2002.

(2) Those provisions are- -

(a) sections 39(3) and 39C(4)(widowed mother's allowance and widowed parent's allowance);

(b) sections 48BB(7), 48C(3) and 51(3) (Category B retirement pensions); and

(c) paragraphs 4(3), 5A(2) and (3) and 6(3) and (4) of Schedule 5 (deferred pensions).

(3) For section 52(3) of the Welfare Reform and Pensions Act 1999 (power to substitute a later year for references to year 2000 in prescribed provisions of the Social Security Contributions and Benefits Act 1992) there shall be substituted—

"(3) The regulations may amend (or further amend) any prescribed provision set out in section *(Preservation of rights in respect of additional pensions)* (2) of the Child Support, Pensions and Social Security Act 2000 (which sets out provisions falling within subsection (2) of this section) so as to substitute a reference to a later date for—

(a) any reference in that provision to 5th October 2002 or 6th October 2002; or

(b) any reference to a date inserted in that provision by a substitution made by virtue of this subsection."

(4) After section 52(4) of that Act of 1999 there shall be inserted—

"(4A) The regulations may provide, for the purposes of any provision made by virtue of subsection (4), for a case in which a person who, as a consequence of receiving incorrect or incomplete information, did not give any consideration to—

(a) the taking of a step which is a step he might have taken had he considered the matter on the basis of correct and complete information, or

(b) refraining from taking a step which is a step he did take but might have refrained from taking had he considered the matter on that basis,

to be treated as a case in which his failure to take the step, or his taking of the step he did take, was in reliance on the incorrect or incomplete information and as a case in which that step is one which he would have taken, or (as the case may be) would not have taken, had the information been correct and complete."

(5) In section 52(6) of that Act of 1999 (supplemental provisions of regulations relating to the scheme), after paragraph (e) there shall be inserted—

"(ea) prescribing the matters that may be relied on, and the presumptions that may be made, in the determination of whether or not the prescribed conditions have been satisfied;".'.—*[Mr. Rooker.]*

Brought up, and read the First time.

Mr. Rooker: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss new clause 7—*Widows'/widowers' SERPS entitlements*—

'In section 52 of the Welfare Reform and Pensions Act, subsections (1) and (2) shall be left out, and there shall be inserted—

"(1) The Secretary of State may by regulations make such provision as is authorised by subsection (2) and one or more of subsections (3) to (4),

(2) The regulations may provide for any prescribed provision of Part II of the Contributions and Benefits Act (contributory benefits) which relates to additional pension for widows or widowers to

have effect, in relation to persons of any prescribed description (which shall include at least all those who had reached pensionable age on or before 5th April 2000), with such modifications as may be prescribed for securing—

(a) that any such additional pension, or

(b) in the case of any provision of Schedule 5 to that Act (increase of pension where entitlement is deferred), that any constituent element of an increase provided for by that Schedule,

is increased by such percentage as may be prescribed (which may be 100 per cent, and which shall be 100 per cent for any person who had reached pensionable age on or before 5th April 2000).".'.

Mr. Rooker: During the final stages of the Welfare Reform and Pensions Bill last autumn, we introduced legislative cover that would allow us to address, through regulations, the inherited state earnings-related pension scheme problem. At that time, we had not reached a final decision on what to do. On 15 March this year, my right hon. Friend the Secretary of State announced to the House that we had decided to postpone the change that would halve the amount of SERPS that a widow or widower could inherit until 6 October 2002—a 30-month delay—and to set up the inherited SERPS scheme to provide redress for those who had been misinformed.

We are particularly keen to ensure that all who were misinformed and who might have acted differently had they had the correct information need not lose out. During further consideration of our more detailed proposals and, indeed, with the benefit of the reports of the ombudsman and the National Audit Office, it now seems to us that the powers in the Welfare Reform and Pensions Act 1999 need amending slightly. This Bill, which is already in the parliamentary system, is the ideal place to do it. New clause 38, therefore, provides for the 50 per cent. reduction in inherited SERPS to come into effect in respect of deaths occurring on or after 6 October 2002.

We also want to clarify the eligibility criteria for the inherited SERPS scheme. Currently, section 52 of the 1999 Act provides that the scheme may deal with claims made by people who, having received incorrect or incomplete information about the SERPS reduction, either failed to take any steps they would have taken or took any steps they would not have taken had they received correct information. Yet the ombudsman has pointed out that, 15 years down the road, it will be difficult for many people to demonstrate that they would have taken a particular course of action, or not, had they been correctly advised.

The new clause will ensure that the scheme can provide redress for people who, because they relied on the wrong information, were denied the opportunity of considering taking relevant steps to protect their spouse's pension. I will roughly translate what I have just said as, by and large, replacing "would have" with "might have". In other words, we are loosening up the criteria—we are saying that people might have taken action, rather than that they would have taken action, which is what the Act provides for.

Another point that the ombudsman made was that people should not be unfairly excluded from the scheme because, after so long, they were unable to provide documentary evidence. We want to address that concern, and the new clause allows for the regulations to make further specific provision relating to the manner in which decisions under the scheme may be taken.

New clause 7, in the name of Liberal Democrat Members, would effectively put off the policy change indefinitely for all who are pensioners at 6 April 2000. It is not clear what is intended for people who are still contributors and who might in the future be bereaved. That is not a criticism, but I must put it on the record. If the intention is to provide a lesser amount for them, there will be some contributors, perhaps nearing pension age, and on a low income, who have been misled and would therefore benefit from the scheme proposed. Yet the cost of the proposal, although less than the cost of overturning the policy completely, would still be enormous—probably more than £10 billion over the next 50 years. So under that proposal, we would spend considerably more money without helping some of the people who should be helped.

Mr. Webb: I refer the Minister to his written answer to me of 21 March. Asked the cost of our proposal in lieu of what he has proposed, he replied:

The estimated cost is £7,100 million.—[*Official Report*, 21 March 2000; Vol. 346, c. 479W.]

Mr. Rooker: I am sure that both figures are correct, but probably do not relate to exactly the same point. In pension discussions—this point arose in Committee—it must be remembered that a change to the national insurance system must be translated over people's working lives. I shall have the figures checked and shall write to the hon. Gentleman if there has been an error. However, I am sure that both figures are correct and deal with slightly different aspects.

Our first principle must be that if the Government give people the wrong information, they must provide redress. That is what we are doing. All who have been misled are being provided with an opportunity to have their rights restored. The alternative—deferral of the change for 10 or 14 years to reflect the gap between the 1986 legislation and our proposed changes—would merely postpone the problem. The widow of a man who died after that time would still lose out.

Unlike new clause 7, our proposals on the future of inherited SERPS provide the fairest balance between the interests of pensioners and contributors. Full details—I said this at Question Time, but it is important to put it on the record again—of the inherited SERPS scheme will be put before the House. There will be a proper debate, and the details will not be slipped out in the way we have sometimes been accused of. The National Audit Office and the ombudsman will be fully involved in developing the information that we shall ask for and the procedures that will be followed in decision making. We must be certain that we have the powers necessary to cover those points in regulations, and that is why we propose the new clause.

Mr. Willetts: I want to say how grateful we are to the Minister for making it clear that there will be a proper debate. The Chairman of the Public Accounts Committee asked for that after the original statement, and it is right that something of this magnitude should be properly debated in the House.

Mr. Rooker: I am grateful for those remarks. We have gone beyond blame and must think about the future. Obviously, we inherited the current position, but I shall not labour the point. We need consensus across the House

on the way forward on an issue that will affect constituents of all Members over a long period. We want the widest possible support, and that is why we shall ask the NAO and the Parliamentary Commissioner for Administration—the ombudsman—to comment on our proposals and the way in which we intend to operate the scheme. I hope that the House will reject new clause 7, but approve new clause 38.

Mr. Webb: New clause 7 was tabled by the Liberal Democrats, and we see it as consistent with Government new clause 38, but as a measure that goes further. We welcome and support new clause 38, but believe that our additional new clause deserves further consideration.

We welcome the broadening of scope proposed by new clause 38, and the change of phraseology from "could" have to "might" have. However, I find new clause 38 rather bewildering. Can the Minister explain proposed new section 4A of the 1999 Act? It refers to

a person who . . . did not give any consideration to . . .

(b) refraining from taking a step which is a step he did take but might have refrained from taking had he considered the matter on that basis

to be treated as a case in which his failure to take the step, or his taking of the step he did take, was in reliance on the incorrect or incomplete information.

And so it goes on, completely impenetrably.

It is hard to see how the Government will convert those words into language that people will understand. There is evidence that the scheme brought forward so far by the Government is already defective. For example, after the Secretary of State's announcement on the matter, newspaper advertisements in the national press said that people would be entitled to claim compensation on inherited SERPS if they "can" show that they were misled.

We have heard a lot of promises from the Secretary of State that it will all be different and better this time, but the first thing he did—almost on the day of his announcement—was to send out 3,000 letters including the wrong telephone number, which did not fill us with confidence. Then he placed newspaper advertisements about the compensation scheme in new clause 38, which said that it would be available for those who can show that they were misled. I think that the Minister will agree that that is not an accurate description of the way the scheme will work. There is no need to be able to show that one was misled; it is necessary only to be able to claim that one was misled in a manner that the Government cannot disprove. The two are very different.

5.30 pm

My hon. Friends tell me that their constituents have telephoned them and said, "It looks as though I won't be covered by the scheme." The people whom the scheme is aimed at have read the advertisements and been misled. They have been confused because the advertisement was wrongly worded. I wonder whether the Minister, when he responds to the debate, will comment on its wording. I do not know whether his officials have briefed him on that.

Mr. Rooker: No, I shall not comment on the advertisement. When the House has approved a scheme, having held debates on the regulations, there will be a full and fairly massive propaganda campaign, using television, a helpline and advertisements—written and otherwise—and we shall then reflect the scheme that the House has approved. The initial notification of such a scheme, in the recent advertisements, was made, following the statement to the House, because we thought it right and proper to give an initial view that there would be a scheme; I shall not be pedantic about the words. Once we have a scheme to market, it will be thoroughly and properly marketed.

Mr. Webb: The Minister cannot have it both ways. He is spending public money on placing advertisements that are designed to illuminate but which confuse. They were not accurate about the scheme as described by the Secretary of State a few days earlier. I find that very worrying, and I hope that the Minister will ask some questions in his Department about why that form of words was used and whether he should issue some clarification.

We are dealing with people who have already been misled by the Department. Years have gone by, and they have now found out that they were misled. They have now read an advertisement that is also misleading, and they are starting to give up. That is not what we want.

In new clause 7 we propose simply that those who have already reached state pension age by the time the original cut was due to come in should be protected from the cut, for two principal reasons. First, it is unreasonable to expect those who have only just found out about what happened, and who have already reached pension age, to save for their pension. It is too late for that.

A charity dealing with older people says that every year new people come to it for help, having only just heard for the first time about the change as a result of the advertisements and the discussion of the subject in the press. Many people still do not even know about the change, although there has been a great deal of coverage, particularly in the specialist press. It is unreasonable to expect them to make alternative arrangements now. That is why we want to protect them.

The second issue, which has not been addressed much in the debate, is the validity of the original policy. Was it right of the House, in 1986, to decide to halve widows' pension entitlements? New clause 7 gives us an opportunity to reverse that decision for those who have already reached state pension age for whom there is no other alternative. We know that widows make up one of the poorest groups of pensioners. Later we shall discuss the position of older pensioners, most of whom are women, many of whom are widows, who already have relatively dire pension positions.

This afternoon at Social Security questions, the Government—I believe that it was the Minister—attacked what the Conservatives did to the state earnings-related pension scheme; one of their biggest cuts, if he does not accept new clause 7, he is about to implement. How can he have it both ways? He wants to attack the Conservatives for the cuts that they made in SERPS but to implement those cuts, and not reverse any of them, even when he has the chance to do so.

The Minister raised the question of the cost of what we are proposing. The Government have introduced a bizarre new doctrine: they add up all the costs of the compensation over 50 years. They have got into enough trouble by adding up the figures for national health service spending and education spending over three years and double and triple counting, but trying to make out that the

[Mr. Webb]

compensation package is generous by working out what it would cost over 50 years is incredible. If the Government make an increase in the winter fuel payment which is to be paid for each of the next 50 years, they do not claim 50 years' worth of expenditure. If they put 75p on the basic state pension, they do not multiply the figure by 50 to say how much it has cost.

I asked for a breakdown of the extraordinarily large figures being claimed for the cost of the scheme. The cost of deferral—which relates to new clause 38—never rises above £270 million a year, yet it has been costed at £2.5 billion: nearly 10 times as much. The compensation scheme has been costed at £5.7 billion if there is a take-up of 30 per cent., yet its cost never rises above £600 million in any of the next 20 years. Although the Minister says that our scheme is extraordinarily expensive, it is only by adding together the figures for 50 years that he can come up with his figure.

As I said in an intervention, our estimate of the cost of our scheme in lieu of the Government's scheme is £7.1 billion. The Government's central costing is £2.5 billion for deferral and just over £5 billion for people who claim compensation, so the total is about £8 billion. We are not inventing enormous items of Government spending. We have come up with a scheme which, on the Government's figures, does not cost as much as the one they have themselves proposed. The Minister said that there would probably need to be some form of tapered provision for those aged 63 or 64, so I suspect that our scheme would cost something similar to the Government's proposal.

The big advantage of our proposal is that it is clear and simple. Under the Government's proposal, pensioners will try to claim that they were misled and the Government will have to investigate those claims and attempt to disprove them. We have no idea how they will disprove the claims because they have no records with which to do so. That scheme will, as ever, miss out the inarticulate and the ill-informed, but will reward the corrupt because, if anyone says that he was misled, that claim cannot be disproved. Their system is costly, bureaucratic and complex and it creates a further worry for all the people who have been affected by the reduction in SERPS. They will not know until next year whether they will be protected.

Mr. David Heath (Somerton and Frome): My hon. Friend will recall that I asked the Secretary of State about receiving information at second hand and not directly from the Department. However, I did not receive a satisfactory answer. New clause 38 refers to

receiving incorrect or incomplete information,

but does not qualify that statement by mentioning the source of the information. Does that not suggest to my hon. Friend that someone who was misled by a professional adviser or another person, but who acted under the belief that he was taking the right steps, would be covered?

Mr. Webb: My hon. Friend raises an important point, and I hope that the Minister will clarify the position. Clearly an adviser will act on the basis of the leaflets and the guidance given him by the Department. If that information is misleading and is passed on to a member of the public, that member of the public will have been misled in just the same way as if he had received the information at first hand. People misled in that way should be covered and that is how I read the new clause. I hope the Minister will confirm that my reading of it is correct.

Our constituents have been asking us for months and years what will happen. They want to know so that they have can have peace of mind in their old age about the provisions for widows or widowers. We still do not know what will happen and the scheme is so vague that it will be another year before we find out. We want certainty; older people deserve that if nothing else. That is why exempting those who have already reached state pension age is a neat, clean way of approaching the issue. People who did not follow the small print of the Social Security Act 1986—can we blame them?—and who have reached pension age have probably found out only now about the cut in their entitlements. They deserve to be looked after with a clean and simple solution.

We accept new clause 38, because deferral is welcome. However, additional measures, as reflected in new clause 7, would also be welcome. Given the opportunity, we shall seek to test the opinion of the House on the additional measures.

Mrs. Jacqui Lait (Beckenham): I shall be brief, because most points have already been made. However, it is important to clarify even further the degree of evidence and proof that the Government will seek to build into the regulations and their compensation scheme. Although we have accepted responsibility for the part that we have played in the problem, we stick by the policy—as do the Government—of the reduction in the rebates. We shall not, therefore, support the new clause tabled by the Liberal Democrats.

The key to the matter is what degree of evidence of whether people have been misled the Government can accept. For example, one could argue that people who have done nothing to find out about the cut have been misled. Will that be acceptable to the DSS, and will it be covered in regulations? Any sensible person planning for their retirement would, if they had known about the cut, have taken action, and the mere fact that they have not done so indicates that they have been misled.

I welcome the change in the wording of new clause 38 from "would have" to "might have". However, even if the Government are prepared, in regulations, to alter the burden of proof, we need more clarification about what exactly they will do. It is clear that since the first announcements, the debate about recompense has moved on, and I suspect that that is why confusion is developing and the Government's statements are getting softer and softer and are increasingly trying to be helpful to people who feel that they are affected.

The Minister indicated that there will be a proper debate on regulations, and my hon. Friend the Member for Havant (Mr. Willetts) picked him up on that point. This may be nit-picking, but I wonder whether the debate will be in the Chamber or upstairs in Committee. What defines proper debate? This subject is of great interest to everybody, and it might be sensible of the Government to have the debate on the Floor of the House.

I was also slightly concerned to hear that the National Audit Office and Public Accounts Committee will consider the regulations. When does the Minister expect the regulations to be laid before the House? What delay will there be? Is this to be another example of the DSS's use of the word "shortly"? The right hon. Gentleman has castigated others for their use of grammar, but over the past few months "shortly" has stretched into infinity. It would be nice to have an indication of when the Department expects to introduce the regulations.

Mr. Rooker: I must make it absolutely clear that I cannot answer most of the questions that I have been asked. We do not have the scheme yet. It is in the first stages of being designed. We have only just chosen one of the options that we considered. It is not possible to answer the detailed questions that I have been asked.

I shall certainly not use the term "shortly" about any regulations, because I can tell the House that they are not expected shortly. As I said at Question Time, I am not even certain whether they will be introduced before the summer recess or in the autumn—the time scale is as wide as that. They might not be the ideal legislation for the House to consider in, for example, the third week of July, so we might hold them over.

Mrs. Lait: Can I tempt the right hon. Gentleman to say that they will be introduced before October 2002?

Mr. Rooker: Yes, I can definitely say that. If the hon. Lady reads new clause 38 in great detail, she will see that every conceivable contingency—or at least every one that we can think of—has been built into that new clause. However, I cannot answer all the questions.

The hon. Member for Northavon (Mr. Webb) asked me about the figure of £7 billion referred to at Question Time. That is the cost of paying the surviving spouses of all current pensioners 100 per cent. with no policy deferral. The new clause includes the scope to defer for those currently under pension age. All the figures that I am using are global—they have to be—and the only figures that I am prepared to rely on are those on page 39 of the National Audit Office report, because the NAO used our figures to make assumptions. I shall not go into detail about those assumptions now.

The figure of about £10 billion that I quoted earlier assumes that the hon. Gentleman would intend to use those measures and reflects the cost of a 10-year policy deferral. Both figures are right, but the question differs depending on whether one takes account of the policy deferral that we have already announced. The cost of that policy deferral is £2.5 billion—that cost is there before we even start, and we have no idea what the take-up rate will be.

5.45 pm

I have honestly admitted that I cannot answer the questions asked, for reasons that I have explained. None the less, I hope that the House will accept new clause 38.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 33

CALCULATION OF CATEGORY B RETIREMENT PENSION

'.—(1) In section 46 of the Social Security Contributions and Benefits Act 1992 (modifications of section 45 for calculating the additional pension in certain benefits), after subsection (2) there shall be inserted—

"(3) For the purpose of determining the additional pension falling to be calculated under section 45 above by virtue of section 48BB below in a case where the deceased spouse died under pensionable age, the following definition shall be substituted for the definition of "N" in section 45(4)(b) above—

"'N' =

(a) the number of tax years which begin after 5th April 1978 and end before the date when the deceased spouse dies, or

(b) the number of tax years in the period—

(i) beginning with the tax year in which the deceased spouse ('S') attained the age of 16 or, if later, 1978–79, and

(ii) ending immediately before the tax year in which S would have attained pensionable age if S had not died earlier,

whichever is the smaller number."

(2) In section 48BB of that Act (Category B retirement pension: entitlement by reference to benefits under section 39A or 39B) in subsection (5) for "section 46(2)" there shall be substituted "section 46(3)".

(3) In paragraph 5 of Schedule 8 to the Welfare Reform and Pensions Act 1999 (welfare benefits: minor and consequential amendments), sub-paragraph (b), and the word "and" immediately preceding it, shall be omitted.'.—*[Angela Eagle.]*

Brought up, and read the First time.

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 34, 35, 28 to 32 and 85.

Angela Eagle: The House will be aware that we tabled a number of amendments in Committee relating to the calculation of state second pension and to SERPS. We tabled those amendments in Committee to ensure that time was allowed for adequate scrutiny of the clauses, but the result was that, in some cases, the provisions were not quite right when they were introduced. I explained in Committee that it would be necessary to table some minor amendments to correct or clarify the provisions. The group of amendments makes the necessary changes. I assure the House that the amendments do not represent major changes to the policy and that they are all beneficial to future recipients.

Amendments Nos. 28 and 29 are drafting amendments that clarify the legislation in relation to the calculation of national insurance rebates. They make it clear that the rebates must be calculated by reference to the state second pension given up, either wholly or in part.

We come to the technical subject of earnings factors in SERPS and to amendments Nos. 30 to 32 to clause 36. In Committee, we pointed out that clause 36 was, in effect, a consequential amendment to the Pensions Act 1995, which had been missed at the time it was passed. Among other things, that Act changed the calculation of SERPS from 6 April 2000. However, the regulations that dealt

[Angela Eagle]

with part years—that is, years in which people have a mix of both contracted-out and contracted-in earnings—were not changed to reflect the new Act.

The amendment agreed in Committee allowed us to introduce new regulations to put the situation right. However, since the current Bill will not be in force by 6 April 2000, it is necessary to ensure that the new regulations can deal with pension calculations that fall to be made between 6 April 2000 and the coming into force of the new regulations. That is the purpose of the latest amendments. The intention, as we discussed in Committee, remains to bring the regulations up to date and to maintain the status quo with regard to SERPS calculations.

Amendments Nos. 34 and 35 are technical; they correct the method of calculating the amount of state second pension that persons who, in the past, have received widowed parents allowance or bereavement allowance can inherit from their deceased spouse when they reach state pension age. Similarly, new clause 33 and amendment No. 85 correct existing legislation for the purposes of calculating the amount of SERPS that can be inherited in those circumstances.

The new clause and the amendments would restore the policy intention that no one will receive less additional pension with their category B pension, which is based on their late spouse's contributions, than they would have done before the introduction of the new bereavement benefits. No one has been affected to date, because the new bereavement benefits are not due to come into effect until April 2001. With those assurances, I urge the House to accept the new clause and the amendments.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 7

WIDOWS'/WIDOWERS' SERPS ENTITLEMENTS

'In section 52 of the Welfare Reform and Pensions Act, subsections (1) and (2) shall be left out, and there shall be inserted—

"(1) The Secretary of State may by regulations make such provision as is authorised by subsection (2) and one or more of subsections (3) to (4),

(2) The regulations may provide for any prescribed provision of Part II of the Contributions and Benefits Act (contributory benefits) which relates to additional pension for widows or widowers to have effect, in relation to persons of any prescribed description (which shall include at least all those who had reached pensionable age on or before 5th April 2000), with such modifications as may be prescribed for securing—

(a) that any such additional pension, or

(b) in the case of any provision of Schedule 5 to that Act (increase of pension where entitlement is deferred), that any constituent element of an increase provided for by that Schedule,

is increased by such percentage as may be prescribed (which may be 100 per cent, and which shall be 100 per cent for any person who had reached pensionable age on or before 5th April 2000).".'.—*[Mr. Webb.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The House divided: Ayes 26, Noes 273.

Division No. 135] **[5.49 pm**

AYES

Allan, Richard
Ashdown, Rt Hon Paddy
Ballard, Jackie
Brand, Dr Peter
Breed, Colin
Burstow, Paul
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Chidgey, David
Cotter, Brian
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Harris, Dr Evan
Kirkwood, Archy
Llwyd, Elfyn
Maclennan, Rt Hon Robert
Moore, Michael
Oaten, Mark
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve

Tellers for the Ayes:
Mr. Tom Brake and
Mr. David Heath.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Byers, Rt Hon Stephen
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Gardiner, Barry
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Heal, Mrs Sylvia
Healey, John

Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hill, Keith
Hinchliffe, David
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Maxton, John
Meacher, Rt Hon Michael
Michie, Bill *(Sheffld Heeley)*
Miller, Andrew
Moffatt, Laura
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ryan, Ms Joan
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Ward, Ms Claire
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mrs. Anne McGuire and
Mr. David Jamieson.

Question accordingly negatived.

New Clause 8

AGE ADDITIONS

'For section 79 of the Social Security Contributions and Benefits Act 1992 there shall be substituted—

"79.—(1) A person who is above the specified age and who is entitled to a retirement pension of any category shall be entitled to an increase of the pension, to be known as 'age addition'.

(2) Where a person is in receipt of a pension or allowance payable by the Secretary of State by virtue of any enactment or instrument (whether passed or made before or after this Act) and—

(a) he is above the specified age; and

(b) he fulfils such other conditions as may be prescribed,

he shall be entitled to an increase of that pension or allowance, also known as age addition.

(3) In this section 'specified age' means an age specified by the Secretary of State in regulations.

(4) Age addition shall be payable for the life of the person entitled, at weekly rates to be determined by the Secretary of State in regulations.

(5) Regulations under this section may—

(a) specify one or more specified ages at which age addition shall be payable;

(b) provide for different rates of age addition to be payable for persons of different specified ages.".'.— *[Mr. Burstow.]*

Brought up, and read the First time.

Mr. Paul Burstow (Sutton and Cheam): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss new clause 36—*Annual increase in basic retirement pension*—

'.—The Secretary of State shall each year increase the basic retirement pension by not less than an amount equivalent to—

(a) the percentage increase in the general level of earnings during the preceding year; or

(b) the percentage increase in the retail prices index during the preceding year,

whichever is the greater.'.

Mr. Burstow: We believe that the quickest and most cost-effective way of getting help to many of our poorest pensioners is via the basic state pension. We hope, though, that the campaign that was finally launched by the Government last week, amid much publicity, to promote the take-up of the minimum income guarantee is a success. Who would not want to see between 530,000 and 870,000 of our fellow citizens who are entitled to the minimum income guarantee getting it? The sad fact is that

[Mr. Burstow]

those pensioners and many others are living below the poverty line. We must make sure that we get help to them in the most effective way.

We know from the Government's research that the success of the campaign that they have just launched is finely balanced. It will be tough for the Government to deliver a substantial increase in the uptake. A report published by the Government last year, entitled "Helping Pensioners—A Contextual Survey of Income Support Pilots", found that four out of 10 pensioners said that they would definitely claim as a result of the campaign. That is great.

We welcome the fact that four out of 10 pensioners would claim the minimum income guarantee. Another 18 per cent. said that they would probably claim. Most important and disturbing, however, was the fact that a further 36 per cent. said that they would not claim. They cited a number of reasons why they would not claim. The research reports a feeling of stigma, uncertainty and unwillingness to deal with benefits offices. The report details in considerable depth pensioners' concerns and the reasons why they were not keen on going down the means-testing route.

We know from parliamentary questions and statements from Ministers that the Government accept that the largest group of pensioners missing out on the minimum income guarantee are older women. Given that the evidence about income distribution on the basis of age suggests that the oldest pensioners are our poorest pensioners, why do we not consider ways of ensuring that they do not have to fill in any forms to get additional income into their purses?

We believe that a cost-effective and stigma-free way of doing that would be to lift the basic state pension through further age additions. A precedent already exists. There is an age addition to the basic state pension when the pensioner reaches the age of 80. It was set at 25p in 1971, and has been frozen at 25p ever since.

Hon. Members in all parts of the House know from meetings with pensioner groups in their constituencies that that 25p is a source of anger and frustration. Why on earth has it not been increased in all this time? There is no good answer to that. It is simply wrong that there has been no increase. If the sum had been indexed to earnings, it would now stand at £3.70 per week. More should have been done to uprate that figure, year on year. In our view, the age addition at the age of 80 should be set at £5.

We believe that a new age addition should be introduced into the basic state pension at the age of 75. That would mirror the Government's recognition of the need for age additions. The only problem is that the Government have decided to attach age additions to the minimum income guarantee. Attaching an age addition to the basic state pension would provide a cast-iron guarantee that the money would find its way into pensioners' pockets. That is why our new clause proposes age additions to the basic state pension.

Mr. Bercow: I am grateful to the hon. Gentleman for giving way. Given his specific recommendations, why do he and his hon. Friends propose—rather feebly, if I may say so—in new clause 8 that in future the detail should be dealt with via regulation?

Mr. Burstow: Unless the hon. Gentleman wants us to have to move amendments to primary legislation every year to uprate the figures, it would be nonsense for Parliament to deal with the matter in that way. Our proposal signals the need for a proper mechanism for annual upratings. Given the hon. Gentleman's interest, I am sure that he will support the new clause now that I have explained that important feature.

New clause 36, tabled by other hon. Members, gives us an opportunity to debate the future of the basic state pension. Our view is that age additions which targeted guaranteed additional income on older pensioners would ensure that the basic state pension had a future purpose, which it otherwise will not have because successive Governments have allowed its value to be eroded against earnings.

Whereas in 1980 the basic state pension was worth 22.6 per cent. of average earnings, by 2050 its value will be about 6 per cent. of average earnings. Age additions are undoubtedly the way forward, but we should take the opportunity of today's debate to signal the importance that the House attaches to the basic state pension.

A rally was organised a few weeks ago in London by the Greater London Forum for the Elderly to express its concern. People carried coffins to symbolise the demise of the basic state pension. That is a measure of what pensioners feel has happened to the basic state pension. The earnings link was broken by the previous Government, and has not been restored by the present Government. Many, many pensioners think that the earnings link should have been re-established.

We know that at the general election, the Government included in their manifesto a commitment to establish a different sort of link, based on growth in the economy. Since the general election, that has not happened. This year there was an indexation on the basis of prices, which has given pensioners only an additional 75p in their basic state pension in the coming year.

Mr. Christopher Leslie (Shipley): Did the Liberal Democrat manifesto commit the party to re-establishing the link with earnings?

Mr. Burstow: The hon. Gentleman is not asking an awkward question; he is asking one that I am happy to answer. We did not commit ourselves to re-establishing the link. *[Interruption.]* If the hon. Gentleman will allow me to continue, I can explain that we continually review the matter, as do the Government. However, the Government have departed from their manifesto commitment and left our poorest pensioners with even less than they would receive if the Government had honoured the commitment to link the basic state pension to growth in the economy. No one can claim that 75p is a proper reflection of the growth in the economy.

Mr. David Winnick (Walsall, North): The hon. Gentleman is courteous in allowing hon. Members to intervene in his speech. He made it clear that the Labour manifesto stated that the state pension should be uprated only in relation to prices. Does he accept that our manifesto did not mention winter heating additions or free television licences, which we have provided? Some of us have campaigned for that for years. It is a tremendous benefit to pensioners. Does the hon. Gentleman accept that?

Mr. Burstow: I congratulate the hon. Gentleman on his campaigning and on the success that he believes that

he has secured. However, we believe that age additions constitute the most cost-effective way of helping our poorest pensioners. We have said that time and again, and our view was reflected in the amendment that I tabled initially. It is the most effective way of using the basic state pension.

We have lately been worried about some of the comments that several Ministers have made from the Dispatch Box about channelling additional resources through the basic pension. They suggest that, because the benefit is taxable, it is somehow inappropriate to use it to target our poorest pensioners. Again, that is nonsense. Taxing the basic pension allows the richest of our pensioners, who are in the minority, to perceive that redistribution is taking place. What is wrong with that? Targeting money through the basic state pension is sensible.

The incomes of the richest fifth of pensioners rose by £87 a week between 1979 and 1997, while those of our poorest pensioners increased by only £10 in the same period: 18 years of Conservative rule and only £10 in the pockets of the poorest pensioners to show for it.

New clause 36 provides a useful opportunity to send a clear signal that the House believes that the basic state pension has a role as a key foundation stone of support for our poorest pensioners. That role should continue well into this century and beyond. The basic state pension should not leave pensioners in poverty, but should provide a reasonable standard of living.

Dr. Lynne Jones (Birmingham, Selly Oak): I support new clause 8, which the hon. Member for Sutton and Cheam (Mr. Burstow) moved, and new clause 36, which would uprate the basic state pension. I am a little shocked to be called, because I anticipated that my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell) would be called first, to speak to new clause 36.

Our manifesto commitment gives the reason for the importance of uprating the basic state pension: the state retirement pension should remain the foundation of pensions provision. As I said at Question Time, in 1980 the basic state pension was approximately 23 per cent. of average earnings; the figure is now much lower. It is anticipated that by the time the Government's reforms are in place, the state pension will be worth about only 14 per cent. of average earnings. How can we have a foundation that is being washed away year after year? The Government's recent publication "The Changing Welfare State" provides a graph, which shows that in 2051 the basic state pension will be worth the equivalent of £25 a week at the rate of average earnings in 1999. How can the state pension thus be a foundation?

6.15 pm

The Government propose to introduce a state second pension, which will supplement the basic state pension. It is being promoted as a replacement for the state earnings-related pension scheme which will redistribute money to those on lower earnings and is therefore more generous than SERPS. That is true, but the combination of the state second pension and the erosion of the basic state pension will result in the pension constituting approximately 21 per cent. of average earnings in 2051, compared with a bigger proportion—23 per cent.—in 1980. The state second pension is a substitute not for SERPS but for uprating the basic state pension properly.

The Government are trying to tackle means-tested benefits; they are introducing the state second pension to try to ensure that people retire on incomes that are above means-tested benefits, but it will not work. The Government's figures in "Opportunity for All" show that after a lifetime of working, those who earn £300 a week will get only £16 a week more than they would receive if they relied on income support. A woman with caring responsibilities would receive £9 a week more than she would get if she relied on income support.

We are creating disincentives to saving for retirement and taking out additional pensions. Parliamentary questions have shown that in 12 years and nine years respectively, the two individuals I cited would be back on means-tested benefit after a lifetime of work. We must tackle the nonsensical position whereby a means-tested benefit is far higher than the basic state pension. The proposal to uprate the retirement pension in line with earnings will ensure that the difference will not become even greater and that the disincentive will not increase.

The Government say that additional increases to the minimum income guarantee target resources at the poorest. However, that is not the case. The poorest do not apply for the minimum income guarantee. I am pleased that the Government have a campaign to increase take-up, and I hope that it is successful. However, there is a marked reluctance among pensioners to apply for what they perceive to be a handout. People understand that they contribute to the basic state pension through a lifetime's work, or caring responsibilities such as bringing up children or looking after disabled people. They should be entitled to a reasonable state retirement pension at the end of that period.

We should not forget that although the money will go to those who are better off, the pension also targets those who are only slightly above the level of income support. Those people feel most aggrieved that, after accumulating modest savings, and perhaps having an occupational or private pension, they are only a few pounds a week better off than they would be through relying on income support. They feel that they would have been better off spending the money when they were younger.

The Government have made welcome moves to increase the savings that can be built up before benefit starts to be lost and I know that they are considering tax credits, but whatever they do there will still be a cut-off point at which people will feel that they might as well not have bothered to put money aside for their retirement. Having such a disincentive in the system affects people's behaviour, and many of those on modest incomes would be better advised not to save for their retirement and not to build up pensions, but to make sure that they spend their money on a well-built, well-insulated home and other possessions that they will not have to buy in their retirement.

If people's behaviour is affected in that way, more will rely on means-tested benefits. Although the Government say that they want to reduce such reliance, they already predict that the number of people on them will increase. That was the conclusion of the pension provision group—an independent body set up by them to advise on their pensions policy—and its submission to the Green Paper predicted that although the reforms would reduce the number on means-tested benefit to a lower level than if there were no change, more pensioners would need means-tested benefit than at present. It is predicted that

[Dr. Lynne Jones]

one in four will rely on income support, as compared with one in five today, and that number could increase if there is a further disincentive to save and to opt for additional pension provision.

During their years in government, the Tories learned that the more they tried to target benefit on the poorest, the more the social security budget grew. Our new clause aims to restore the incentive to top up the basic state provision with private provision and, in the long run, that will be the most effective and efficient way to spend public money. I beg to move new clause 36.

Mr. John McDonnell (Hayes and Harlington): With some surprise, I, too, beg to move new clause 36, which stands in my name and in the names of many others, some of whom are on Council of Europe duty and send their apologies.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. To assist the hon. Gentleman and the hon. Member for Birmingham, Selly Oak (Dr. Jones), the lead new clause has been moved and he will be able to move his new clause formally when we reach the appropriate stage.

Mr. McDonnell: I am grateful for your advice, Mr. Deputy Speaker. I ask for a separate vote on our new clause, with your permission, because this is a matter of considerable concern in the House and in our communities. My hon. Friend the Member for Islington, North (Mr. Corbyn) has sought to legislate on it on 12 occasions and, more recently, my hon. Friend the Member for Blaenau Gwent (Mr. Smith) initiated an Adjournment debate on it.

Our new clause is simple and straightforward: it would restore the link between increases in pensions and increases in earnings that was established by a Labour Government in 1975. There had been years in which there was no increase in pensions at all, but we secured not only increases that protected pensioners against the erosion of their pension by inflation, but the earnings link. We wanted to ensure that pensioners shared in the wealth of our community as it developed and thought that the best indicator was average earnings. We decided that, if everyone's income increased, so should that of pensioners. I would rather establish a link between pensions and the biggest bonus in the City, but that is too moderate.

The link was broken in 1980 by the then Prime Minister, Mrs. Thatcher, and there was an angry response from the community and especially from Labour Members of Parliament. We gave a commitment to address the issue. As a result of the link being broken so many years ago, Age Concern and others calculate that pensioners have lost £30 a week and, as my hon. Friend the Member for Birmingham, Selly Oak (Dr. Jones) said, the pension represents only between about 21 and 25 per cent. of average earnings, which is significantly less than the pensions paid by many of our European partners.

Pensioners feel that they were robbed by the break of the link because for nearly 20 years Labour Members told them that they had been robbed. There was a £2 increase in pensions before the 1992 general election and a Labour spokesperson stood up in the House to call it

> miserly . . . not even enough for a pound of sausages and a couple of loaves, while workers on average pay are receiving increases of more than £20 a week and some executives increases of more than £2,000 a week.

I do not want to embarrass hon. Members—that is not my purpose—but another hon. Member said that

> we cannot get a decent link for pensioners . . .—[*Official Report*, 21 October 1991; Vol. 196, c. 645-651.]

He wanted it to be restored and to be based on the pay of Members of Parliament. I do not want to embarrass the Minister of State, Department of Social Security, my right hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker).

Mr. Llew Smith (Blaenau Gwent): Some days back, Lord Falconer said that he could live on current pension levels. I have to admit that I could not. Could my hon. Friend?

Mr. McDonnell: Not only could I not live on the current pension, but I find it difficult to understand how many of my constituents do so and stave off poverty. I see that week by week in my constituency. The poorest groups in our society are those with young children and people with disabilities. We are trying to tackle the problems; this is a life-and-limb issue not only for the poor, but for the elderly. How many pensioners will die of hypothermia this year because they cannot afford decent heating for their homes?

Ms Diane Abbott (Hackney, North and Stoke Newington): Is the right hon. Member for Birmingham, Perry Barr, to whom my hon. Friend referred, the same Member who sits on the Front Bench and speaks for the Government on pensions policy?

Mr. McDonnell: As I said, it is not my duty to embarrass Members.

The inflation link this year will produce a 75p a week increase, but for most of my constituents that will be wiped out by council tax increases of 7 per cent. and above. As a result, they will be steeped in poverty and will sink further into it.

The Government's record on pensions in all other respects is superb and I pay tribute to Ministers for what they have done. The fuel allowance has been increased from £100 to £150, which is excellent. We promised to reduce value added tax on fuel and we have completed that. We have restored eye tests, given free television licences to over-75s and increased capital sums for those who have saved. We are introducing concessionary fare schemes across the country and have offered free entry to museums and other facilities. That represents a superb record and I cannot understand why the Government are so resolute in refusing to budge on the basic pension demand. There is anger among pensioners at the 75p increase and, unfortunately, it is not assuaged by those other benefits.

Mr. Paul Tyler (North Cornwall): Does the hon. Gentleman accept that the poorest pensioners are particularly angry because income tax cuts are helping the

better off, most of whom pay no income tax at all? Combined with council tax increases and a small increase in the basic pension, that is particularly frustrating.

Mr. McDonnell: A number of factors increase anger among pensioners, particularly poor pensioners. They feel that there is an unfairness in society that goes against all that we stand for in the House and in the country. I draw on the Prime Minister's speech about British values of fairness and tackling hardship together. The Government's stance runs against all that we are saying about those values.

We have had this debate time and again, and Ministers have reiterated their argument that the Government are targeting resources to help the poorest pensioners through the minimum pensions guarantee. The Government are trying to direct resources at the poorest pensioners, but as my hon. Friend the Member for Selly Oak said, many pensioners continue to face the prospect of having to rely on a means test to gain access to the basic minimal level of financial support.

6.30 pm

Forty per cent. of pensioners rely on means-tested benefits. As my hon. Friend the Member for Blaenau Gwent (Mr. Smith) said in an earlier debate, it is estimated that more than 750,000 people do not claim those benefits. Why? Because it is difficult to claim, although I welcome and support the Government's initiative on take-up. Such campaigns will be run in my constituency and elsewhere to ensure that people get what they need.

People do not claim their entitlement partly because of the stigma attached to means-tested benefits. Anyone who has experienced a means test, or has a family folk memory of the means test from days gone by, realises the implications. People suffer a loss of dignity—the indignity of having to go through a means test.

We should recognise the distinction between pension and benefit. A pension is paid in return for either a financial contribution or a service contribution, as with a war pension. A benefit retains the link with beneficence and paternalistic donations. People do not receive it as of right, but are subject to a test. I thought that my party stood for universal benefits as a right.

We should consider an across-the-board increase in benefits. It is argued that they would also go to the richest pensioners, but there is a simple solution to that—tax them. The question is simple: do we target or do we tax? I believe that universal benefits are more efficient for the reasons that have been identified.

Mr. Alan Simpson (Nottingham, South): It is not just a choice between tax or benefits. It would be perfectly compatible with Labour manifesto commitments to alter the thresholds so that the better-off would not be the beneficiaries, but the poorest off would not lose out. That is what many members of the Labour party and the general public believed we were saying in our pledges that referred to increasing pensioners' share of the nation's wealth.

Mr. McDonnell: Exactly. The mechanism that we have identified is relatively simple. If we distribute the benefit, we maximise take-up. If we feel that that is expensive, we take it back through redistribution. Targeting puts the poorest pensioners at risk, because they may not receive the benefit that they desperately need. Taxation makes certain that resources reach those who need it, and those who can pay back do so.

It is curious that the Government have accepted universality on the fuel allowance and free television licences, and they have even linked the minimum income guarantee to increases in earnings.

Mr. Llew Smith: And the NHS.

Mr. McDonnell: As my hon. Friend says, the NHS is a universal benefit for us all. As we have identified in previous debates, the cost of administering a universal benefit is much cheaper than the heavy burden of means-tested benefits.

Mr. Jeremy Corbyn (Islington, North): Is my hon. Friend aware that the cost of administering the state pension is about 1.5 per cent. of its value, whereas the cost of administrating most means-tested benefits is between 20 and 25 per cent. of their value? Can it not be argued that universal benefits save a great deal of money?

Mr. McDonnell: I think that the expression is QED.

There has been a debate in the House about the political implications of the Government's actions for voters who put us in power with such a large majority. In an earlier debate, some people said that pensioners could not vote for anyone else. No, they cannot. They would not vote for the Tories, and I am not sure who else they could vote for, but they could stay at home. They may not deliver our leaflets for us, and they may not vote. They feel a sense of betrayal—I do not like using that phrase, but it has been used enough times in the debates that we have had with pensioners groups in our community. Pensioners always looked to the Labour party as the champion of their cause.

There are 11 million pensioners in this country. They consider that they created the welfare state from which my generation benefited, and which gave us life chances that we have used to provide for our families and to give them a good quality of life. We are now denying many of those pensioners that quality of life in their retirement.

We should refer to the Prime Minister's sense of fairness. He talked about fairness in tackling poverty and reward for hard work. We should honour the undertakings that we gave to successive generations of people who voted Labour because they thought that we were their champions. I gave an undertaking to the pensioners in my community that I would do all I could to lift the basic pension at every opportunity. I want to fulfil that commitment today, so I shall press new clause 36 to a Division, and I shall vote for it.

Mr. Robertson: I want to make a brief contribution to this debate. I suspect that, at the end of it, I may be persuaded to abstain, but that does not mean that I do not have strong feelings on this subject.

At the general election, I went to house after house and met many pensioners who fell into one of two categories: those who said that they did not have enough money to live on—they perhaps did not bother or were not persuaded to claim the other benefits available to them; and those who said that, after years of saving and paying into occupational schemes, they did not feel better off.

[Mr. Robertson]

My concern is that the minimum income guarantee offered by the Government will not satisfy either of those groups. It will not satisfy many people in the first group, because they will not be persuaded to claim what they regard as a state handout. For many years of their working lives they have paid into the system and are entitled to claim from the state, but they do not see it that way. At a time when the Government Actuary accepts that there is a surplus in the national insurance fund that is likely to grow, it seems mean-minded of the Government not to offer help to those people.

The minimum income guarantee will not help pensioners who have been able to put money away for their retirement. They may have saved money or joined occupational schemes. They will continue to be aggrieved because they will think that they should be better off, but they will not feel better off for having saved because they will be no better off than the pensioners who claim every state benefit to which they are entitled. I do not think that the Government's actions will help either of those categories of pensioners.

I would like more help to be given to pensioners who are retired now. I draw a distinction between those who are retired now and those who will retire in the future. If I am fortunate enough to catch your eye on the next group of amendments, Mr. Deputy Speaker, I shall explain my thinking on that in greater depth. I recognise the enormous projected future costs of the state pension scheme. According to the figures from the House of Commons Library, serious problems will befall us if we do not address that issue.

I want a complete reform of the pensions system for pensioners who are yet to retire. There is no excuse for people of my age who are on a reasonable income not to make provision for their future. However, those who are retired now deserve a better deal from a Government who claim that the economy is in such robust shape. People in manufacturing industry may disagree with and object to that statement, but having looked at the figures and questioned the Secretary of State in the Select Committee, I believe that people who are retired now could get a better deal from the Government.

I shall probably abstain on these new clauses, because they are open-ended and commit Governments to expenditure that I do not believe is sustainable in the longer term. I want reform of the pension system for those who are not yet retired.

Mr. Burstow: The hon. Gentleman has told the House that he will abstain on both new clauses because they have open-ended commitments. However, his hon. Friend the Member for Buckingham (Mr. Bercow) pointed out that no specific figures are given. I answered him by making the simple point that that will be dealt with through regulation, so the House will be able to decide on the levels year on year. Surely the hon. Member for Tewkesbury (Mr. Robertson) could support such a motion to put down a marker.

Mr. Robertson: I admire the hon. Gentleman both for tabling the new clause and for that intervention, but, if I may say so, the new clause demonstrates rather muddled thinking and a typical Liberal Democrat wish to have it both ways. At the time of the general election, no commitment was made to do other than raise the basic state pension by more than the retail prices index. That is what the Government have done, and that is what has led to all the objections from pensioners. That is how the 75p increase came about.

New clause 8 is open-ended. New clause 36 is similarly open-ended, in that it ties the Government down to a certain level of spending. Those who study the figures will become very alarmed by them.

I have some sympathy with what is being proposed. I could have refrained from speaking in the debate—*[Interruption.]* Liberal Democrat Front Benchers chuckle, but it would have been easy for me to say nothing. I believe that there should be a better deal for pensioners who have already retired, but I also believe that we should think much more deeply about how pensioners of the future should be catered for. The state pension requires a great deal of radical thought, and it should not be a matter of party politics. It is too important for that.

Mr. Tony Benn (Chesterfield): I rise to support my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell), and to look back a bit at the history of the issue. This is the centenary of the foundation of the Labour party. When Keir Hardie arrived, he demanded unemployment pay, and they laughed at him. "Work or maintenance," he said. "Wholly unrealistic: open-ended commitment," he might have heard in response.

I campaigned in 1945, when Labour won the election. The first thing that the Government did was raise the widows pension from 10 shillings to 26 shillings a week, when we were absolutely bankrupt. They did not have the money, but they had the will. What is lacking now is not the money, but the will. Later, the Cabinet—I am proud to have been a member of that Cabinet, in the days of what is now dismissed and rubbished as old Labour—linked pensions with earnings. That constituted a recognition of the point made by my hon. Friend the Member for Hayes and Harlington that those who contribute to the increased wealth that we now enjoy are entitled to some part of that wealth. After all, pensioners looked after their children when they were young; it is not abnormal to expect the new generation to help the old.

People forget that we are talking about a national insurance scheme. Let us take an example: there must be such cases. A man starts work at the age of 16, works for 50 years, never marries, is never unemployed, is never ill, and dies the day after his 65th birthday. He has poured money into the national insurance scheme, and has received nothing from it. What frightens me about the Government's argument is the use of the word "target". It is an aggressive word, which is normally used in wartime: people say that they will target this and target that. Moreover, once people introduce the idea of targeting, they are really saying that the whole principle of the welfare state must be rewritten.

Why should the wealthy be able to call on the police when they can afford to pay for their own policing? Why should the wealthy be allowed to use the national health service, when they can afford to pay for their own health care? Why should the wealthy be allowed to call in the fire brigade, rather than returning to the old system of insurance? Under that system, those who were insured had a plate put on their houses and, if a house was on fire,

the insurance company would put the fire out. It is the principles underlying the Government's argument that I find difficult.

It would not take long for the Government to say that they were targeting the poorest patients. That would mean saying, "If you need health care, we will help you, but you will be means-tested before you are given your operation." People would be means-tested before they went to school. They are already means-tested before they go to college. It is a question of will and philosophy. We are told every day that the Government's values are the same as the historic Labour values, but I am afraid that they are not.

I have been a pensioner for 10 years today. The pensioners who come to my surgery are really angry. Let us make no mistake about this: people who have voted Labour all their lives say, "No one takes any notice of us. We cannot withdraw our labour, because we have already retired." They welcome the free television licences, the extra heating allowances and all the other little things, but some older pensioners remember the means test in the 1930s, when a man would be given some money only if he sold the piano. Not many people will remember that, but we hear stories about it.

6.45 pm

The whole idea of targeting is wrong. The pension is a benefit as of right: people pay for it while they are working. Moreover, as my hon. Friend the Member for Islington, North (Mr. Corbyn) said, the administrative costs are almost nothing, because everyone receives the pension—which also means that people do not experience the humiliation of having to expose their finances to some probing officer.

Income support, or what used to be called national assistance, is a safety net, which is entirely different from a benefit as of right. We do not want old people to feel that they are on probation. Pensioners have said to me, "I feel as if I have committed an offence. I must open my books before I can have enough to live on."

I urge the Government to think again. I know that there is a shortage of money, but I think that a shortage of will is the real problem. The health service was set up when we were bankrupt, and there were no charges for that. I am the last Member who sat in this place when Aneurin Bevan was Minister for Health and I heard his resignation speech when prescription charges were introduced. If we are not careful, in the name of modernisation, we shall erode what we are all about—the idea of a national insurance scheme with universal benefits.

A progressive income tax is about asking richer people to pay more to keep that scheme going. I am in favour of asking such people to pay more. I do not see why we should ring-fence the rich, and say that, whatever the Labour Government do, they will never ask the rich to pay more, because they will not increase income tax—but, of course, poorer people will be targeted and supervised and watched.

I merely want to convey some of the disappointment, disillusionment, anger and frustration that is felt about the way in which this has been handled. The Government would be ill-advised to disregard my argument, because it is one that will also have to be tackled on polling day.

Mr. Frank Field (Birkenhead): I want to echo what hon. Members on both sides of the House have said about the view of many pensioners on our record so far.

Labour Members have rightly congratulated the Government on much of what they have done, which has significantly increased the income of some pensioners. The winter fuel allowance has been increased to £150 a week: that is a significant increase. [HON. MEMBERS: "£150 a year."] I mean £150 a year, but I hope that, after a few more Parliaments, what I said will come about. We also welcome the free television licences. However, it would be wrong for Ministers to assume that those two significant moves have reduced the genuine sense of grievance felt by many pensioners, a number of whom are extremely poor.

Although the minimum income guarantee may help many pensioners, it will not help all of them, and it has led to a number of grievances—as my hon. Friend the Member for Birmingham, Selly Oak (Dr. Jones) pointed out—on the part of people who have saved, and have managed to save only small amounts or could acquire only small additions to their company pension schemes. Those people are disqualified from the minimum income guarantee, although their income is less than that of others who qualify for income support and receive the guarantee.

I received two letters recently—neither from a constituent. One came from a pensioner, who, as a widow, went back to work and acquired a small pension. She is £7 a week worse off than her neighbour, who did not acquire a smaller pension but who qualifies for the minimum income guarantee. She does not begrudge her neighbour that—her neighbour might well have saved a little, as the letter suggests, but did not do so—but she does not feel that she should be penalised.

The second letter was from a pensioner in the east end. As she, too, receives a small work pension, she is not eligible for the minimum income guarantee. She is paying full rent and full council tax. After paying those two bills, she is left with £14.50 a week to pay for everything else. We would be foolish to think that there is not—to put it most gently—real concern about the issue not only among voters generally, but among some pensioners.

As Dr. Johnson—like my right hon. Friend the Member for Chesterfield (Mr. Benn), although in different words—said:

> when a man knows he is to be hanged in a fortnight, it concentrates his mind wonderfully.

The Dissolution of Parliament is the hanging process in which we have to go back and face our voters. At this point in the Parliament, there is much in their pensions record for which we can give the Government credit, but I hope that we will not be fighting the next general election only on that record. The two new clauses in this group have been tabled to expand on that record.

The Government always have to think about how £1 billion should be spent. As my hon. Friend the Member for Selly Oak said, generally speaking, and for obvious reasons, the older the pensioner, the poorer he or she will be. If they have savings, they will have had to eat into them to ensure their own survival. Older pensioners have had less opportunity to make higher wages and to save greater sums, and they have had less chance of joining a company pension scheme. Therefore, although some older pensioners are—thank goodness—well placed, generally speaking, older pensioners are the poorest.

When the debate ends, I hope that many hon. Members will vote for new clause 8. I say that not because I disagree with the sentiments that have been expressed—

[Mr. Frank Field]

or that we shall hear expressed later—on the general need for an increase in the state pension, but because I believe that the Government could most effectively use any given sum by significantly increasing the state pension for the oldest pensioners. However, as Labour Members have already said, it will not be adequate for us to go into a general election with only one single such action. We require a medley of actions to improve significantly the position of those pensioners who have not been able to include themselves in the bracket of those who are "well placed".

For 20 years, when Labour was in opposition, I did not agree that we should increase the state pension in line with earnings. I am not likely now, when Labour is in government, to have a Pauline conversion on the matter—although I appreciate the strength of feeling on the issue of those who have always believed that the pension should be increased in line with earnings. However, I hope that Ministers, especially those who are arguing that we should do even more for pensioners, will use this debate to strengthen their hand—so that when we are "hanged in a fortnight" at the hands of the electorate, our pensions record is even better than it is now.

The standard of living of some of our constituents is disgraceful, and any human being in our community should not have to survive in that way. The issue is urgent, and it will be pressed in the Lobby. However, when we press it, we shall do so to strengthen the hand of Ministers who are arguing not that all is fine on the western front, but that much more needs to be done.

Mr. Corbyn: A few weeks ago, at Congress house, in Great Russell street, the hon. Member for Sutton and Cheam (Mr. Burstow) and I addressed a conference of the Greater London Forum for the Elderly. It was a marvellous occasion, which was attended by more than 300 delegates from every single one of the London boroughs, who were unanimously agreed on three matters. The first was that, this week, far from a celebration, there will be deep anger at the size of the increase in the state pension. This week, as pensioners go into post offices to collect their pension and discover a 75p increase in it, they will be angry.

Secondly, they were all angry because they realised that, from this month, across the country, many local authorities will be increasing council tax and charges for day centre use, home helps and home carers, meals on wheels, adult education and many other services. Those increased charges will wipe out the 75p increase many times over. Therefore, even with the increase, many pensioners will be worse off.

Thirdly, the delegates were angry that—as many hon. Members have said today—many older pensioners are significantly worse off than other pensioners.

The Minister will recall that, earlier in this Parliament, he gave various detailed parliamentary answers to the hon. Member for Northavon (Mr. Webb) which outlined the poverty levels among older pensioners, particularly older women pensioners—who have not had the opportunity to build up occupational pensions; who, in many cases, were too old to become involved in the state earnings-related pension scheme; and who are desperately poor. Age additions are insufficient to meet those pensioners' needs. Although the free television licence and winter heating allowance are welcome, they are simply insufficient. The poverty in which older pensioners have to live is absolutely disgraceful. Women tend to live longer than men, and they tend to be poorer, colder and hungrier for it. It is simply immoral in our society to ignore the plight of many older pensioners.

Older pensioners, unfortunately, are not the ones who are able to go along to pensioner forum meetings and demonstrations. I do not denigrate those who attend those events, but simply recognise that problems of age, infirmity and mobility make it impossible for many older pensioners to come along to express their point of view.

It is good that the House is debating this issue this week. Nevertheless, we should also recall the history of the issue. First, I pay tribute to the speech made by my right hon. Friend the Member for Chesterfield (Mr. Benn). I also wish him a very happy birthday; I hope that there are dozens more of them. I regret only that he will not have dozens more birthdays as a Member of Parliament. However, I am sure that his voice will be heard from outside the House, and that it will be like a breath of fresh air coming through an open widow.

In 1980, the then incoming Conservative Government destroyed what had been achieved by the 1974 to 1979 Labour Government—who had taken the bold step of saying that, henceforth, pensioners should be able to share in the growing wealth of the rest of the community by linking pensions to earnings or prices, whichever was the higher rising in a given year. Those are precisely the terms of new clause 36, which was so ably spoken to by my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell). The Conservative Government's breach of the link has caused the state pension to decrease from 23 per cent.-plus of average earnings to about 14 per cent. of average earnings. It is continuing to decrease.

Unless something is done to arrest that decline, the state pension will simply disappear as something that is worth claiming. Something similar happened with the dog licence. Although I am not particularly bothered about the dog licence, after a while, people stopped paying for it because it was so cheap. In 50 years, unless something is done to arrest the decline of the state pension, it, too, will be an insignificant detail.

Mr. John Cryer (Hornchurch): Like my hon. Friend, I shall be supporting new clause 36 in the Lobby. Is he aware that, if the state pension had been linked purely to prices since 1948, it would now be worth only £27 a week?

Mr. Corbyn: My hon. Friend is absolutely correct. At current trends, in 2050, the state pension will be worth a similarly insignificant sum. We have to make the case to arrest the decline.

I was first elected to the House in 1983, and I happily fought that general election on a pledge to restore the state pension's link with earnings. I fought the next general election on a pledge that we would increase the state pension by £5 and £8. In the subsequent election, we made a broadly similar pledge. In the following election, we said that we would increase the state pension at least in line with prices. We are only now increasing it exactly in line with prices. As any pensioner could tell us, however, those who buy in small quantities, in corner

shops and in declining high streets pay more than those who can drive their Volvo out of town to a hypermarket, where they buy in large quantities. Pensioners pay more to get less in many cases. We must recognise their outrage and anger.

7 pm

Worse was to come under the Conservatives, with the legislation introduced in 1985–86 by the right hon. Member for Sutton Coldfield (Sir N. Fowler), and by the right hon. Member for Huntingdon (Mr. Major), who was then a junior Social Security Minister. They used bogus arguments against the state earnings-related pensions scheme, and misread the Government Actuary's report and used it to devalue SERPS, which was the secondary pension that everyone would be involved with. Over time, SERPS and the link with earnings would have guaranteed the lifting of all pensioners out of poverty. The Conservatives devalued SERPS to create a market for private pensions. I should like to know the final bill for the cruel mis-selling of private pensions during the latter years of the Tory Government.

The incoming Labour Government were faced with serious problems. I pay tribute to the Government for introducing the free television licence and the winter heating allowance and for their recognition of the plight of the poorest pensioners. However, I have a serious question for the Minister. Some 1.5 million pensioners are entitled to income support, but do not claim it. There are various complex reasons for that, including pride, lack of information, lack of support or simply being unaware of their entitlement. Is there any certainty that the Government's proposed campaign will result in a significantly higher take-up of the minimum income guarantee? Are we going to spend a great deal money on a publicity campaign to promote the take-up of the minimum income guarantee, which will itself be expensive to administer? As I said in an intervention on my hon. Friend the Member for Hayes and Harlington, the state pension costs 1.5 per cent. of its value to administer. The normal administration cost for a means-tested benefit is between 20 and 25 per cent. of its value, but the figure for the social fund moves up to the dizzy heights of 46 per cent. That means that we spend half the social fund telling people that they cannot have any of it. That does not seem a terribly sensible way of doing things.

Mr. Rooker: We spend £100 billion on benefits. The Department has a running cost of £3.5 billion. I know that the figures are different for different benefits, but the figures for 1997–98 show that the administration costs of income support were 6 per cent. of benefit expenditure. The figure for retirement pensions is 0.9 per cent. A means-tested benefit will inevitably cost more because of the calculations involved, but the figure is nothing like the 20 per cent. that my hon. Friend is quoting.

Mr. Corbyn: I thank the Minister for that intervention. He has confirmed my argument that it costs six times as much to administer a means-tested benefit as it does to administer a direct benefit. I should be interested to see the figures for the administration costs of the minimum income guarantee when it gets going. Would it not be better if that money went into the pockets of pensioners? I shall move on, because I do not want to take up too much time.

The cost of administration is a serious issue, but the underlying principle is also important. The proposal will cost a lot of money without helping many of the poorest pensioners. It will also increase the market for private pensions. I belong to the school in the Labour party that believes that the welfare state should be universal. We should provide for all and we should tax for all on a fair basis. I have no problem with the state pension going to every retired person, because if pensioners have a great deal of other income, it will be recouped through taxation.

However, many pensioners feel keenly the problems of poverty traps. With a small occupational pension, they can lose out on housing benefit and other passported benefits. We have to address that issue. We should aim to eliminate pensioner poverty. As the state pension is the building block of the pensions system, it must rise in line with earnings. If rising in line with earnings is good enough for the minimum income guarantee, the same rule should apply to the state pension.

Let us put the issue the other way round. If the political will was not there in 1980 to maintain the link with earnings and it is apparently not here in 2000, who is to say that some future Chancellor in five or 10 years, when life is not so easy and there is not so much money about, will not decide to break the minimum income guarantee link with earnings? That would leave pensioners with a declining income once again. The Minister should think seriously about the anger of pensioners across the country. Younger people who think that pensioners deserve to be treated better are also demanding the relinking with earnings.

I should also like the Minister to explain the issue at the heart of the debate. He mentioned the growth in the number of pensioner households that is expected over the next 40 or 50 years. That is clearly an issue that we can, must, should and will face. If there are more pensioners, providing for them will cost more. That is the price of a civilised society. We should pay for people to live in decency in retirement. I am alarmed to read the proposal in the Government's Green Paper on pensions to reduce from 60 to 40 per cent. the proportion of the cost that the Government pay in support for pensioners. That is a pointer towards the idea that people should make their own private pension provision during their working life. Private pensions cost more to administer, are less secure and generally provide less at the end than the security of a state communal system. That is where the socialist and social democratic parties of Europe came in, demanding a welfare state that was inclusive of all.

I do not expect that we shall be successful in the vote tonight, but I hope that those in government who are arguing for a relink with earnings and who recognise the justice of the pensioners' case that they are hearing on the doorstep and in the high streets will at least have more power to their elbow to argue for justice for the elderly of this country.

During the previous three Parliaments, I introduced private Members' Bills to try to give effect to that principle. I have not done so during this Parliament, because I believed that we would achieve justice for pensioners. I am sorry to tell the Minister that I am not happy with the Government's policies on this. We should restore the link with earnings and, over time, revalue the pension to its original level. That would be justice for the pensioners of this country.

[Mr. Corbyn]

It is said that a civilisation can be judged on how well it treats its elderly. We are not doing enough for our elderly and the very elderly are doing very badly. It is time that we addressed that issue.

Mr. Webb: I shall make a brief contribution, reflecting on some of what has been said so far. I thank the hon. Members for Birmingham, Selly Oak (Dr. Jones) and for Islington, North (Mr. Corbyn) and the right hon. Member for Birkenhead (Mr. Field) for their support for the principle of higher pensions for older pensioners. The right hon. Member for Birkenhead has been such a powerful advocate of the cause that I find myself receiving letters from pensioners asking why I do not follow his lead on that.

I should like to comment on the Conservative approach to the new clauses. The contribution of the hon. Member for Tewkesbury (Mr. Robertson) was thoughtful as far as it went. He said that he was concerned about today's pensioners, but did not support a means-tested response, a universal response or a targeted response by age. It was not clear where that rejection of all three options—the two advocated in the new clauses and the third in the minimum income guarantee—left the Conservatives. I am not sure whether we are going to hear from those on the Conservative Front Bench.

Mr. Pickles: We are.

Mr. Webb: That is reassuring. The hon. Member for Havant (Mr. Willetts) has said that the Conservatives would simply have put 75p on the state pension and that any further response would have to wait for a manifesto. We have reached a sad state when the supposed principal Opposition party has no policy on the basic state pension.

The Government have accepted the principle of a higher pension for the over-75s by introducing the free television licence for those pensioners only. When the Chancellor announced that in the Budget, he said that he had been asked to put money on the pension but was going to use television licences, presumably because of the political attractiveness of the issue rather than any reason of substance.

When asked why the extra money was not put on the basic state pension, Treasury Ministers say that it is because the benefit is taxable. As we have heard, many of us support taxable universal benefits, with the better-off paying something back, freeing up extra money for the basic pension, so the fact that the benefit is taxable is no defence at all.

The other defence is that the money would not go to the poorest pensioners, but, as the hon. Member for Selly Oak said, the poorest pensioners are those who do not take up their entitlements. The proposals in the new clauses are well targeted and would benefit the poorest pensioners, so I do not know why the Government do not support them.

Two new clauses are on offer. New clause 8 is our party policy. New clause 36, on the earnings link, is not but we will support it because we now have a Government who do not believe in the basic state pension. They had hundreds of millions of pounds to give to pensioners, and the money has gone on the means test, the capital limits, the television licence, the prescriptions, the winter fuel payments—everything but the basic state pension. We support the idea that the basic state pension should have not a funeral march but a future. Our preferred mechanism is new clause 8, but if that does not succeed we will support new clause 36 as a statement of our continuing belief in the basic state pension.

Mrs. Alice Mahon (Halifax): I support new clause 36. I welcome the help given to pensioners in the Budget. I am a practical person, and I have the figures. In Halifax, 18,000 pensioners were helped by the increase in the winter fuel allowance and by the free eye tests. Those measures are worth £3 a week to a household, so they should not be ignored. Because people seem to live a long time in West Yorkshire, I also welcome the free television licences from which thousands in my constituency will benefit, but I give notice that I would like the qualifying age to come down to 65 in the next Budget.

I also welcome the abolition of VAT on fuel, the help with transport and the increase in the savings threshold. Furthermore, I am aware that the allocation of £8 million to Calderdale and Kirklees health authority will help pensioners more than any other group—and quite rightly, as they introduced the national health service and fully deserve that help.

However, I am firmly convinced, and always have been, of the arguments for restoring the earnings link. That is why I shall vote for new clause 36. What is more, I believe that I speak for the majority of pensioners, especially in Halifax, when I say that they need a substantial rise in the basic pension now, and the restoration of the earnings link as soon as possible.

I listen to pensioners. Before tonight's debate, I looked through all the submissions to the Green Paper "A new contract for welfare: partnership in pensions". One response was a booklet, "The Unwanted Generation", published by the National Pensioners Convention. In the foreword, Jack Jones, who has been a stalwart fighter for pensioners, says:

> We published our written submissions (Pensions, not Poor Relief) in March 1998. They amounted to a comprehensive and sustainable programme of reform, taking account of the needs of both today's and tomorrow's pensioners. We stressed the need to make good the loss of the value of the basic pension resulting from the breaking of the link with average earnings, and to restore the link for the future.

I could have brought along a dozen publications giving such advice in response to the Green Paper, and I really wish that the Government had taken that advice.

I have listened to Ministers' arguments about targeting and affordability, and I simply disagree with them. Elderly people think that they have a right to a non-means-tested pension. The arguments about the stigma and shame that some elderly people feel when they have to fill in forms and claim what they see as handouts have been well put. I really hope that the publicity that we are about to mount to ensure that the 1.5 million poorest pensioners take up their entitlements is successful, but I suspect that many of them will still slip through the net.

7.15 pm

If we are genuinely committed to helping pensioners—the Budget proves to some extent that we are—and want to convince a quarter of the people in our society that we will give them the security in old age that they deserve, we must restore the link with average earnings.

I have listened for years to the argument that wealthy pensioners will benefit if we restore the link. So what? They have contributed, too. I want to keep them in the system, contributing to the NHS and to everything else that makes society worth while. We have a tax system and we could use it, paying out at one end and taking at the other. There is nothing wrong with redistribution. I was brought up on it in my many, many years in the Labour party.

I give the last word to Baroness Castle and Professor Peter Townsend, two eminent fighters for social justice if ever there were two. In line with what everyone else with a real interest in pensioners said in response to the Green Paper, their excellent pamphlet, "We CAN afford the Welfare State"—I believe that, as one of the richest countries in the world, we can—said:

> We must resurrect the basic pension as the foundation of security in old age for everyone. This means the restoration of the earnings link for future annual upratings.

I believe that, and I hope that many hon. Members will join us in the Lobby tonight.

Dr. Norman A. Godman (Greenock and Inverclyde): I support new clause 36. It was, however, right and proper that my right hon. Friend the Member for Birkenhead (Mr. Field) and others paid tribute to the Government's achievements. I sincerely believe that my right hon. Friend the Prime Minister and the Government are genuinely committed to creating a more tolerable society, as reflected in matters as diverse as constitutional reform, the peace process in Northern Ireland and tackling racism and other evils that bedevil our society.

That more tolerable society is a wholly admirable objective, but our society is intolerable because of the demeaning position and the humiliation that our elderly people suffer. In the past few days, several of my elderly constituents have said that they warmly welcome the increase in the winter fuel allowance and the concession on television licences. Down the years, I have supported those measures, admirably campaigned for by my hon. Friends the Members for Walsall, North (Mr. Winnick) and for Islington, North (Mr. Corbyn) and others who have worked to make life more tolerable for our elderly citizens.

We have to do more, and one of our objectives, as a party in government, with the history to which my right hon. Friend the Member for Chesterfield (Mr. Benn) referred, is to ensure that life becomes more tolerable for our elderly people. The other day, an old fellow, when talking about his bitter disappointment with the Government, reminded me—I confess that I needed reminding—that it was Charles de Gaulle who said that old age is a shipwreck. He told me that what makes old age so hazardous for him and for many of his neighbours is the rottenness of the treatment that they suffered under Tory Governments and the present Government's failure to do more for them, so I make that plea to the Government: they must seriously address the plight of elderly people.

I guess that I am not alone in having an elderly forum in my constituency; I think that just about every constituency in the UK now has such a forum. My local one is led by a formidable female by the name of Mrs. Nell McFadden. As people say in the west of Scotland, if she is angry with someone, she does not miss them and hit the wall. At some heated meetings that I have attended in recent times, she and her colleagues have said to me that they are bitterly disappointed although they greatly appreciate what has been done by the Government, which is in dramatic contrast with how they were treated by the odd job lot opposite when they were in power for so long.

I tell my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell) that, in Scotland, disaffected elderly constituents do have a choice. Very few of them vote Conservative, rightly, but they can choose to vote for the infant Scottish Socialist party or the Scottish National party, both of which play to the gallery on the issue. *[Interruption.]* I remember Ayr well, and so should the Conservative party because it was the first election that it had won in many years. There are no Conservative Members representing Scotland in this place. I suspect that that will last for some years, but that is another story.

If we are to honour our obligations to elderly citizens, we must lift them out of poverty. Up to now, we have failed them because we have not done that. With regret, I shall vote against the Government. I will vote for new clause 36 because it has long been my aim to restore the link, which was cruelly taken away from elderly people by the Conservatives when they were in power.

Many of the people whom I represent are in their 70s, 80s or 90s. Because of the occupation that they followed—many experienced long periods of unemployment—they never had the opportunity to save money for their elderly and declining years. We must restore dignity and respect to their lives.

The Government are doing that with some of their measures. In that regard, their achievements are admirable, but more must be done. If it means taxing those with the money, so be it. I have always argued for a progressive tax system. If we must have such a system to make life better for elderly people, that is what we should have. They deserve better from us and, at the moment, we are failing them.

Ms Abbott: I support new clause 36. I pay tribute to my hon. Friend the Member for Islington, North (Mr. Corbyn). For many more years than he cares to remember, he has been an advocate for the elderly and taken up this issue, in season and out of season, on the Floor of the House.

As many Members have said, if there is one group of people that feels let down by the Government, it is pensioners because, for 20 long years, we promised them the restoration of the link with earnings. Many of us are speaking to the two new clauses, but I am surprised that many more are not doing so because each and every Labour Member must hear what I hear from pensioners in my constituency about their disappointment in respect of the failure to restore the link. I suspect, perhaps unfairly, that those Labour Members who troop through the Lobby against the new clause will not publicise the fact in their constituencies.

If I were not aware of the real feeling among pensioners about the issue, members of my local Hackney pensioners forum would have ensured that I was. I pay tribute to Hackney pensioners, who are some of the most vigorous and forthright in the land, although some Members might contest that claim.

[Ms Abbott]

Pensioners are not easily fooled. They cannot be deluded with spin, announcements and re-announcements. They know that they were promised one thing for many years while we were in opposition and that, now we are in government, suddenly those promises are out of the window. They have observed that. All the spin in the world and all the articles drafted by Alastair Campbell will not distract pensioners' attention from that.

Ministers have said, and will say again tonight, that many pensioners are better off. That is true. Those with occupational pensions and so on are better off, but, like my hon. Friend the Member for Greenock and Inverclyde (Dr. Godman), most of the pensioners whom I represent did not have jobs which made it possible for them to have a big occupational pension and other benefits. The pensioners whom I see are among the poorest.

In 2000, poor pensioners are seeing their income shrink alongside the erosion of social service provision, which pensioners in particular rely on. It is bad enough that the value of the pension is being eroded, but if, as is certainly happening in my part of London, pensioners are seeing cuts in the home help service, charges for that service, cuts in day-care services and cuts in adult education, that makes the decline in the state pension ever more acute. The safety net of social security provision, which they have come to rely on, is being eroded by overall cuts in public expenditure, not to mention—I hope to address the House on the matter on another occasion—the chaos in housing benefit in many local authorities throughout the country, which is hurting the elderly in particular.

Members have spelled out the case against means-testing. It is a disincentive to save. It is six times more expensive to administer means-tested benefits, as the Minister has admitted, than to pay a universal pension.

The thing that weighs with me most about means-tested benefits and pensioners is that more than any other single group in the land—more than the disabled or lone mothers—it is pensioners who feel the stigma of such benefits. If there is one group that should be excluded from having to claim means-tested benefits, it is pensioners.

As I know from personal experience in my family, many pensioners, through sheer pride alone, will not claim means-tested benefits. Ministers talk about the minimum income guarantee and urge reliance by pensioners on means-tested benefits. They know that, however effective the take-up campaign, a considerable number of pensioners will not claim because of the stigma and the association.

Kali Mountford (Colne Valley): Can my hon. Friend explain why people do not feel the same stigma when applying for housing benefit and council tax benefit?

Ms Abbott: My hon. Friend has not been here for the entire debate, but let me explain. When she has been a Member of Parliament for a considerable time—*[Interruption.]* When she has done that, she will know that pensioners believe that they are entitled to a pension as of right. What pensioners want is a basic income as of right. They do not want to ask for what they perceive as handouts in the form of means-tested benefits. If she does not believe me, I suggest that she discusses that with pensioners in her constituency. Furthermore, the ultimate problem for pensioners who do not claim housing benefit is that they will be evicted, but—I am surprised that she makes that point—I cannot overstate the extent to which pensioners believe that they are entitled to a basic income as of right and should not have to claim for means-tested benefits.

7.30 pm

Kali Mountford: Will my hon. Friend give way on that point?

Ms Abbott: No, I have to make some progress. I am sorry that my hon. Friend is not aware of the strength of feeling among pensioners. If she has any doubt about pensioners' fear of the stigma attached to claiming means-tested benefits, she should come to the next meeting of the Hackney pensioners forum. That will remove her confusion.

As has been said, pensioners appreciate the free television licences being granted to those over 75, and the fuel provision. However, they want the long-promised rise in the basic pension to be implemented and the link restored.

Members of the Labour party across the country also want that link restored. By any test of opinion—a postal ballot, say, or an electoral college—that is what most party members want. I served for a few years on the party's national executive committee. I well remember the 1996 party conference, at which a composite resolution, heavily supported by the constituencies and trade unions, called for the restoration of the link.

Behind the scenes, there was a momentous battle to prevent that resolution from going to a vote. The hapless delegate who was to move the resolution was told by the then shadow Chancellor that, if he went ahead and moved it, he would be responsible for losing Labour the next general election. The same shadow Chancellor telephoned that delegate's constituency party chairman with the same message.

Delegates buckled under the incredible pressure exerted by officials and the shadow Cabinet. The composite was moved by Baroness Castle, in a brilliant speech—

Mr. Deputy Speaker: Order. I am well aware of the background activities at that Labour party conference. However, the hon. Lady has made her point, and should keep to the amendment.

Ms Abbott: I am grateful to you, Mr. Deputy Speaker, for acting as a witness to internal Labour party matters, but I will not dwell on those sadnesses.

However, my point is that Labour party members—from the left, right and centre of the party—feel just as disappointed as pensioners. Even at this late stage, Ministers should consider their position on the matter.

The Government are willing to give out money for fuel relief and free television licences, so why will they not do anything about the basic pension? There may be several reasons. Labour Members and pensioners forums around the country may not have put their case compellingly enough. Perhaps the Government want to keep overall public expenditure within the limits set by the Maastricht treaty—but I will not delay the House with such speculation.

For 10 long years as a Member of Parliament, I have attended meetings of the Hackney pensioners forum. I would tell them of the party's commitment on the matter, and the pensioners would talk about what would happen when the Labour party got into power. The Labour party is in power now, and 20 years of commitment to restoring the link has gone out of the window. Many pensioners will be left in poverty, despite the take-up campaign for the minimum income guarantee. The sadness is that, after waiting so long for a Labour Government, pensioners are being failed by that Government. What hope have they now?

I urge Ministers to re-examine this matter, which is at the heart of the concerns felt by many Labour party members across the country.

Mr. John Austin (Erith and Thamesmead): Some of the relevant figures may explain why there is so much anger among pensioners. The basic pension is £67.50 a week, or £107.90 for a couple. If the previous Conservative Government had not broken the link, those amounts would have been £97.45 and £155.80—£30 and almost £50 a week higher, respectively.

How can people live on the basic pension? Many do not live on it, but merely survive. Sadly, some do not even do that, as the figures for hypothermia show.

I accept everything said by my hon. Friends the Members for Hayes and Harlington (Mr. McDonnell) and for Islington, North (Mr. Corbyn) about all the material benefits that the Government have given to pensioners. There is no doubt that pensioners are immeasurably better off than they would have been under Conservative spending plans and policies. We must remind ourselves that when the Leader of the Opposition talks about reducing taxation, he does so in the context of reducing spending on welfare. We know from the record of Conservative Governments in the past that tax cuts come from breaking the link between pensions and earnings.

We must bear in mind the feelings of pensioners, despite the benefits that have come from the Labour Government. As my hon. Friend the Member for Bolton, South-East (Dr. Iddon) said to me, the increase for a single pensioner on the basic pension this year was less than the price of half a pint of beer. As my hon. Friend the Member for Islington, North pointed out so clearly, the rate of inflation for pensioners is much higher than for other members of the community, as they cannot make savings through cheap shopping, bulk buying, and so on.

The Government may argue that the cost of restoring pensions to what would have obtained had the link not been broken is too high and cannot be afforded. However, raising the pension level to that of the minimum income guarantee would cost about half as much, and I urge the Government to take that option.

I have talked to Ministers, including my right hon. Friend the Prime Minister, about this matter. I have been told about the cost, and that money put on the basic pension would not reach those most in need. However, the fuel allowance represents an inconsistency on the Government's part. It is universal and goes to everyone but, unlike pensions, it is not taxable. That benefit therefore goes to everyone, irrespective of income, and the Government cannot claw it back from the better off.

My hon. Friend the Member for Birmingham, Selly Oak (Dr. Jones) spoke about means testing. She pointed out the problems associated with it: she said that it was a disincentive to saving, and that, wherever the threshold or limit was set, some pensioners would be placed in a poverty trap.

From our surgeries, all hon. Members will be familiar with people whose few pounds a week from occupational pensions remove them from eligibility for means-tested benefits. The Minister intervened earlier and admitted that it cost six times as much to administer means-tested benefits as it did to administer universal benefits.

Mr. Rooker: I intervened to give the facts. It is six times more expensive to administer means-tested benefits, but not 25 times more expensive, as had been claimed.

Mr. Austin: I am using the figure that the Minister gave—that it cost six times as much to administer means-tested benefits. However, that does not include the cost of a take-up campaign. Half my constituency is in the borough of Greenwich, which has one of the best welfare rights units in the country. The Conservatives have criticised the council for spending council tax money on a job that should have been done by the Department of Social Security.

I think the job is better done by people outside the Benefits Agency, and the take-up campaigns have put hundreds of thousands of pounds into the pockets of the poorest people in the borough. However—perhaps because of the associated stigma, or for some other reason—hundreds of thousands of people do not claim their entitlement. A million people who are entitled to the minimum income guarantee are probably not claiming it.

If we continue to uprate the basic pension in line with inflation, it will be worth half its current value by 2040. The argument for linking pensions with earnings is so that elderly people can share in the increased wealth of the country. Those who argue for a link with prices say that at least that maintains the purchasing power of pensioners. Hon. Members have shown that it does not.

I wonder how many hon. Members read the report this morning about the rising cost of funerals. Someone from the National Association of Funeral Directors said that funerals may have increased above the rate of inflation, but they have fallen in relation to average earnings. So not only do pensioners suffer in life: they are penalised in death.

Mr. Frank Cook (Stockton, North): I have just returned today from a week in which I was leading a delegation from the NATO parliamentary assembly which was looking into nuclear matters in the Czech Republic. We also visited the comprehensive test ban treaty preparatory commission and the International Atomic Energy Agency, both in Vienna. What has that to do with the debate? It is this—I was told this evening that a debate had taken place on this topic in the parliamentary Labour party meeting on Wednesday, that it had been a good debate and that everyone was satisfied. I was asked why I was going to vote against the Government, because as soon as I knew that this was to be debated on the Floor of the House, I sent a note saying that I have always promoted the concept of a link between earnings and pensions, so I would support new clause 36. I was told, "We have already had the debate." I said that I had not been there. When asked where I had been, I explained. I was told, "We did not know you were absent."

[Mr. Frank Cook]

What does that say about how much I count for in the House? I am noticed only if I threaten to vote against the Government. I offer this explanation for people who have not been here as long as I have.

I confess that I have a vested interest in the debate. I am 65 this year, and I do not know what will happen to me. The outcome of the debate may matter to me next year. However, that is a facetious remark.

Mr. Michael Jabez Foster (Hastings and Rye): The hon. Gentleman is an extremely good example of a person with a substantial pension to come as well as his retirement pension from the state. He has no need for an increase above inflation in any event, because he is one of those with a second pension.

Mr. Cook: I remind my honourable colleague—I am not sure whether he is a Friend yet—that, come the day, I shall enjoy paying my income tax. That is a distinction that many people miss. We are talking about people whose income is so paltry that they will be unable to pay income tax on their benefits.

7.45 pm

I have the greatest respect, in a fraternal sense, for some of my colleagues. I watched the performance of my hon. Friend the Member for Colne Valley (Kali Mountford) in Committee, and I admire her ability. Yet from a sedentary position, she said that she had spent 25 years in public service. I am sure that she spent 25 very praiseworthy years in the service. If that is the case, she should remember a time when pensioners were provided for better than they are today, or will be tomorrow.

Kali Mountford: Not according to the report.

Mr. Cook: If my hon. Friend has the good fortune to catch your eye, Mr. Deputy Speaker, I am sure she will be able to make her case.

Another colleague for whom I have great respect and admiration said that the Tories are loving this. They might well be—

Mr. Field: If they were here.

Mr. Cook: Yes. It would be one of the few times the Tories have enjoyed something that is true. The truth is coming out of the debate tonight. The people who do not enjoy differences among Labour Members will be the pensioners—the people to whom we have given these promises year after year, election after election. I have been an associate member of the Teesside pensioners' association since 1971. I qualify for full compliance next year, and I will be proud to do so.

I appeal to Ministers to listen to the arguments—arguments that they themselves have made repeatedly in the past. I appeal to colleagues who perhaps have more of an eye on career development than on the retention of principle—*[Interruption.]* I invite my colleagues who think that that is a dirty remark to stand up and be dirty in return.

Mr. Deputy Speaker: Order. I have listened to the debate throughout. As we do not want to lower its tone, perhaps the hon. Gentleman should not use such language.

Mr. Cook: I accept your reprimand, Mr. Deputy Speaker. If I withdraw that comment—which I do unreservedly—I am at a loss to establish the motive for the stance that has been adopted or espoused by some of my hon. Friends.

I appeal to Ministers to listen to the arguments. I appeal to those who support the Government on this matter to listen to the arguments. I hope that we will have the opportunity to change course, even at this late stage.

Kali Mountford: I had not intended to speak in the debate. I sat through the debate all day last Wednesday, I have been sitting here expectantly from 3.30 this afternoon listening to the debate on a range of issues relating to the Bill, and I served in Committee. However, I rise to speak because I feel that I have been patronised more thoroughly today than I have been in a long time.

I have worked in public service since I was 20 and have been, for a substantial amount of that time, involved in the voluntary sector. I have come across many people in many circumstances, particularly those who felt stigmatised when income support was related not just to pensions but to all parts of the benefits system.

Having thoroughly supported the Minister of State when he supported a link with earnings, I do so no longer, and for very good reason. State benefits, and pensions in particular, have changed since then. If I felt that a continued policy of a retained link with earnings gave a particular benefit to all pensioners, I would support it. I even went so far as to write to the Chancellor when the link with prices showed that the sum would be derisory.

I was concerned about that, but to be frank, it was because it looked bad, not because it was bad in principle or because I felt that there were people who were more deserving. I mean, 70p just does not sound good. Hand on heart—it was not because I thought that that was the right thing to do.

When I listened to the Budget statement, things changed radically for me, and I looked more closely at our own reports, what we were really saying and what we were trying to achieve.

Mr. Stephen Pound (Ealing, North): I appreciate that it may not look good, but is my hon. Friend aware that, over the past 15 years, the annual monetary increase in pensions has swung from 40p one year to £5.17 another year? We cannot make an argument about whether it looks good. It is linked with inflation—that is the reason for those figures.

Kali Mountford: Obviously, if it is linked with inflation, that is the reason for the figures. However, we must look at the total amount of pensioner income. I do not believe that re-linking pensions with earnings would necessarily benefit all pensioners in all circumstances.

The new clause would create a catch-all safety valve enabling us to offer the biggest pension increase possible at any time. I am not sure that that would be the wisest

use of public money. Why give large one-off increases to pensioners? The increase of £100 to £150, for example, seems huge. Why provide that rather than increasing the amount of money that we can give pensioners in line with earnings? The answer is simple, and it has nothing to do with taxation. Doing that helps pensioners who need it most, and it does so most swiftly, most effectively and most efficiently. It deals with the poverty gap.

I advise my hon. Friends to read page 25 of "The Changing Welfare State", volume 2, which shows the growing gap between the poorest and richest pensioners since 1979. Clearly, there has been a vast change in pensioner incomes. If we wish to affect the lives of those about whom I care most—the poorest pensioners—there are several things that we must do.

Dr. Lynne Jones: My hon. Friend points to the growing gap. Has not that gap grown while the basic state pension has been linked to prices, not earnings?

Kali Mountford: If my hon. Friend reads the report closely, she will find that there has been a huge increase in occupational and private pensions, which have changed what we should do for pensioners. We must target resources on people who have never had access to occupational or private pensions, which is why I support the second state pension, which will give money to carers, people with disabilities and those on low incomes who have not had access to second pensions. The minimum income guarantee, which includes the safeguard of a link with earnings, will lift people in poverty out of it. We must do something to close the poverty gap.

I have heard nothing in the debate that would help to close the gap. We want to lift people out of poverty and make a real difference to their lives, and the Government's pensions policies do that. I have heard nothing to make me think that a return to a link with earnings would make an instant difference to people's lives.

Mr. Field: My hon. Friend says that she has heard nothing said that would lessen the gap between richer and poorer pensioners. In fact, we are having two debates, and one of them is about ensuring a much more substantial state retirement pension for the oldest pensioners. Does anything in the volume to which she has referred disprove the point that one of the most effective moves we could make to combat poverty among the oldest pensioners would be an increase of, say, £15 in the state pension for people aged over 80?

Kali Mountford: Obviously, a sudden huge increase would put money in people's pockets. How could I dispute that? We all know that the oldest pensioners receive the least and are the most likely to be in poverty. That is why I support the £150, which, rather than going through hoops, goes straight into people's pockets without a means test, and which is not discounted against means-tested benefits. I support it as a quick, efficient and effective means of getting money to people.

We have taken great strides towards helping those in the greatest need, including policies such as free television licences for those aged over 75. Some people in my constituency have said that that is patronising, but several have stopped me in the street to say that they are pleased with what I am doing and that it has changed their lives—and that does not happen often. An elderly constituent told me that she had received a £100 cheque in the same week as a £130 fuel bill. That makes a significant difference to people's lives; and that elderly person told me that she will be 75 this year, so she will receive a free television licence. She did not feel patronised; she felt a real difference to her life.

Mr. Winnick: Is my hon. Friend aware that I have received not a single complaint about pensioners feeling patronised about the television licence or winter heating payments? The opposite is the case. Time and again, pensioners asked why Conservative Governments refused to help, and they feel no more patronised about television licences and winter fuel than they do about bus passes. Indeed, they would be deeply offended if the bus pass were taken away.

Kali Mountford: My hon. Friend is right. Nor do pensioners feel patronised when they make claims for housing or council tax benefit. We must tackle the stigmatisation of particular benefits, and not just for pensioners. Across the board, people feel stigmatised if they think that benefits are not theirs of right. The Government must tell people that they have worked all their lives—in the home, as carers for elderly parents or someone who was disabled, on low pay, as part-time earners or as a disabled person who was unable to work—and that we all value them. We must tell them that extra income will go into their pockets not as a stigmatised, means-tested benefit but because it is theirs of right. The minimum income guarantee is theirs of right, and we should launch a take-up campaign beyond anything ever done before.

Mr. Kelvin Hopkins (Luton, North): I am sorry to say that I cannot follow all my hon. Friend's arguments very well. Does she agree that even if pensioners claimed all their means-tested income support and did not feel that there was a stigma, that would not alter the fact that means testing is not right? We want a higher, non-means-tested state pension.

Kali Mountford: I do not hold the same view as my hon. Friend. In all my time dealing with benefits, it troubled me that people stigmatised that sort of benefit. By doing so, we make it difficult to get benefits to people even when it is their right to have them. We should make it clear that people have a right to the benefits that the country has decided belong to them. As long as we talk in the way my hon. Friend does, we shall demean what we seek to do as a state and a Government.

It is right to put money in people's pockets. I am very disturbed by some of what I have heard today. I do not think it right to demean people. We should put money into the pockets of those who need it, and that is what we are doing.

Mrs. Lait: I shall not speak for long because I do not want to intrude on family grief. I have been interested to see that we face two parties—one below the Gangway and one above it, although even that distinction is beginning to splinter. I hope that the hon. Member for Colne Valley (Kali Mountford) will not think me patronising if I say that she made a brave speech. That was a difficult thing to do in face of the emotional appeals made on behalf of elderly pensioners.

[Mrs. Lait]

I hope that the right hon. Member for Chesterfield (Mr. Benn) will accept congratulations from everyone in the Opposition on his birthday—[HON. MEMBERS: "Everyone?"] I am sure that everyone would wish a happy birthday to such a pillar of the House of Commons. The right hon. Gentleman, as so often, put his finger on a good point. He mentioned the compact between the generations on which the whole national insurance system is built. The compact implies that those who pay should be prepared to do so. One reason for the break in 1980 between earnings and prices was a fear felt by the Conservative Government that the pay-as-you-go system would put an intolerable weight on the current generation. It was feared that the compact that produced national insurance benefits would be broken in the long run. We need only consider the structure of the population to realise that generations behind us—it will not be long before I can claim my pension, although I am not planning to retire—will ask whether it can afford me. That is the real problem.

Mr. Ronnie Campbell (Blyth Valley): Cheap.

Mrs. Lait: They probably do feel that they cannot afford me, because I am not cheap. However, I would just point out that I am just one of very many people.

8 pm

Dr. Lynne Jones: Surely the existence of a basic state pension to which everyone contributes reinforces solidarity between the generations rather than the reverse. People have to make provision, whether by pay-as-you-go into a state system or by paying into a private system.

Mrs. Lait: The hon. Lady has rather missed the point, which is that if there is no money left in someone's pocket to pay for private provision, they will resent paying too much for the older generation. That is the point that needs to be addressed.

Mr. Tony Benn: Pensioners have been productive during their lives. If the hon. Lady really wants an example of a completely non-productive unit, she should visit a hospital where babies are delivered. Not a single baby has ever produced a profit for anybody. A visit to such a hospital exposes the outrageousness of the argument that we cannot afford to look after old people. I visited the hospital in Chesterfield; I was shown round by an accountant. When we came to the premature baby unit, she said, "This is the most expensive part of the business." If premature babies are uneconomic units, why should we pay for them? The hon. Lady has misunderstood the whole purpose of the welfare state.

Mrs. Lait: I think the point is that the premature baby who, luckily, because of the national health service, can survive, is the future payer of our pensions. That is the crucial thing, and that is why we need to ensure that all those pensioners who can are able to pick up all the benefits that are available. That is why the Conservative Government ran campaigns to encourage people to take up all the benefits; and we wish the Government well with their campaign on the minimum income guarantee.

I hope that the Government can crack the stigma and turn the issue into a matter of rights. As the hon. Member for Colne Valley said—and I am sure that my hon. Friends do not disagree—it is people's right; they have paid in, and they should accept their benefits without feeling any stigma. I sincerely hope that the Government's campaign works.

I understand that the Government believe that about 600,000 people are eligible for the minimum income guarantee, not 1.5 million—doubtless the Minister will make that clear. In any case, we need to ensure that those people who need more benefits get them.

We should also bear in mind the fact that one of the reasons why so many pensioners are so angry at the 75p increase is that they have been on the receiving end of the hidden stealth taxes that the Government and the Lib-Lab pacts that run so many local councils are piling on to council tax and all the other services that people receive through local authorities. Pensioners would not feel nearly so aggrieved if those stealth taxes had not been dumped on local authorities to enable the Government to sustain the hope of keeping their promise on income tax so that they do not offend the heartlands or middle England.

Mr. Rooker: I shall do my best to respond to the debate, which I applaud. As I mentioned at Social Security questions today, a couple of weeks ago the Government arranged for a three-hour debate in Westminster Hall on pensions reform, and one Back Bencher turned up, who happened to be a Labour MP. I notice the dearth of any attempt at a debate by Conservative MPs on this important issue.

I am in no way, in anything that I have to say, criticising the fact that new clause 36 has been tabled for debate, because that is what this place is for; the day we forget that, we might as well all pack it in. Nevertheless, I cannot accept all the arguments, even though, as I happily admit, I have made many of them myself in the past—indeed, more than most. *[Laughter.]* Well, I have. I suspect that I have attended more meetings of pensioners at factory gates and in pensioner groups, in trade unions and at particular companies, and more meetings of the National Pensioners Convention, than most hon. Members, simply because I have been in this place for 26 years.

I argued the toss up and down the country in 1983, 1987 and 1992, on the Labour manifesto of restoring the link, using the figures that my hon. Friend the Member for Islington, North (Mr. Corbyn) mentioned—£5 and £8. At the end of each election I went back to my constituents—I never really left them—and told them, "I am sorry; I did all the speeches but we lost. We have not even got a crumb off the table."

We lost every single election at which we made those commitments. My hon. Friends should start to think about why we lost all those elections. We made absolutely firm, positive commitments: no one was in any doubt about their clarity, because the manifesto promise even included the figures in pounds—£5 and £8. That was absolutely clear and unequivocal. No one could have doubted what we would do, but we did not get the chance to do it. I am not saying that we lost for that reason. We lost because people did not believe, by and large, that we could deliver the overall package that we were proposing: they thought, "Economically, it don't make sense".

At the last general election we made a different, more modest, commitment—more modest in the sense that we made the commitment of using the basic state pension as the building block. We said that it would not be means-tested, that it would rise at least in line with prices—which I accept is what has happened in the first three years of this Government—and that pensioners would also share, in ways that were not specified, in the wider economic gains of the country.

I must tell my hon. Friends that this debate really should not be an argument for or against the means tests; it is much narrower than that. However, if my hon. Friends want to have the argument about whether pensioners should or should not be means-tested, they cannot ignore the past. The last Labour Government introduced the link between the pension and earnings or prices—whichever was the higher. I was here, and I was proud of what that Government did. We even raised pensions twice in one year. I might add that the reason why that we did it was that there was no annual pension increase before the Labour Government of 1974. There were some years—four or five since 1948, and always under a Tory Government—in which there was no increase whatever.

We also maintained that link in a period of extremely high inflation. Both prices and earnings inflation were into the teens or the early twenties. The figures were astronomical—no doubt about it. But we introduced that pledge, and we carried it out. I know that it is a nit-picking point to say that, in the four years in which we did so, we got it wrong three times out of four because a system of forecasting was used rather than the historical system that we use now. In April, the Minister used to stand at the Dispatch Box and say, "I think that, in November, earnings will be a certain figure and prices will be a certain figure. This is the higher of the two, so we are fixing the pension"—it had to be fixed 20 weeks in advance. When we reached November, in three years out of four, the figure was not quite right; and in one year, our forecast of which would be the greater of earnings and prices was wrong. We really got it in the neck for being wrong, even though there were often substantial monetary increases—although not real-terms increases.

In 1979, when we got the boot, we had what looked like a good track record, because there had been a real increase in the pension package over those four years. And when we got to 1979, anyone would have thought that we had done so well that we had got the pensioners off the means test.

I regret the fact that there are pensioners on the means test. I wish that we had a policy that would enable us to declare, "We guarantee that, in a year's time, no pensioner will be subject to the means test." As I said at Social Security questions today, even with our current package of so many measures, we cannot say that. We can get the number of means-tested pensioners down to one in five from one in three, but one in five is still a large number of people. Even today, some 28 per cent. of new pensioners go on to the means test. Today, 40 per cent. of all pensioners are on means-tested benefits.

Dr. Lynne Jones: Will my right hon. Friend give way?

Mr. Rooker: No; not at the moment—not until I have made the point that I wanted to make about 1979. In 1979, when we left office, after those halcyon days of the link, 57 per cent. of pensioners were still on means-tested benefits—millions, more than half of all pensioners. So we have to ask ourselves, what has happened between then and now? The answer, in a nutshell, has been mentioned by my hon. Friend the Member for Colne Valley (Kali Mountford) and it appears on page 25 of the document that we published last week. An enormous difference has grown up between high and low-income pensioners—a massive change between the top 20 per cent. and the bottom 20 per cent. Therefore, fewer pensioners are on the means test than in 1979, but they are poorer by far. There is no doubt about that, and they have no hope of digging themselves out of the position that they are already in.

Dr. Jones: My right hon. Friend said that his aim was to get the proportion of pensioners reliant on the means test down to one in five. Is that not the current figure?

Mr. Rooker: As I have said, if we do nothing, one in three pensioners will end up on the means test. This overall package will get the figure down to one in five, and I regret that the number will not be less than that. However, I have described the effect of all the pension changes that we are making.

Mr. Willetts: When will that be?

Mr. Rooker: In the middle of this century—2047. I have never hidden that fact. I have always said that a pension is a pension. It is not something that one buys off the shelf and that is available today. One has to build it up.

The halcyon days—the link lasted for only four years—left us with 57 per cent. of pensioners on the means test in 1979. There are still many on the means test today, but an enormous gap has grown up. Nobody who seriously wants to attempt to tackle that ga, can do so by lifting everyone's income up. That does not make sense in anyone's calculation; there are no good grounds for doing that, either with public money or with private funds. Therefore, it is our moral responsibility to target resources on closing that gap by lifting the incomes of the lowest 20 per cent. up while not holding down those of the top 20 per cent. We must lift the bottom 20 per cent. up at a faster rate than the highest 20 per cent. That is the only way that we can tackle the gap, and we must do that as quickly as we can. One of the measures to deal with the gap is the introduction of the minimum income guarantee.

Mr. Alan Simpson: I am grateful that my right hon. Friend has drawn the House's attention to the graphs on page 25 of the document. We are faced with the burgeoning gap between the richest and the poorest pensioners, so will he explain how free television licences and the winter fuel payments, which are tax exempt, will help to narrow the gap? Raising the state pension would bring more people into tax bands and would enable us to recoup income. That would be a redistributive measure and would be more effective in directing resources towards those on the basic state pension.

Mr. Rooker: My hon. Friend—like other hon. Members—has made the case better than I can for a mixture of measures. It is not possible to say that benefits should be either all universal or all means-tested. There must be a mixture of benefits for the foreseeable future.

[Mr. Rooker]

We must ask ourselves why the gap came about. First, it is the result of the changes that took place in the 1960s to occupational pensions when millions more people had the opportunity to take part in an occupational scheme. In addition, it is a consequence of SERPS. Very few people recognise the fact—I regret that many of my hon. Friends have not raised the issue—that a male pensioner who was on an average income and who retires today, just over 20 years after SERPS started, will retire with a SERPS pension of near enough £60 a week on top of the basic state pension. Before we introduced the link with earnings or prices—whichever was the higher—there was no state second pension or SERPS. SERPS was the only hope for people who did not have the good fortune to be in an occupational pension. However, we had to say that they would have to wait 20 years before the scheme came to fruition.

8.15 pm

At that time, we tried to ensure that pensioners did not lose out in periods of high inflation, which is what we had at the time, and that, when earnings and prices were yo-yoing with each other, we tried to mix the best of both. I was not in the Government at that time and I doubt whether the matter was discussed, but I cannot prove that when the forecasts were made for what SERPS would deliver in 20 years, the policy assumed that the basic state pension's link with prices or earnings—whichever was the higher—would be retained. The scenario was different, because it was a different world.

By law, the majority of the pensioner population is now forced into two pensions. They are either contracted in or contacted out, so they are virtually forced into two pensions. Obviously some people have missed out, and that is why have introduced the state second pension for the low paid and for carers.

Mr. Austin: After all my right hon. Friend's fine words, will he tell the House whether he could live on the present state pension?

Mr. Rooker: The answer is no. I would not dream of trying to do so. I do not think that any Member of Parliament should try that even though a Conservative Member once tried to do so. In one week, one does not face the problems of buying an iron or a kettle and there are not many clothes to buy, so that is not the issue. Nobody should be required to live on the basic state pension of £66.75 a week. That is not enough, and that is why the minimum income guarantee exists.

Mr. Tony Clarke (Northampton, South) *rose—*

Mr. Archy Kirkwood (Roxburgh and Berwickshire) *rose—*

Mr. Rooker: I give way to the Chairman of the Select Committee on Social Security.

Mr. Kirkwood: The Minister is putting a brave face on the matter and concentrating on means testing and the relative incomes of pensioners. However, the national insurance fund is a contributory system and contributions are, subject to the upper earnings limit, earnings related. I am certain that the right hon. Gentleman will acknowledge that the national insurance fund—certainly in my experience, and probably even in his—has never been in a better condition. The Government actuarial quinquennial review, which was published last July, made it quite clear that the Government Actuary believed that relinking pensions with earnings was affordable. Does the right hon. Gentleman accept that? If that is true, and given what was said in the review that was published last July, the money is available to re-establish the link as of this year.

Mr. Rooker: I have great respect for the hon. Gentleman, and his argument is seductive. However, the Government Actuary's report that I want to see is the one that will be produced now that we have made a policy announcement on inherited SERPS. All the Government Actuary reports published to date, including the specific one on the Bill, assume that inherited SERPS was not an issue and that, from March this year, pensions would drop from 100 to 50 per cent. The scenarios of the possible costs to the Government of inherited SERPS are for figures of between £8 billion and more than £20 billion, and I must tell the House that that money must come out of the national insurance fund because it is a national insurance fund benefit. We simply cannot operate on that basis.

Under the minimum income guarantee no one is expected to live on £66.75, the basic state pension. That is not enough. We know that the average single pensioner's total income—net of any tax—is £132 a week and, for a couple, the figure is £248. I know that people might argue that we do not come across many pensioners like that, but they exist and those are the average figures.

I am the first to admit that averages can be misleading. However, we cannot ignore the fact that average pensioner income is virtually double the basic state pension. That has happened because of SERPS and occupational pensions and—despite the fact that some were mis-sold—because of some personal pensions. That explains how the extra income is made up.

Although we shall not accept new clause 8, we recognise that the chances are that the older people get, the poorer they are likely to be. That is inevitable. By and large, they will be female. That is why, on the basis of next week's increase, MIG for pensioners aged 60 to 74 will provide an income of £78.45, which is well above the basic state pension. For those aged 75, the figure goes up to £80.85 and, for those aged 80, the figure is £86. The MIG figure for an 80-year-old is almost £19 a week higher than the basic state pension. We recognise that pensioner poverty is connected to age. There is no doubt about that, and, when we roll out the publicity machine for the MIG take-up campaign that we have announced, we shall target that group. We shall write to 2 million people.

We estimate that between 500,000 and 700,000 people are currently missing out. Why should that be the case? I am not sure whether or not it is due to stigma. I meet constituents and receive letters from them, but I have not met anyone for a long time who has said that they do not claim because of the stigma of the means test. They might say, "I'm not going down the social. I'm not going to Soho road along with that lot." They do not consider themselves to be beneficiaries, and there is something in

that because Governments have in the past treated pensioners as a block and mixed them up with everyone else who claims from the Benefits Agency.

Of our benefits payments of £100 billion a year, £47 billion, or 47 per cent., goes to pensioners, but only about 10,000 of the Benefits Agency's 80,000 staff work on pensions and pensioners, which is wholly disproportionate. That is why, three or four weeks ago, we announced that we will centralise pensions and move all aspects of pension planning and provision out of the Benefits Agency into a separate, free-standing agency responsible to the Department. We have started planning that only in the past couple of weeks, so I cannot say when it will start. That agency will deal with a big chunk of the Department's money.

It has been said that many pensioners who are entitled to MIG do not claim it even though they readily claim housing and council tax benefits. Why do they claim one and not another? Housing and council tax benefits are central Government money but they are delivered via local authorities, and pensioners can pop into what is, in my constituency, their friendly neighbourhood office. It is different from the social. There is therefore a paradox, in that pensioners will claim one means-tested benefit but not another because the delivery of the first is perceived to be more pensioner-friendly. That is why we are, as I have said, separating pensions from the Benefits Agency.

Many of my hon. Friends have read out the Government's record, including measures such as the free television licence for those over 75. The measure is worth £2 a week to those pensioners: that cannot be gainsaid. The winter fuel allowance this year is worth £3 a week to an individual or a household. For those over 75, that adds up to £5 a week that they would otherwise have spent out of their income. It is real money; it is not a token.

That is on top of all the other measures that we have included in the pensioner package, including the first-time concessionary fares for areas of the country that hitherto did not know what the words meant. Of course my city invented concessionary fares in 1956. That is not a benefit that I would boast about to my constituents, and I might add that it has been under threat when we have had the odd Tory controlled-council.

I say to my hon. Friends that it is unacceptable to use words such as "betrayal", "rottenness" and "failure". Those are unacceptable descriptions of the Government's package of policies for pensioners, rich or poor, since May 1997. Frankly, they feed the lie that those who are opposed to our party, from the left and the right, will permeate through society come the general election, and it is no good lending credence to that lie.

Mr. Winnick: Is my right hon. Friend aware that although I have absolutely no illusions about the poverty of many pensioners and I am glad about the minimum income guarantee, I will not be supporting the new clause simply because the Government have done more than they promised at the general election? They gave £100 of winter fuel allowance, which has now risen to £150, which many of us campaigned for year after year when the Tory Government refused to take action, and the same applies with the free television licence. Although I certainly want the Government to do more on pensions, I recognise that much has been done, and no one could accuse me of looking for a job.

Mr. Rooker: Nor me. My hon. Friend is right.

I want to finish on a point that is not generally appreciated, and when we make it, people do not believe us, but it demonstrates the scale of the problem that we are dealing with among millions of our fellow citizens. The minimum income guarantee is at present targeted at 1.5 million people, who happily apply for it and collect it. We want to encourage the other 500,000 to do so. With the changes to MIG and the winter fuel payments, the pensioner population are receiving £800 million more in the first three years of this Parliament than they would have done if we had restored the link between the basic pension and earnings. I ask my hon. Friends to think about that.

We are unable to do everything that we want to do. I want to do more. There is not a single Minister or Back-Bench Labour Member who does not want the Government to do more. However, we have to tell the truth, and so far over this Parliament we have delivered £800 million more to the pensioner population—targeted, it is true, in the case of MIG, but as a balance the other measures are widespread—than we would have spent if we had simply raised the basic pension in line with earnings. That is a record that we should be proud of, and not one that we should attack.

Mr. Burstow: I want briefly to pick up on one or two of the points that have been made in this full and useful debate, which is about the importance that Members on both sides of the House attach to the basic state pension and the ways in which its role might be developed.

The Minister did not entirely address new clause 8. He said that the Government accepted its spirit but were unable to accept its terms. The new clause would give the Government a power, which they could choose whether or not to use, to introduce and uprate age additions to the basic state pension. That would be a useful power that the Government should take, and we urge hon. Members who agree with us to join us in the Lobby in support of the new clause to get extra money to our oldest pensioners, who the Minister and many other hon. Members have rightly acknowledged are almost always the poorest.

The debate about new clause 36 has been particularly good, and many powerful speeches have been made by Labour Members. I do not want to add to those; they speak for themselves, and I hope that the House will have the opportunity to divide on that new clause.

The debate has been about the future of the basic state pension. Is it a future of continuing erosion, so that we will have a state pension that is withering away, or is it one in which we will be able to be proud of the basic state pension, which people expect the House to protect? I believe that we should protect it.

Mr. McDonnell: On a point of order, Mr. Deputy Speaker. There is some confusion about the voting pattern this evening. Can you clarify that the vote on new clause 36 will come after the debate on new clauses 18 and 19?

Mr. Deputy Speaker (Sir Alan Haselhurst): I say to the hon. Gentleman and any other hon. Members who

[Sir Alan Haselhurst]

may be confused that the vote on that new clause—if the occupant of the Chair is disposed to accept a vote—will come in the appointed order on the amendment paper from which we are working, and not immediately.

Question put, That the clause be read a Second time:—

The House divided: Ayes 39, Noes 275.

Division No. 136] **[8.28 pm**

AYES

Abbott, Ms Diane
Allan, Richard
Ashdown, Rt Hon Paddy
Ballard, Jackie
Benn, Rt Hon Tony *(Chesterfield)*
Brake, Tom
Brand, Dr Peter
Breed, Colin
Burnett, John
Burstow, Paul
Campbell, Rt Hon Menzies *(NE Fife)*
Chidgey, David
Corbyn, Jeremy
Cotter, Brian
Davey, Edward *(Kingston)*
Fearn, Ronnie
Field, Rt Hon Frank
Foster, Don *(Bath)*
Harris, Dr Evan
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Jones, Dr Lynne *(Selly Oak)*
Kirkwood, Archy
Llwyd, Elfyn
McDonnell, John
Maclennan, Rt Hon Robert
Moore, Michael
Öpik, Lembit
Rendel, David
Sanders, Adrian
Simpson, Alan *(Nottingham S)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve
Wood, Mike

Tellers for the Ayes:
Mr. Bob Russell and
Mr. Andrew George.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Martin *(Tatton)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Cousins, Jim
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gardiner, Barry
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hill, Keith
Hinchliffe, David
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Maxton, John
Meacher, Rt Hon Michael
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Short, Rt Hon Clare
Singh, Marsha
Skinner, Dennis

Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Ward, Ms Claire
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mrs. Anne McGuire and
Mr. Greg Pope.

Question accordingly negatived.

New Clause 10

RATE OF INTRODUCTION OF STATE SECOND PENSION

'.—(1) In this section—

a "SERPS year" is any financial year from 1978–79 to the year before the first appointed year; and

a "State Second Pension year" is any financial year from the first appointed year onwards.

(2) This section shall apply to any person reaching pensionable age after the end of the first appointed year.

(3) In each State Second Pension year in which a person accrues state second pension entitlement, that person may elect to accrue an additional year's entitlement in respect of that year in substitution for their additional pension entitlement in respect of one SERPS year.

(4) Such substitution may only take place in respect of SERPS years in which that person either paid National Insurance Contributions or was entitled to credits in lieu of National Insurance Contributions.

(5) The Benefits Agency shall be required to notify any person to whom this section applies of their rights, and shall explain how those rights may be exercised to produce the maximum total entitlement to additional pension.'.—*[Mr. Webb.]*

Brought up, and read the First time.

Mr. Webb: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following: New clause 14—*Enhancement of the state personal pension*—

'.—(1) A person shall be entitled to one extra year's accrual of State Second Pension—

(a) for every four years in which that person paid National Insurance Contributions; or

(b) for every four years in which that person was eligible for Home Responsibilities Protection.

(2) The accrual to which a person is entitled under subsection (1) above shall be at the Stage 2 flat rate of the State Second Pension.'.

Amendment No. 67, in clause 30, page 26, leave out lines 30 and 31.

Amendment No. 64, in page 27, line 33, at end insert—

'(4A) an employee who is of pensionable age within subsections (2), (3) or (4) above shall be entitled—

(a) to have secondary contributions paid by an employer on his salary which shall contribute to his pension entitlement; and

(b) to make primary contributions which shall accrue towards the state second pension.'.

Amendment No. 69, in schedule 4, page 94, leave out lines 23 to 27.

Amendment No. 6, in page 94, line 38, at end insert—

'(9) If the application of the above percentages should produce an entitlement to additional pension such that a person entitled to a full basic pension and a full additional pension on reaching pensionable age would be expected to have recourse to Income Support within 15 years of pensionable age, there shall be inserted instead of '40' in Table 1 and Table 2 the lowest such percentage as would be required to ensure that he did not become entitled to Income Support within 15 years of reaching pensionable age.'.

Amendment No. 91, in page 95, line 5, after second "tax", insert "quarter".

Amendment No. 94, in page 95, line 7, leave out "tax week" and insert "quarter".

Amendment No. 92, in page 95, line 10, after second "tax", insert "quarter".

Amendment No. 93, in page 95, line 11, after "the", insert "quarter".

Amendment No. 96, in clause 34, page 31, line 9, after "appointed;", insert—

'and the first appointed year shall not precede the publication and distribution of guidance from the Financial Services Authority concerning those income groups for whom in its opinion, stakeholder pensions are likely to be suitable, and those for whom State Second Pension is likely to be suitable.'.

Mr. Webb: The purpose behind new clause 10 is to introduce the state second pension more quickly, and amendment No. 6 deals with the level of that pension. The new clause recognises that many people at a late stage in their working life will, potentially, have had many years under SERPS and relatively few years under the state second pension scheme. Under the Government's proposals, those people will see virtually no improvement in their eventual second pension from the state.

If the new clause were accepted, for each year that such people were members of the state second pension scheme they could substitute an additional year's membership of that scheme in lieu of a year's membership of SERPS. Given that the Minister has said that the state second pension is more generous for the low paid and for carers, the new clause would in effect say to those people, "We are concerned about your inadequate second pension provision not only in 2047 but for the next few years, and we shall bring in the new scheme more quickly."

How quickly can a new pension scheme be introduced? The Minister's response generally is that these schemes take a long time to mature and cannot be hurried. Schemes like SERPS allow 20 years to take effect; the danger is that, by the time 15 or 10 years have elapsed, they will have been hacked by successive Governments. The state second pension scheme will take about 45 years to come in and will probably never see maturity. The graduated pension scheme lasted for about 15 years. SERPS,

[Mr. Webb]

before it was modified, lasted for about 10 years; the state second pension scheme will never get there if it is not allowed to establish itself quickly in the public's perception. It is much harder to cut something that people are starting to get than something that they might get in some distant decade.

We believe that the needs of pensioners in poverty are much more urgent than the leisurely pace at which the state second pension will be introduced. The Minister tells us that it will double the figures for people on certain income levels and quadruple them for those on others, but none of these statements will be true until 2047, when the whole scheme takes effect. That is beyond a realistic time scale.

The Government have set out their strategy for doing something this year if there is a problem of pensioner poverty. They have also set out their strategy for doing something in 2047, but there must surely be something between now and then. If the Government believe that second state pensions are a key part of that process, as the Minister has said he does, it will be a mistake to allow decades to pass before any real benefit is felt. In a written answer to me, the Minister indicated that by 2025, which is surely a reasonable time for Government policy to begin to have an impact, the poorest 20 per cent. of pensioners will on average be only £1.30 a week better off. The richest 20 per cent. will be better off by a similar amount. The scheme will not be redistributing effectively in 25 years' time.

The thinking behind the new clause is sympathetic to what the Government are trying to do through the state second pension. It is not how we would have done things, but if they are to go ahead with the second pension, we are saying that it should take effect more quickly, and new clause 10 would have that effect. The clause would especially favour women, who could forgo their entitlement under SERPS for a given year and substitute a state second pension year of entitlement. That would favour parents with young children and the lower paid, who predominantly would be women. Given that we know that pensioner poverty of the future, as of the past, is predominantly a female phenomenon, the new clause would target that poverty without means testing.

Mr. Burstow: I am grateful to my hon. Friend for giving way. Can he confirm that, even when the state second pension reaches maturity in 2047, those who start to draw it will rapidly—within five, 10 or 15 years—fall back on to means-tested benefits?

8.45 pm

Mr. Webb: My hon. Friend gives me an unscripted but neat link into the second part of my remarks, focusing on the level of the state second pension. Amendment No. 6 would ensure that the combined value of the basic state pension, which is gradually ebbing away, and the state second pension would not be such that when a person reaches state pension age and lives an average life expectancy, he would be back on means-tested benefits before he dies. That is the nub of amendment No. 6.

We have used the figure of 15 years in the amendment as the typical life expectancy for a man aged 65. The accrual rate of the state second pension should be such that someone who lives an average life span from the state pension age should not have to claim the means-tested benefit before he dies.

Clearly, we can argue about the detail of the amendment, but we are trying to highlight the principle—the adequacy of provision. The hon. Member for Birmingham, Selly Oak (Dr. Jones) pointed out that the combined value of the basic and second state pension as a fraction of average earnings will be below the level of the basic state pension at the end of the 1970s as a fraction of average earnings. A Government who seek to tackle pensioner poverty, but who leave many people who will reach pension age in 40 or 50 years expecting to draw a means-tested benefit before they die, are not being brave enough.

We can argue about the adequacy of present provision, but with 50 years to sort the system out, surely the Government could at least ensure that our oldest pensioners do not have to rely on means-tested benefit, especially if they are getting the full basic and the full state second pension.

That is the Government's answer to pensioner poverty—the basic pension combined with the state second pension. If that is not enough to keep pensioners out of poverty—not just the year that they retire, but into old age, which is likely to be increasingly old age as the years go by—it is an inadequate response.

Two issues are raised in our amendments. New clause 10 deals with the rate at which the state second pension comes in; 50 years is too long. Amendment No. 6 deals with the level; letting people end up on means-tested benefit is not adequate.

Dr. Lynne Jones: I shall speak to amendments No. 67 and 69. I had hoped that today I would be in Washington with the Select Committee on Science and Technology to conduct our inquiry into cancer treatments. However, I feel so strongly about the issue of pensions policy that I am here today instead.

The Government are not getting it right on pensions. I offer these and other amendments later as suggestions for improving the Bill. I offered to participate in the Standing Committee that considered the Bill, and I thought from the Minister's comments in his winding-up speech on Second Reading that there might be an opportunity for me to contribute, but unfortunately the Whips seemed to think otherwise.

It is no secret that I believe that the framework of the Bill is far from perfect. I hope that the Government will use opportunities elsewhere to bring about some improvement.

During Question Time, the Minister did not dispute my assertion that the combination of the basic state pension and the state second pension, when they are fully mature in about 50 years, will pay out a lower proportion of average earnings than did the basic state pension in 1980.

The Green Paper on welfare reform was subtitled "New ambitions for our country". I hardly think that in the middle of the 21st century, in one of the richest countries in the world, to be paying out to a large proportion of pensioners a level of income that is scarcely above the means-tested benefit is much of an ambition.

"Opportunities for All", which the Government published, showed that after a lifetime of working, pensioners would be between £9 and £16 better off on the

state second pension and, as Liberal Democrat Members pointed out, that sum would be eroded in a few years and pensioners would be back on means-tested benefit.

The state second pension is a substitute for properly uprating the basic state pension, against which the Government have set their face. However, I cling to the Minister's words that the manifesto commitment was to uprate the basic state pension at least in line with prices. I hope that there will be an improvement in future uprating.

The state second pension replaces the proper basic state pension. Amendment No. 67 would therefore extend the category of people who will be credited into the state second pension to include those who are unemployed or whose earnings are below the lower earnings threshold, which is currently £67 a week.

Even someone on the minimum wage who works for 16 hours a week—for example, many women who cannot work full-time because of family responsibilities—will not be passported into the state second pension. That also applies to the unemployed. At the moment, unemployed people are credited with national insurance contributions for the basic state pension. If the state second pension really replaces the basic state pension, it would be logical to credit unemployed people into the state second pension.

The Government may argue that that is a disincentive to work. However, we are considering a deferred benefit from which people derive no immediate gain. When people who have been out of work have a period of employment, the disincentive to save that the prospective loss of means-tested benefit represents will be greater than for other groups. Their basic state pension will be further from the minimum income guarantee than the state pension is now.

Crediting the unemployed into the state second pension will not discourage them from working but will encourage them to save for retirement when they are in work. We should not forget that, for the better off, breaking the link between employment and tax relief for the stakeholder pension means that a substantial tax benefit per pension is available to those who do not work. However, making pension contributions is out of the question for most unemployed people. I hope that the Government will consider granting entitlement to the state second pension to those who are unemployed or whose earnings mean that they do not qualify under the proposed arrangements.

The Government intend to change the state second pension from an earnings-related pension to a flat-rate scheme. Amendment No. 69 would delete the power to make that change. The first stage of the state second pension will be earnings related. The Government state that, at that stage, people who earn less than £21,600 will receive more than they would have received under SERPS, while those earning £21,600 and more will receive the same amount. However, in time the Government want to encourage everyone earning more than £9,500 to contract out to a non-state-funded scheme.

The second stage, which is to be introduced once stakeholder pensions have become established, will change the state second pension into a flat-rate scheme for those with a significant part of their working life ahead of them—for example, those under 45 at the point of change. Once the scheme becomes flat rate, the intention is that everyone will be better off contracted out to a stakeholder pension or another non-state-funded scheme. To encourage the better off to opt out, the Government are prepared to put up a lot of money in generous rebates, which they say are likely to cost about £12 billion to £15 billion. That will be all very well if people contract out to good, defined benefit pension schemes, but it will be another matter if they make money purchase pension arrangements with no guaranteed level of benefits.

The Government can do and are doing a lot to provide better value for money from private pension arrangements by driving down charges. Even so, a 1 per cent. charging regime will eat up 25 per cent. of any pension fund and there is no guarantee that stakeholder pensions will give a good return. Are people on modest earnings keen to have their pension on a risk basis? Do we approve of people on low incomes gambling with them? Many may do no more than put the minimum national insurance rebates into their scheme, as many did for personal pensions.

The position of those with earnings that vary above and below the £9,500 threshold ought to be considered by the Government. Women in particular are in that category and their incomes often fluctuate when they take time out for their caring responsibilities. Would it make sense for them to switch between the state second pension and stakeholder pensions, as each at times apparently offers better value? Will they stay in the state second pension and lose in their good years what they had gained in their bad? Despite all its shortcomings after Tory cuts, SERPS still enjoys considerable public support, which can be interpreted sensibly only as support for a concept. That concept is a decent, good-value, earnings-related defined benefit scheme that offers a natural home for all those on moderate earnings who are not fortunate enough to be in a good employer scheme.

Under the Government's proposals, the state second pension scheme will become a pension for the low paid. Encouraging everyone earning more than £9,500 to opt out means that it will become solely for people with no or very low earnings—a pension for the relatively poor. That could mean that voters will have less interest in maintaining it, particularly if it takes a long time to build up, which seems to be the case. It will also limit choice. I see no reason why those with higher earnings should not have the choice to continue to join the scheme, with benefits reflecting the contributions made. The Government should consider being as generous to those who want to stay in the state second pension as those who want to opt out.

In opposing stage 2—making the state second pension flat rate—we could at least argue that we are honouring our manifesto commitment to retain a state earnings-related pension, even if it is not exactly SERPS. It is appropriate to remind my right hon. Friend the Minister of that commitment and I hope that the Government will reconsider their decision to move the state second pension to a flat-rate scheme.

It is important to put those arguments on the record, but I shall not press the amendments to a vote. The pensions officer of the Manufacturing, Science and Finance Union helped me with the drafting and I hope that the Government will consider these suggestions, which are supported by Age Concern, as a positive contribution to improving the Bill.

9 pm

Mrs. Lait: I shall speak to new clause 14 and amendments Nos. 64 and 96, but not to amendments Nos. 91 to 94, as we want to move on. May I say how sad I was that the hon. Member for Birmingham, Selly Oak (Dr. Jones) did not join us on the Committee? We noticed the offer that was made to her, and were looking forward to some entertaining debates.

Mr. Rooker *indicated assent.*

Mrs. Lait: I see that the Minister agrees. Unfortunately, the iron hand got in the way.

It is obvious from what the hon. Members for Northavon (Mr. Webb) and for Selly Oak said, and from new clause 14, that there is serious concern in the House about the state second pension's ability to keep people off means-tested benefits. All of us would agree that that is what we want to achieve. We had endless debates in Committee on this subject, and we received many reassurances that the state second pension would achieve that.

Last week, in Westminster Hall, we had an exchange on this subject, when the right hon. Gentleman pointed out that, if a couple were both on at least the state second pension, they would be above the minimum income guarantee level. We acknowledge that, but the problem is that not everyone will be in that situation. Often, only one of a couple is left at retirement age. I regularly argue that, when people are earning a moderate income and the children are at their expensive stage, if it is a question whether to spend money on a pension or on the kids' trainers, the trainers usually win. However flexible we make the state second pension or the stakeholder pension, those people will unfortunately find it difficult to save.

The hon. Member for Northavon referred to the attraction of the state second pension or the stakeholder pension in 2025 or 2050. There is much doubt about how much extra pension people will get, and whether, being rational economic beings, they will decide on the balance of probability that they are better off with a pension than relying on a minimum income guarantee related to earnings. There are problems with trying to make the state second pension in particular sufficiently attractive for people to want to save for their retirement under such a scheme.

I wish the campaign on the minimum income guarantee well. We shall keep an eye on its success, and will monitor it to see how effective it is, because we can always learn good techniques to encourage people to do the right thing. If we truly believe that people should have a pension and not benefits, we should address the issue of the interaction between the MIG and the state second pension.

I believe the Minister of State because he is a most determined and clear-thinking person. I believe that he is seriously committed to the success of the state second pension, but I have a feeling that there is a lack of understanding and that the Government are not prepared to admit that there is a flip-side to this argument, which is that people may opt for income support in retirement.

Our suggestion is another version of the variations proposed by the Liberal Democrats and the hon. Member for Selly Oak. We have come up with yet another way of making the state second pension more attractive to people. We suggest that, if someone is deemed to have had four years' credits towards a state second pension and/or four years of working entitling them to credits towards the state second pension, they should get an extra year's accrual. The objective is to lift those people out of the area in which income support is more attractive.

A knee-jerk reaction is that this must cost money but, set against the cost of income support, the cost of the extra year's accrual would be modest, and would moreover be worth while in giving people the self-respect that having their own pension would confer. It would also give people an incentive to save for that pension.

In Committee, I presented a proposal which, I freely admit, may not have been drafted as well as it might have been. I am equally prepared to admit that amendment No. 64 may not have been drafted as well as it might have been, but, as we are not going to press it to a vote, it may be useful to have an exchange about it.

Amendment No. 64 suggests that those who are over the inflexible age of 65 for the purposes of the state pension—for women, 60, moving up to 65—should, if they wish to continue working, be able to contribute further, through national insurance, to enhance their state second pension. Obviously, we want to encourage people to have a better second pension, but we also want the state to recognise, as it does not, that there will almost inevitably be a need for people to retire flexibly as demography changes.

Fewer and fewer younger people will enter working-age groups. Meanwhile, those whom we have historically regarded as being of an age to retire will want to work, will be well enough to work, and will present great value to employers because of their knowledge, experience and steadiness. They will also play a key role in charitable and voluntary work, for which more and more people are being paid. It would seem sensible to allow people over the state pension age to contribute if they wish to.

As for amendment No. 96, let me pick up some of the points made by the hon. Member for Selly Oak about the success of the stakeholder pension before the target group moves from the state second pension. We have received many assurances from the Minister—I believe him—that, before stage 2 of the state second pension is reached, when everyone goes on to a flat rate, there will be a debate in the House, and the success of the stakeholder pension will be assessed. What we have not heard from the Minister is a description of the target market.

No one puts a new product such as this into the market without having a clear idea of what the market is. In simplistic terms, we are talking about people earning between £9,500 and £21,000 a year, but subsequent clauses and amendments suggest that not just that group is involved. Excluded from it are people who could potentially take advantage of a tax break. There are people who may be earning a small amount, but whose husbands or wives are earning a reasonable income. Are they part of the target market? How many people are in the target market? From what circumstances are they meant to be able to benefit in the target market?

We are asking the Financial Services Authority—which, because of its wide experience of different financial products, will understand markets—to help the Government to define the target market, and to say whether it represents a good deal. We have a serious concern about whether the stakeholder pension and the

state second pension will be a good deal, and about whether, rationally, people should not go on to the minimum income guarantee.

Before people make those decisions, they should go through the process illustrated in a decision tree, and the Government have rightly included types of decision trees in some of their consultation documents. However, the purpose of any decision tree is to guide people through a series of yes/no questions, whereas the decision tree in the Government's document regularly states, "Seek help," "Always seek help," "Ask your employers for details," "Should seek help," "Probably will be a better choice for you—seek help." The Government's decision tree regularly admonishes people to seek help, but it does not assist them in making a decision.

Unless the Government are careful, they are in grave danger of setting themselves up for another mis-selling scandal. There is a danger not only because the Government are encouraging people to make a decision that would perhaps not be in their best interests, but because they are not encouraging people to make a more fundamental decision. There is a presumption that a pension is best for everyone. Although I would not disagree with that, there are those whose best interests may be served by being on income support.

I suggest most humbly that, if the Government wish to encourage people to choose a state second pension or stakeholder pension, people should first be clear in their own minds about whether that is the best choice for them. The decision tree that the Government are encouraging people to use should deal with those basic issues.

I hope that the right hon. Gentleman will be able to deal with the points that I have made on those three amendments. I look forward to hearing what he has to say.

Mr. Jim Cousins (Newcastle upon Tyne, Central): I support amendments Nos. 67 and 69, with which I have identified myself. I do not intend to detain the House for very long.

I have a slightly different view on the issues that we are debating from some of my hon. Friends who have spoken in the debate, broadly speaking, from below the Gangway. The opinion that I expressed in the debate on Second Reading—I hold it even more strongly now—was that the state second pension proposal is a fundamental and significant innovation for two reasons. The first is that it will extend the network of the state pension to spheres that the current contributory system simply does not reach. The proposal is therefore extremely radical. It will affect those who live in social conditions that are not reached at all by the state pension system. I give great credit to my right hon. Friend the Minister of State for his part in developing the proposal, which is a powerful mechanism for the future.

I tell the hon. Member for Northavon (Mr. Webb) that many people will accrue entitlements to the state second pension when they are experiencing particular responsibilities or obligations that they do not have in other times of their lives. Therefore, the state second pension will continue to top up a pension entitlement that, in other times of those people's lives, was generated by quite different mechanisms. It is an extremely important aspect of the proposal.

The accrual rate of the benefits generated by the state second pension is the second significant feature of the proposal. For those earning £10,000 or £11,000 annually, the state second pension will be the best pension product ever offered to the British people. The Government should be given considerable credit for that.

The point of amendments Nos. 67 and 69, however, is to make it clear that it would be very good indeed if the benefits of the state second pension could be extended even further to those who are not reached by the contributory system.

9.15 pm

It is also important that the state second pension is not later switched back to a flat-rate benefit. My right hon. Friend the Minister said during Question Time today that there were 18 million potential beneficiaries of the state second pension. He will correct me if I am wrong. More than half of those have earnings above the target level of £9,500 a year. The bulk of the benefit of the state second pension will go to people who, at some point in the future, may be excluded from it.

Part of the purpose of the amendments is to put off and change that exclusion. If people are to be excluded from the non-flat-rate parts of the state second pension, the stakeholder pension—a voluntary, defined contribution scheme in which the pattern of contributions is determined by the contributor—will bear an unreasonable weight of responsibility throughout the income ranges. The stakeholder scheme will be rescued if a non-flat-rate state second pension is able to continue to provide earnings-related benefits on the favourable basis on which the scheme has been designed. I hope that my right hon. Friend will find that my simple points are sympathetic to his scheme.

This brief debate has been interesting. When the state second pension scheme was first proposed, there were all manner of doubts about it. Interestingly, many of the Opposition amendments tonight would extend its benefits. The power of the state second pension scheme is now acknowledged by all. It does not seem unreasonable to extend its benefits to wider categories of people and embed it firmly as an essential building block of the pensions system of the future.

Mr. Rooker: The hon. Member for Beckenham (Mrs. Lait) said that there were certain issues that she would not raise, so I junked most of my notes in the interests of brevity. The hon. Member for Northavon (Mr. Webb) was very brief and stuck to the point. If I do not cover something that I should, hon. Members should come back to me on it. I am trying to truncate my speech.

It bears repeating that the state second pension is a reform of SERPS that refocuses help on those who need it most. Some 4.5 million low earners will get more than double what they would have got under SERPS. Two million carers and a similar number of long-term disabled people will also build up a second tier pension for the first time. In addition, 9.5 million moderate earners—earning between £10,000 and £20,000 a year—will gain.

It is probably better for me to respond to the points that have been made than to whip through my notes. Commentators often suggest that people would be better off on the minimum income guarantee. Some highly paid so-called journalists have given unprofessional advice. It is compulsory for people to pay into a second pension—either SERPS, which will become the new state second pension, or an occupational or personal pension scheme. Employees

[Mr. Rooker]

cannot choose to clear off out of all the provision and go into the MIG, because if they are working they will be paying national insurance, and if they are not contracted out they will be paying it at the full rate.

I am grateful to my hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins) for what he said about the fundamentals of the scheme. It is true that it is our intention that in stage 2 the state second pension should be a flat rate, but we will not do that until we are satisfied that the stakeholder system is established. We have not yet defined what we mean by its being established, but we will certainly have to in due course. It would not mean a short time, and I would generally take the lifetime of a Parliament—certainly not less than three to five years—to be a suitable period.

The hon. Member for Beckenham referred to the target group. There is not a moving target, although it might look that way. The target group consists of those with moderate incomes of between £10,000 and £20,000 a year, with no second pension provision, whose jobs may be peripatetic and who may move in and out of different scales.

There are 5 million people with earnings between £10,000 and £20,000 a year, 3 million of whom have no second pension provision. I am not denying that, in order to encourage those people and make pensions politically sexy for them, we have made the system user-friendly and flexible, so—it is true—it can be used to purchase a pension for a non-earning spouse or a child. People may call that tax avoidance, but I say that it is still a pension at the end of the day. It is not a tax fiddle, because it is not like putting the money into an individual savings account, which can be cashed in. Money in a pension stays there until it is drawn as a pension.

The price that we pay for flexibility and user-friendliness is that many people other than the target group will have a stakeholder pension, and some will no doubt move from personal to stakeholder pensions. That is not how we will measure our success; we will measure it by the results in the target group.

My hon. Friend the Member for Birmingham, Selly Oak (Dr. Jones) rightly raised the question of those with earnings fluctuating around the limit. I deeply regret the fact that she could not join us in Committee. Of course, I do not organise these matters, but I certainly cast a vote for her. The new arrangements for people who are contracted out were designed specifically to deal with fluctuating earnings.

The state second pension top-up payments will be payable for earnings under £9,500. If people's earnings go above that amount, the national insurance rebate will be sufficient to give them an amount of pension broadly equivalent to what they would have received had they remained in the state scheme. The top-up system means that people will not have to face what I recognise would be extremely difficult decisions.

My hon. Friend the Member for Selly Oak asked me about another matter at Question Time. I now have some more information and I certainly want to give her the best answer that I can. The state second pension and the basic pension in 2050 for low earners will be about 25 per cent. of average earnings—roughly the same proportion as the basic pension was in 1980—but that level of average earnings will be more than double today's level in real terms. If she is not satisfied with that answer, I will be happy to answer further parliamentary questions.

Amendment No. 96 would require the introduction of stage 1 of the state second pension to be postponed until the Financial Services Authority had published guidance setting out for which income groups stakeholder and state second pensions were suitable. We do not think that it is necessary to put everyone through that hoop.

Stakeholder pensions are not compulsory—people can remain in the state second pension—and we have no plans for them to become compulsory. A judgment will have to be made in due course as to whether enough of the target group have been persuaded to join the stakeholder pension and, if not, why not. We need to get everyone who is working into a good second pension. If they are not, they will be in real trouble when they retire. The policy has not been ruled out, but there are no plans—let us be realistic about that.

We have worked closely with the FSA to develop the policies on the stakeholder pension. I have not seen the latest versions of the decision trees. As I said in Committee, just before Christmas, I went to one presentation of the FSA's work, which is highly sophisticated. There is a good understanding among those involved in the industry, among those in my Department and among the regulators that we must get people into such schemes, without mis-selling, making it simple and easy to do that and to understand the scheme. The decision trees are part of that. They are not the only answer, however.

Mrs. Lait: Does the work on decision trees go back to the basic balance between income support and pensions?

Mr. Rooker: I am coming to income support. I will not dodge that issue, but the hon. Lady is right to raise it.

Amendment No. 69 would remove the provision to introduce the second stage of state second pension, making it a flat rate. As I have explained, our proposal to move to the second stage when conditions are right is designed to give the Government flexibility to give a strong incentive to moderate and to higher earners to move to funded schemes.

We make no bones about that. We make no apology. It is not a secret policy. It is part of the overall big picture—the plan to shift pension provision from 60 per cent. state and 40 per cent. private to 40 per cent. private and 60 per cent. state. *[Interruption.]* I shall do it the other way around. It is part of our overall plan to move from 60 per cent. public and 40 per cent. private to the other way around. Everything fits into that. I have said that so many times it is ridiculous to get it wrong.

New clauses 10 and 14 would both boost entitlement. The ideas behind them are wholly laudable; I make no criticism of that. They would do it through retrospection and by allowing contributors to accrue more years' entitlement than they actually pay for. It is novel and innovative. It is one extra year for every four. It has some seductiveness.

There are two arguments in respect of those new clauses: first, whether we should provide additional help to specific groups; and, secondly, the need to maintain a balance between providing help to those who need it most

and managing the overall cost. We do not believe that it is fair to provide additional boosts to certain groups, rather than to all state second pension beneficiaries.

It is no secret that retrospection is an issue that we have considered. We discussed it Upstairs in Committee, but to allow retrospection for everyone would be prohibitively expensive and operational difficulties mean that it is not possible—I am sorry; it is those computers again—to allow retrospection in many cases. It is not just computers but lack of records. As a result, it is not a viable proposition.

Our proposals for the state second pension strike a balance. The amendments would change that balance. For example, new clause 14 alone would add £8 billion a year to the long-run cost—the cost by 2050. New clause 10 would add £3 billion to the long-run cost. That gives hon. Members some idea of the scale. I shall not repeat the points that we have made: without the changes, many more people would retire on the MIG.

Amendment No. 67 seeks to exclude the requirement for low earners to have earnings at or above the annual lower earnings limit to benefit from the low earner's boost. However, the state second pension is a contributory benefit based on earnings factors. There is no doubt about that. It is not a free ride. To have an earnings factor, a person must have had earnings on which national insurance contributions have been paid, or treated as paid.

The amendment would give the low earner's boost to anyone who had as little as one week's earnings in a year over the weekly lower earnings limit, which, from this April, will be £67. However, it would not include people with earnings of less than £67 for every week of the year. That would lead to some pretty perverse outcomes. There would be an incentive for the economically inactive to find part-time work for a single week to qualify for the state second pension. We do not think that that is fair.

9.30 pm

Finally, I turn to the minimum income guarantee, which is generally quoted in relation to individual citizens. I accept that not everyone is part of a couple, even at retirement, but that is the norm for most of the population. However, the key point is that the MIG is not an individual benefit. The means test is applied to the couple, not the single person. Therefore, although the relevant figures, assessments and advice for single people are necessary, it is right and proper to consider the circumstances as they apply to couples.

The minimum income guarantee for a couple is not twice the rate for a single person, but about one and a half times that rate. I shall give one example of that. In 2025, a husband has had a full working life, and his wife has had 20 years of caring for children, 10 of those years being devoted to children under six years of age. The man has earned £180 a week, at today's value, throughout his working life, and his wife, when she has worked, has earned £120, again in today's terms.

Under SERPS, the couple's pension would be £121.40 a week, nearly £5 more than the MIG. Under the state second pension, the couple's pension would be £150—15 years before they fall back on the MIG. Such factors must be taken into account. I have recently complained to the financial experts on *The Guardian* and *The Observer*, and will do so again to the experts on *The Sunday Telegraph*, who have all advised that it is better not to be involved and to let the state have a ride on the MIG. That advice can give people the false impression that they do not need to provide for themselves.

What is the price of being on the MIG? First, people are limited with regard to the amount of savings that they can have. Those capital limits are being raised, and it is important to ask how many times they will change in the future, because otherwise people might take a risk that is not worth the candle. If a couple can be in SERPS or the second state pension, or a combination of the second state pension and a stakeholder pension, their income, generally speaking, will be way over the MIG. There will be no pressure on their savings, or any of the other factors that go with the MIG.

When journalists write on this subject and give examples about MIG, I wish that they would give the relevant figures for couples as well as for individuals. We shall do that when we compile the leaflets for stakeholder pensions, and the picture that is painted as a result will be entirely different simply because the MIG for a couple is nowhere near twice the rate for a single person.

Mr. Webb: I thank the Minister for responding seriously to the points raised in this section of the debate. It is extraordinary that the Conservative amendment outspends the Liberal Democrat one—it would cost the Government £8 billion, as opposed to our amendment's £3 billion. That must make the hon. Member for Havant (Mr. Willetts) feel a bit uncomfortable.

The Minister ended on an important point. It is true that a couple in which both partners are on full state second pension and basic pension, for example, will be clear of the MIG. In terms of pension planning, however, individuals cannot assume that they will be part of a couple when the time comes. Far too many women's pensions in the past have been built on the assumption that their husbands would provide, only for that relationship to break up. A lot of people are single at pension age, many of them never having thought that that would happen. That has to be taken into account.

The Minister said that new clause 10 contains an element of retrospection, and that the computers were not up to the task. When the decision is made about how much someone will get on retirement, the computers will have to know, in each year of SERPS, how much SERPS that person would be entitled to. We suggest that they disregard one of those historic pieces of information and use a current piece of information. A current year's entitlement should be substituted for an old year's entitlement. As, presumably, the data and the computers are better now, and given that the figures will have to be worked out anyway, I do not understand why the computers should be a barrier.

In the scheme of 50 years of pension reform, the scale of the improvement to the state second pension that we propose is reasonable and modest. We have sought to divide the House on a number of occasions, but we believe that the state second pension is a key aspect of the Bill. We believe that the state second pension is flawed because it will take so long to come in, and new clause 10 would address that in a measured and reasonable way.

Question put, That the clause be read a Second time:—

The House divided: Ayes 36, Noes 282.

Division No. 137] **[9.36 pm**

AYES

Allan, Richard
Ashdown, Rt Hon Paddy
Ballard, Jackie
Benn, Rt Hon Tony *(Chesterfield)*
Brake, Tom
Brand, Dr Peter
Breed, Colin
Burnett, John
Burstow, Paul
Campbell, Rt Hon Menzies *(NE Fife)*
Chidgey, David
Corbyn, Jeremy
Cotter, Brian
Davey, Edward *(Kingston)*
Fearn, Ronnie
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Harris, Dr Evan
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Jones, Dr Lynne *(Selly Oak)*
Keetch, Paul
Kirkwood, Archy
Llwyd, Elfyn
McDonnell, John
Maclennan, Rt Hon Robert
Moore, Michael
Öpik, Lembit
Rendel, David
Sanders, Adrian
Stunell, Andrew
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve

Tellers for the Ayes:
Mr. Bob Russell and
Sir Robert Smith.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Martin *(Tatton)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Cousins, Jim
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gardiner, Barry
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hill, Keith
Hinchliffe, David
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Maxton, John
Meacher, Rt Hon Michael
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John

Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverhton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Ward, Ms Claire
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Greg Pope and
Mrs. Anne McGuire.

Question accordingly negatived.

New Clause 11

Date of payment of benefit

'.—In section 5(1)(k) of the Social Security Administration Act 1992, at the end, there shall be inserted—

"except that where the conditions of entitlement are satisfied, a retirement pension shall become payable from a date no later than the date on which the claimant reaches pensionable age.".'.—*[Mr. Webb.]*

Brought up, and read the First time.

9.45 pm

Mr. Webb: I beg to move, That the clause be read a Second time.

The House will be relieved to hear that this will be a brief contribution, prompted by two cases of perceived injustice in the way the benefits system treats people who have just reached state pension age. People receive their first state pension on the Monday after they reach state pension age, even though they may have been 65 or 60, as the case may be, for up to six days. That is six sevenths of a week, and it can leave a person reaching state pension age short, to their way of thinking, by as much as £100.

I should like to draw attention to the cases of two people. The Minister will be familiar with the case of Mr. Maiden, constituent of my hon. Friend the Member for Edinburgh, West (Mr. Gorrie), who felt aggrieved by the fact that he missed out on several days' worth of pension. He took the Benefits Agency to a tribunal and won. An article in *Choice* magazine, from April 1999, says:

> Ron was triumphant . . . although the Department of Social Security says his success doesn't set a precedent.

In other words, the tribunal decided that this man should have been paid his pension from when he was 65, not from the following Monday. However, the Department of Social Security decided that although the tribunal had found against it, it would not apply that rule to other people.

That case was brought to my attention by a constituent, Mr. Wells, who was 65 on a Tuesday and therefore lost six days' worth of pension. He says that although it is not a huge sum, it is a matter of principle. He took his case to appeal and lost. I told him that I would bring the matter to the attention of the House with a view to rationalising the slightly odd situation where a person can have reached the qualifying age for the state pension but not be entitled to draw it for nearly a week thereafter.

I have written to the Minister on the issue previously, and the responses tend to say that the same is true of other benefits, so if the person was receiving another benefit before reaching state pension age, that would run on for the six days and there would be no loss; but of course that is not true of someone who is in employment immediately prior to reaching state pension age.

Thus the purpose of new clause 11 is to try to tidy up the legislation, to make it plain that entitlement starts when one reaches 60 or 65. It does not matter terribly that the payment may not be made until the next Monday; but the entitlement should date from the date of reaching state pension age. That seems only just and fair. I hope that the computers are not a barrier and that the Minister will accept the new clause.

Mr. Rooker: First, I make it clear that the way in which the pension is paid does not cheat pensioners. When I was elected to the House years ago, my constituents asked me similar questions. I received replies from Ministers and asked parliamentary questions, so perhaps this is a generational issue.

I wish to put several points on the record, and one is that we must be careful about the language we use. Two principles were set down in 1948 and they have remained the same since. First, retirement pension is paid weekly in advance, so I shall not return to the arguments about ACT and whether it should be paid four weekly in arrears. Secondly, it is paid in whole weeks, not in part weeks.

There is no sense in beating about the bush and, earlier today, I answered a question from the right hon. Member for Caernarfon (Mr. Wigley). The consequence of making the pension payable from someone's birth date is that, when the payment is no longer required because the pensioner has died, we would have to try to claim back the extra few days' payment. Frankly, we are not prepared to countenance that.

A pension is paid from the Monday following someone's 60th or 65th birthday and continues to be paid until the Monday after it is no longer required. In the sensitive period after someone has died, no attempt is made to claim back from the family any extra days paid.

I must disabuse hon. Members of their notions of the effects of ignoring the consequences of the new clause. The oncosts of part weeks would be £20 million a year. Because of the Public Accounts Committee and the requirements of accounting officers, we simply cannot write off £20 million.

Nobody loses out under the present system. Pensions are paid from Monday to Monday and they are paid in whole weeks. It has always been like that, and we do not propose to change the current system. I do not deny that, in due course, we want to pay pensioners by ACT, and the period covered by the payments will form part of the discussions in the next couple of years. Obviously we shall not pay four weeks in arrears; that is totally out of the question.

[Mr. Rooker]

I do not want to offer any hope for change, because the consequence of paying pensions in part weeks is that we would have to claim back money after a pensioner was deceased. We are not prepared to countenance that. Frankly, I doubt that, if Members of the House were in my position, they would take a different view.

Mr. Webb: That was an interesting response, but not the one that I expected. I fear that I must report back to my constituent that he did not get his £100 when he was 65, but that his estate will receive it the week he dies. That seems to paraphrase the Minister's reply. I am not sure that my constituent will be happy with that, but I shall not try the House's patience any further. Given that I have received a different response from the ones that the Minister has given me in writing, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 18

CONCURRENCY OF PENSIONS, REBATES AND EXTRA MONIES

'.—(1) A person shall be able to hold both a stakeholder pension and an occupational pension concurrently and without financial penalty.

(2) Any rebates or extra monies that may be payable to a person, and which are greater for Stage 1 of the State Second Pension than for SERPS, shall be paid into a stakeholder pension.'.—*[Mrs. Lait.]*

Brought up, and read the First time.

Mrs. Lait: I beg to move, That the clause be read a Second time.

Madam Speaker: With this it will be convenient to discuss new clause 19—*Use of rebates and extra monies*—

'.—( ) Where rebates or extra monies are payable they shall be applied as follows—

(a) rebates shall be paid into Contracted Out Money Purchase Schemes; and

(b) extra monies shall be applied to Contracted Out Salary Related Schemes.'.

Mrs. Lait: I am afraid that these new clauses are rather technical, but I shall try to be as brief as possible.

New clause 18 relates to the principle of stakeholder pensions' concurrency with other pensions. The Government have recently suggested that they did not want concurrency, but that they would consider it for people on lower earnings. Why is it not a good idea for all people to use concurrency if they have the ability to pay and if it falls within the amount that they can use tax free?

The objection is that concurrency would mean a tax break for the rich. Many people, whatever their income, do not put enough money into pension schemes to give them a reasonable retirement income, and I suggest that if there is scope in the tax system for them to use up more money on pensions, it is, to say the least, shortsighted not to allow them to use stakeholder pensions to do so.

There are a number of other arguments for concurrency which I shall briefly deal with. The first is simplification. Concurrency would reduce the need for individuals to get advice on whether they should stay in or join an occupational scheme. The second argument concerns the complication of additional voluntary contributions. Stakeholder pensions could replace AVCs and freestanding AVCs because they would be better value for money.

Concurrency would also simplify regulatory issues, because there would not be the same need for stakeholder scheme providers to police members' employment arrangements. It seems odd to use the word "inertia" about pensions, because the last thing we want is for people to be inert when it comes to providing for themselves. However, there is an argument for making inertia work for, rather than against, pension provision. It would be easier for somebody to continue to pay into their stakeholder scheme when they joined an occupational scheme.

Another argument that has reared its head before is that there would be a potential for mis-selling if somebody opted out of a good occupational scheme because there was no concurrency. Concurrency is also useful for a flexible labour market and it would help existing schemes. There is plenty of scope for people to take up concurrent stakeholder pensions, because the average private sector employee in an occupational scheme contributes 4.7 per cent. of earnings to that scheme, so there is plenty of room for a stakeholder pension on top.

The arguments against concurrency relate to revenue loss, but there will be future savings to the Government on means-tested benefits. People are not already using up all their legal entitlement to pension contributions, and as we work on the basis of people paying tax as they get money out of their pension scheme, more tax will be paid in the longer term, because we will have better-off pensioners.

There are strong arguments for concurrency, and it has been recommended by bodies as disparate as the TUC, the Engineering Employers Federation and the National Association of Pension Funds. I urge the Government to reconsider concurrency on the basic policy principle of ensuring that as many people as possible take up as much of their pension entitlement as they can.

The second part of new clause 18 deals with rebates, and it, too, aims to encourage people to make better provision for themselves. There may be rebates in excess of those for SERPS which could be paid into a stakeholder pension. They would be small sums, but a stakeholder pension is designed for such sums. That would be a sensible way to enable people to use their allowances and, with concurrency, would help people to make pension provision. It would also be a useful pensions vehicle for large numbers of employees.

New clause 19 deals with where the line is drawn between the use of rebates and the use of top-ups to offset the impact of the state second pension. The proposed dividing line is drawn between occupational and personal pensions. That would sacrifice the level playing field between different sorts of pension—personal, occupational and stakeholder—but during the consultation process, the Government found that maintaining the level playing field would impose excessive administrative burdens and complexity.

BUSINESS OF THE HOUSE

It being Ten o'clock, the debate stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),

That at this day's sitting, the Child Support, Pensions and Social Security Bill may be proceeded with, though opposed, until any hour.—*[Mr. Kevin Hughes.]*

Question agreed to.

As amended in the Standing Committee, again considered.

Question again proposed, That the clause be read a Second time.

Mrs. Lait: Our concern focuses on where the Government have chosen to draw the line. The issue was brought to our attention by the Association of British Insurers: it made its concerns clear to the Government, but they have not yet responded.

We suggest that top-ups are preferable to deeper rebates for defined benefit schemes, given the problems of getting the benefits of those rebates to filter through to lower-paid scheme members. It is less clear why the rebate approach is not applied to occupational schemes that are money purchase or defined contribution schemes. We suggest that the line should be drawn, not between occupational and personal pensions, but between defined benefit and money purchase schemes. Personal pensions might appear superficially more attractive than occupational money purchase schemes because of the deeper rebates. In theory, the S2P top-up should take care of that, but it will be 40 years before anyone sees any more jam.

It is also possible that the current proposals will add to providers' costs. Many insurers have moved out of COSRS, which are contracted out, salary-related schemes, and focused instead on COMPS, which are contracted out money purchase schemes that can run off the same systems as personal pensions and are therefore far simpler to use. We suggest that the Government take another look at the whole issue of COMPS and COSRS to see whether the impact of the stakeholder and state second pension will lessen the attraction of saving for pensions.

We are most concerned about the issue of concurrency. I hope that the Minister of State will display a positive attitude toward changing his mind about concurrency. If he does not, we shall press the new clause to a Division.

Mr. Flight: I rise to add to the points made by my hon. Friend the Member for Beckenham (Mrs. Lait). If the Government want stakeholders to be successful, it is in their interests to permit concurrency. The pattern of employment as it is now developing appears to require concurrency for both money purchase and final salary schemes. There will be an accelerating trend of people moving in and out between permanent employment, subcontracting and self-employment. For such people, there is a high risk of being left with little bits of several deferred occupational defined benefit schemes, so it must be desirable for them to have an on-going stakeholder pension scheme to provide the bulk of their retirement income.

What has happened to LISAs—lifelong individual savings accounts? The danger is that many people, especially those who are not in regular employment, will be underprovided for; at best, they will find their way into the second state pension scheme. However, the concept of a pension tax wrapper—analogous to the old personal equity plan tax wrapper and fairly similar to the individual savings account tax wrapper, whereby everyone can save for their pension, choose the unit trust in which they want to invest, and so on—is a necessary ingredient of the stakeholder system if it is to attract the desired membership.

About 2.8 million of those targeted for the Government's stakeholder pensions are in occupational schemes. The House does not want occupational schemes to be undermined by stakeholder schemes, and it can be argued that concurrence lessens the incentive for businesses with occupational schemes to replace them with stakeholder schemes.

On new clause 19, I echo the point that there is little logic in having completely different regulations for occupational money purchase schemes and personal pension money purchase schemes. Both types of scheme are in essence a pot of money that attaches to the individual. Many complications are caused by the different regulations and many companies are gradually ending their final salary schemes and moving to money purchase schemes. They are tending to move towards group personal pension schemes because they are more flexible. Surely the time has come to put the regulations together. As I have said, we are talking basically about one product.

Mr. Leigh: I have one simple question for the Minister, which I hope I can ask in a couple of minutes. What will happen when stakeholder pensions are made compulsory? I know that the Government would deny that it is currently their intention to make such pensions compulsory, but it is a generally accepted opinion in the industry, and in other circles, that were the Government to win the next general election, one of their early steps would be to make them compulsory.

Incentives are built into the minimum income guarantee system not to save and not to provide for one's pension. The more an individual saves and provides for his pension, the more he falls out of means-tested benefits. There will be so many people tempted for these reasons not to take out a stakeholder pension that it will not make sense from the Government's point of view to make such a pension compulsory. Other systems that have brought in stakeholder-type pensions have made them compulsory.

If such pensions are made compulsory, what will happen? Will people be forced to take the product? Will they, because the Government are opposed to concurrency, be denied the opportunity to take up an occupational pension? Of course not. I can foresee many difficulties unless the Government make it clear that people will have the choice. What is wrong with choice? The Government are right to insist that people should be encouraged to make some provision for their old age, but they should not be denying people choice when it comes to making that provision.

Mr. Rooker: The hon. Member for Arundel and South Downs (Mr. Flight) made a very important point. Later this year, the Government will embark on their generic advertising of the concept of stakeholder pensions. Providers will be doing their bit for the individual product. We will have to ensure that our advertising does not

[Mr. Rooker]

undermine occupational pensions—we are conscious of that. Mistakes could be made by a slip of a word, for example. I can give the hon. Gentleman that commitment. He raised the matter as an aside but he has made an important point.

We are now getting to technical considerations, and as someone from my humble origins I make no apology for sticking to my speaking notes. We discussed these matters in Committee. In responding to some hon. Members' questions, I must make it clear that the Government have not announced their final conclusions about concurrency. We have stated that clearly. Discussions are still taking place. If it were an easy matter to resolve or if we were ideologically opposed to concurrency and were having none of it, we would have said so by now. However, that is not our position. I hope that hon. Members will accept that sincere response, which I cannot go beyond.

The two new clauses are an attempt to introduce concurrency—to permit individuals to contribute simultaneously to a personal pension and an occupational pension scheme. A stakeholder pension is a personal pension. Secondly, they provide for members of occupational schemes on low and moderate earnings to get all the extra help that the state second pension brings entirely by way of enhanced national insurance rebates.

I shall deal first with the concurrency issue. We have already announced that we will permit concurrent membership of money purchase arrangements. An individual will be able to contribute, within existing limits, to both an employer-sponsored money purchase scheme and a stakeholder pension arrangement, if he or she so wishes.

I am in favour of everyone getting funded to the maximum. People should get as much money as they can from the Treasury to put towards their pension. I make no apology for saying that. It must be the best advice that any Member of Parliament or Minister can give our fellow citizens. There is a system designed to benefit them by enabling them to put money aside—not for a rainy day, but for their pension. Some people take full advantage of the system. Why do not others do so? They should get the maximum benefit in tax relief. If they can make the arrangements, and if they have the wherewithal, people should get funded up to the hilt.

However, there is always the problem of people going over the limit, by accident or as an avoidance measure. The Revenue is concerned about that. As has been said by hon. Members more versed in finance than I am, the Revenue is aware of the difficulties and will take a hard look at changes that may have an unintended effect.

The key issue now centres on concurrent membership of a defined contribution arrangement and defined benefit scheme. We have made it clear that we need to address the issue of high earners. Is it right to allow those who are already contributing up to the maximum limits in their occupational scheme to obtain further valuable tax relief on contributions of up to £3,600 a year to a concurrently held stakeholder scheme?

We do not believe that allowing such a concession would represent a wise or fair use of taxpayers' money. That is what it amounts to: the tax relief is the taxpayers'—the Treasury's—contribution to a person's pension. I say that people should take advantage of all they can get up to the limit and within the rules, but I see no justification for spending taxpayers' money to go above that.

I am advised that the more substantive part of the new clause bears a resemblance to an option put forward by the pensions industry in the very early stages of the consultation exercise on the future contracting-out regime. I can do no better than to quote the response of the Association of British Insurers to the consultation paper:

> We accept that the issues of practicality raised by this proposal would be a significant barrier to successful implementation, both for the Government and for the majority of pension providers. We have therefore concluded that this approach should not be pursued at this time.

It may be helpful to hon. Members if I work through the issues of practicality to which the ABI refers. The new clause as drafted provides for low and moderate earners in contracted-out schemes to have the extra help that would be provided by the state second pension delivered entirely in rebate form and paid directly into a stakeholder pension arrangement. The rebate for low earners would be based on £9,500 and an accrual rate of 40 per cent., and moderate earners would have their rebate based on actual earnings and an accrual rate of 10 per cent. As all the help comes via the rebate, no state scheme top-up would be payable.

Before I turn directly to the practical limitations, I shall say a word about the additional up-front costs arising from that approach. As hon. Members know, we are already putting in an additional £400 million in extra rebates from the outset of the reforms. This figure will rise to some £4.5 billion in 2010. The proposal in the new clause would add to that almost £500 million more in the first year, and well over £1 billion in the second. We must consider whether that is a proper use of taxpayers' money. When we consider the practical application of the proposal, the answer must be no.

Moving on to the operational implications of the proposal, the first point to make is that every employer running a contracted-out occupational scheme would have to ensure that a stakeholder pension arrangement would be available for each member of his work force on low or moderate earnings. At present there are approximately 11,000 contracted-out occupational schemes. All of them would have to submit a stakeholder pension scheme application form to the Inland Revenue if they were also to set up an employer-sponsored stakeholder scheme.

10.15 pm

Employers who run contracted-out occupational money purchase schemes would no doubt find the suggestion that they should open a separate stakeholder scheme a little odd. It could have the effect of forcing all the schemes to switch to stakeholder status or obliging the employer to run two money purchase arrangements. Both mean more administrative work for the employer. Alternatively, employers could simply facilitate access to a stakeholder scheme but they would be responsible for ensuring that their employee had such a scheme. That proposal is part of the access arrangements in the Bill.

Next, all individuals who want a stakeholder account would also need to submit a form to the Revenue. That is necessary to ensure that they receive the rebate due. For a money purchase scheme, delivering the extra rebate would be fairly straightforward. It would simply be paid

at the end of the tax year in the same way as existing money purchase rebates. However, the volumes could be enormous and cause the Revenue all sorts of difficulties. The method is far more complicated for final salary schemes. Part of the rebate would be delivered through a reduction in national insurance contributions, as happens now, and part would be paid into a stakeholder account at the end of the year.

We would need to devise a system that picked up both methods of delivery. That would require employers to provide end-of-year information differently from the way in which they currently provide it. The approach would require more and more administration. It is simply not a runner. However, I say that with the caveat that I mentioned at the beginning: we have not made our final decisions.

We are looking for a positive rather than a negative method of tackling the matter. We do not start from the ideological position that we do not want anyone to have any concurrency, whatever their earnings. I cannot go beyond that. However, if hon. Members are still awake, I have given a big enough hint that we are looking for a positive way of dealing with a difficult problem, to enable people to take up their rights to be fully funded and to get as much money out of the Treasury as possible.

Mrs. Lait: I am much encouraged to hear that the Government want everybody to take advantage of concurrency. We want to do everything possible to encourage them to do that. We acknowledge that the drafting of the new clause may not be perfect. However, the Minister is free to use Government facilities to redraft the amendments. To encourage him to do as much as possible for concurrency, I shall press the new clause to a vote.

Question put, That the clause be read a Second time:—

The House divided: Ayes 151, Noes 283.

Division No. 138] **[10.17 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, Peter *(Hexham)*
Baldry, Tony
Ballard, Jackie
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Harvey, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jenkin, Bernard
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacKay, Rt Hon Andrew
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Malins, Humfrey
Mates, Michael
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Whitney, Sir Raymond
Whittingdale, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. John Randall and
Mr. Peter Luff.

NOES

Abbott, Ms Diane
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Caborn, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*

Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Gardiner, Barry
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hill, Keith
Hinchliffe, David
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Maxton, John
Meacher, Rt Hon Michael
Michie, Bill *(Sheffld Heeley)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Ward, Ms Claire
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wilis, Michael
Winnick, David
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Jim Dowd and
Mr. Robert Ainsworth.

Question accordingly negatived.

New Clause 36

Annual increase in basic retirement pension

'.—The Secretary of State shall each year increase the basic retirement pension by not less than an amount equivalent to—

(a) the percentage increase in the general level of earnings during the preceding year; or

(b) the percentage increase in the retail prices index during the preceding year,

whichever is the greater.'.—*[Mr. McDonnell.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The House divided: Ayes 75, Noes 240.

Division No. 139] **[10.31 pm**

AYES

Abbott, Ms Diane
Allan, Richard
Ashdown, Rt Hon Paddy
Ballard, Jackie
Barnes, Harry
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony *(Chesterfield)*

Brake, Tom
Brand, Dr Peter
Breed, Colin
Burnett, John
Burstow, Paul
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Caton, Martin
Chidgey, David
Clapham, Michael
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cryer, John *(Hornchurch)*
Davey, Edward *(Kingston)*
Davidson, Ian
Dobbin, Jim
Fearn, Ronnie
Fisher, Mark
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Gerrard, Neil
Godman, Dr Norman A
Harris, Dr Evan
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Hurst, Alan
Iddon, Dr Brian
Jones, Dr Lynne *(Selly Oak)*
Keetch, Paul
Kirkwood, Archy
Lewis, Terry *(Worsley)*
Livsey, Richard
Llwyd, Elfyn
McDonnell, John
Maclennan, Rt Hon Robert
Mahon, Mrs Alice
Marshall–Andrews, Robert
Michie, Bill *(Sheff'ld Heeley)*
Moore, Michael
Morgan, Ms Julie *(Cardiff N)*
Öpik, Lembit
Pollard, Kerry
Prentice, Gordon *(Pendle)*
Rendel, David
Sawford, Phil
Sedgemore, Brian
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Stevenson, George
Stewart, Ian *(Eccles)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tyler, Paul
Walley, Ms Joan
Webb, Steve
Williams, Mrs Betty *(Conwy)*
Wood, Mike

Tellers for the Ayes:
Mr. Bob Russell and
Mr. Kelvin Hopkins.

NOES

Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Banks, Tony
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell–Savours, Dale
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cooper, Yvette
Corbett, Robin
Crausby, David
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff
Field, Rt Hon Frank
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Gardiner, Barry
Gilroy, Mrs Linda
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hill, Keith
Hinchliffe, David
Hoon, Rt Hon Geoffrey
Hope, Phil
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Maxton, John
Meacher, Rt Hon Michael
M'Iburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sheerman, Barry
Short, Rt Hon Clare
Singh, Marsha
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*

Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Ward, Ms Claire
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Robert Ainsworth and Mr. Jim Dowd.

Question accordingly negatived.

Clause 30

EARNINGS FROM WHICH PENSION DERIVED

Mr. Burstow: I beg to move amendment No. 12, in page 26, line 33, at end insert—

'and, for the purposes of calculating the pensioner's earnings factor under this subsection, in addition to any earnings, the pensioner will be credited with earnings equal to the lower earnings limit then in force in respect of each week in which invalid care allowance was payable or would have been payable but for the fact that under regulations the amount payable to him was reduced to nil because of his receipt of other benefits.'.

Mr. Deputy Speaker (Mr. Michael J. Martin): With this, it will be convenient to discuss the following amendments: No. 65, in page 26, line 46, leave out "six" and insert "twelve".

No. 68, in page 26, line 46, leave out "six" and insert "eleven".

No. 11, in clause 37, page 31, line 41, leave out from "he" to end of line 43 and insert—

'provides information regarding caring activity within a specified time which will be no less than six years following the year in which the qualifying caring activity took place.'.

Mr. Burstow: To get the state second pension, carers must receive or have an underlying entitlement to invalid care allowance for the full 52 weeks of the year. ICA rules mean that many carers lose entitlement for some weeks of the year. In the past, that meant that a week's benefit was lost. Under the state second pension, it means that a whole year's contribution will also be lost.

Carers can, in theory, get eight weeks of respite care under the current rules. Many place great value on that, but, as we all know from talking to carers in our constituencies, it can be very difficult for them to schedule their lives to avoid the linking rules that disqualify them from entitlement to invalid care allowance. They also have to bear in mind that if the person whom they are caring for is admitted to hospital unexpectedly, their eligibility and entitlement to invalid care allowance will also be jeopardised, thus risking the loss of a whole year's contribution to the state second pension.

Respite care is not the only area in which the rules could affect contributions to the state second pension. Many carers may value part-time work and see it as a further way of getting some respite and some connection to the wider community. However, particularly since the introduction of the minimum wage, it is difficult for people to earn below the £50 earnings rule limit. Even those who earn below that level can find that a Christmas bonus or other bonuses push them above the earnings limit. That can result in them losing not just a week's invalid care allowance, but their entitlement to a whole year's contribution to the state second pension.

The Government say that the state second pension will be a valuable boost to carers' retirement incomes, but we believe that it is being built on a shaky foundation if invalid care allowance is used as the point of entry to entitlement. The amendments are designed to push the Government a little further to consider how to improve the situation for the approximately 400,000 carers in this country, many of whom have been caring for a very long time. When those people see the detail of how the state second pension will operate, they are less than enamoured of the scheme.

10.45 pm

Amendment No. 12 would enable carers to combine weeks of ICA with weeks of earnings over the lower earnings limit. It would help those who do not get ICA throughout the year and have periods when they are able to work but do not reach the lower earnings limit. For example, people receiving ICA for 40 weeks and earning £100 in each of the other 12 weeks would not get a year's credit for the state second pension, as their earnings would have been below the lower earnings limit and they did not get ICA for the whole year.

The Minister rightly said that the Government wanted to help the lowest earners in our country, but the way in which the scheme is constructed will make that impossible. We cannot help the real lowest earners unless we can fix the problem.

Amendment No. 11 concerns home responsibilities protection. The Government propose to change the qualification period, so that within three years of the entitlement to a benefit lapsing, if people have not made their declarations to the relevant authorities, they will lose the protection. At present, with the basic state pension, people can still claim after 15 or 20 years or more.

The Government are changing the requirement to allow only three years for both the basic state pension and the state second pension. We feel that that is not long enough to be fair, and that it would be better to align the change with other practice. For example, voluntary class 3 payments have to be paid before the sixth tax year after the one in which they were due and the time limit for claiming back overpaid tax or tax allowances is also six years.

The Government are concerned that people will not be able to remember the details of their periods of caring and eligibility for ICA. If that were the case, surely the same would apply with those two tax measures. We are arguing for consistency of approach in different legislation to the requirement for people to give notice of their entitlement.

We do not deny that the Government are making improvements for carers through the state second pension, but using eligibility for the invalid care allowance, which is very badly constructed, as the basis for entitlement to credits for the state second pension means that many carers will not get the credits that they deserve as a recognition for their many hours and years of caring.

Mrs. Lait: In the interests of brevity, I shall speak only to amendment No. 65. We discussed at length in

Committee credits for women at home with children, but the subject needs a further airing, as the Bill does not make as much provision for that as we had under SERPS. We think that it is prescriptive for the Government to say that credits will be available only to women with children under the age of six.

It is not often that the Conservative party joins those who voted just now on the basic state pension, but on this occasion we have tabled similar amendments: indeed, in Committee, we tabled an amendment to allow women to continue to be able to receive credits in respect of children under the age of 11.

Dr. Lynne Jones: I am pleased that the hon. Lady supports extending credits to carers of older children, but, last week, the hon. Member for Buckingham (Mr. Bercow) advocated that lone parents with children should be forced to work and should have their benefits cut if they did not go to work. Will she dissociate herself from those comments?

Mrs. Lait: All I would do is point out that it is the hon. Lady's Government who are cutting credits at the age of six, whereas we had arranged that women be credited for SERPS in respect of children up to the age 16, so I do not think that there is much of a point to be made out of that.

May we concentrate on the arguments for ensuring that women with children under the age 11 or 12 receive credits with regard to home responsibility payments? That may help us to move on speedily.

The reason why we have worked on the basis of 11 or 12 is that that is the age at which children break from primary school and go to secondary school. That is when their school hours tend to get longer and their mothers feel freer to go to work. It is interesting that labour market trends show that the bulk of women start working full-time when their children are aged 11-plus.

One of the purposes of our amendment is to ensure that women who have career breaks have the best possible chance of building their pension. We want to help them and to ensure they have the choice of staying at home to look after children until they are at school full-time and are more independent. That is why we have tabled the amendment to extend credits to the age of 12.

Dr. Lynne Jones: Amendment No. 68 credits carers of school-age children up to the age of 11 for the state second pension. As I have established, the real purpose of the state second pension is more to fill the gap left by the failure to uprate the basic state pension in line with earnings than to replace SERPS. In judging the Bill's adequacy in respect of giving credits for non-earners, the appropriate yardstick should be the groups who are credited for the basic state pension.

A parent who receives child benefit is credited with home responsibilities protection, which reduces the years required to qualify for the basic state pension. The Bill requires that the child must be under six for the carer to qualify for state second pension carer credits, but, even after the children go to school, the demands placed on a carer, especially in a child's early years or where there are a number of young children in a family, often preclude a return to work. If work is possible, it is often part-time and on earnings that fall beneath the lower earnings threshold. Therefore, the carer would not automatically qualify for credits for the state second pension.

That is particularly the case for lone-parent families. It is relevant that some Conservative Members seem to be advocating that lone parents should return to work if they have children of school age.

The Government have patted themselves on the back for the extra help that they have given to carers to be credited into the state second pension. I hope that my hon. Friend the Minister, when she responds to the debate, will explain the logic of not including the carers of children of primary school age.

Angela Eagle: In considering the amendments, we must bear in mind the huge gains that the introduction of the second state pension will bring for carers and the low-paid. About 18 million people will gain from the provisions: 9.5 million will be moderate earners; 4.5 million will be low earners; 2 million will be disabled people; and 2 million will be carers.

For the first time ever, the Bill provides that carers without a work record will have access to an additional pension. If they have a lifetime of caring, the Bill will give them access, for the first time, to additional pension provision. With that in mind, I shall deal with the amendments in this group.

Amendment No. 11 would extend from three years to six the time within which caring activity must be reported to the Department in order to qualify for credits for the second state pension. Home responsibilities protection at present protects the basic pension provision of someone caring for a child or for a sick or disabled person. It is not a credit or benefit in its own right.

As my hon. Friend the Member for Birmingham, Selly Oak (Dr. Jones) pointed out, the protection works by reducing the number of qualifying years needed for full basic pension. Therefore, a person still has to work for many years, and many carers do not qualify for the benefits of home responsibilities protection because of the structure of the old system. The hon. Member for Sutton and Cheam (Mr. Burstow) might have had the grace to recognise that the second state pension will be a hugely beneficial development for those people. The hon. Gentleman both nit-picked around the edge of the argument and raised some serious issues, but he might have pointed that out.

Many child benefit recipients get home responsibilities protection automatically. Others need to complete a form to notify the Department of periods of caring activity that qualify. That can be done at any time after the period of caring. Given that home responsibility protection began in 1978, we could theoretically be asking people to provide information up to 49 years after the period of caring in question.

As the new home responsibilities protection for the second state pension is worth so much more in benefit—it will be as if an extra £9,500 had been earned, so it will be a big earnings boost—it seems prudent to make the system more sensible. Accordingly, we are to ask people to report to us the years in which they were caring.

We believe that three years is a reasonable interval in which a person may report caring activity, but the amendment suggests six. It is important that we can be confident that notifications are given using correct information. We do not believe it reasonable to expect carers to remember the number of hours of caring that

[Angela Eagle]

they undertook during a period of time more than 20 years previously. We therefore consider record-keeping to be important.

In addition, our aim of ensuring that as many carers as possible benefit from the additional pension provision under the second state pension means that we are proposing to keep the limits tight. We have decided that three years is the optimum period. That means that people who care throughout 2003–04 will need to have notified the Department by 5 April 2007 that they were caring in that period. If carers want to provide the information at the end of a year of caring rather than three years later, they will be free to do so.

The provision will not be retrospective, so people who have been caring in 1999-2000 will be able to notify the Department at the point of retirement under the old system, for the purposes of protecting their basic pension entitlement. In order to ensure that the change is implemented smoothly, we will provide advanced warning for those who may be affected, especially existing carers. We intend to mount a publicity campaign to reach carers in advance of the introduction of the second state pension, and we hope to make many more pensioners aware of home responsibilities protection than are aware of it at present.

The Carers National Association has agreed to disseminate information to its members at the appropriate time. We will pursue that offer, to ensure that people know that they have to report.

A balance must be struck between allowing records to be checked and the bureaucracy of requiring mandatory reports at frequent intervals. We believe that three years strikes the right balance. Verification of information six years after the event would be more difficult, and would leave the scheme open to abuse.

11 pm

Amendment No. 12 is a variation on a theme that we discussed in Committee. Entitlement to the state second pension will be calculated on an annual basis, as is the case for SERPS. It would not be operationally feasible to move to a system that calculated entitlement on a weekly basis. As I explained, the second state pension is intended to help low earners through the low earners' boost, and carers through credits towards the second state pension. We believe that, in the interests of consistency, fairness and operational manageability, that is the right approach.

The amendment confuses the two. It would allow people who were entitled to invalid care allowance to top up an earnings factor that was otherwise below the lower earnings limit, so they could benefit from the low earners' boost, mixing and matching different gateways. That is a sure recipe for administrative complexity and anomaly. That approach would favour a particular group. It would not, for instance, benefit carers who do not claim invalid care allowance but who apply for home responsibilities protection instead, because it takes a year to accrue that. So we hope that the amendment will be withdrawn, or defeated if it is pressed to a Division.

Amendments Nos. 65 and 68, which show the co-operation between the Opposition and my hon. Friend the Member for Selly Oak, are interesting. We had an interesting debate about these matters in Committee. Five or six Conservative Members spoke, each expressing a completely different opinion. Some wanted women at work, some wanted them at home and some could not quite decide where they should be. They really need to sort themselves out on this issue.

Almost 1.5 million women caring for young children will begin to build up entitlement to additional pension for the first time under the state second pension. It is designed to give most help to those who are least able to afford to make their own provision, which is why we are focusing on mothers of children below school age. We recognise that they have the fewest opportunities, as they are caring for younger children, to earn above the lower earnings limit. Many mothers of school-age children combine their caring duties with part-time work and could benefit from the state second pension's low earners' boost when they earn as little as £3,432 a year. *[Interruption.]* The hon. Member for Gainsborough (Mr. Leigh) may think it is boring, but it will enable women who work part-time on low pay to accrue additional pension, often for the first time, so that they can look forward to retiring on a reasonable income instead of on to means-tested benefits, as all too many do now. The old systems have not supported them, and an examination of income statistics and the number of women who manage to qualify through their own contributions for additional pension, and even the basic pension, will confirm that view.

Dr. Lynne Jones: My hon. Friend talks about part-time earners. As I mentioned, people who work for 16 hours a week on the minimum wage will still not achieve the level of income to which she refers. What about those carers?

Angela Eagle: My hon. Friend is right. The lower earnings limit implies between 17 and 18 hours a week. We hope that through the new deal, the new opportunities in the workplace and the support that the Budget has given to single parents and low earners, making work pay, many people will have the chance to improve the number of hours they work, reach the lower earnings limit and qualify for the low earnings boost.

Focusing help on those caring for children under school age matches the choices that most mothers make. Most mothers take career breaks or periods out of work when their children are very young; many go back to work as their children get older. In addition, 4.5 million low earners—70 per cent. of whom are women—will gain under the second state pension. My hon. Friend should celebrate that, and welcome it.

In view of that explanation, I urge the hon. Member for Sutton and Cheam to withdraw the amendment.

Mr. Burstow: We have heard that a category of people on low incomes and with patchy records of receipt of invalid care allowance will find all the gates shut when it comes to the state second pension. Consequently, those people will not receive the low-income boost that the Minister rightly trumpets.

The Minister suggested that I should be doing her job by trumpeting the state second pension outside the House. I should be happy to support a benefit that truly boosted the pensions of retired carers, but I have set out why that will not happen. The numbers that the Minister gave us will prove illusory unless the workings and eligibility criteria of the invalid care allowance are substantially

improved. The Minister said that she would do something about that, but I hope that the Government will do more. Simply telling us that something is not operationally possible is not acceptable to thousands of carers who expect more of the Government.

This issue clearly needs further consideration at future stages, and we shall return to it in another place. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Schedule 4

ADDITIONAL PENSION

Amendments made: No. 34, in page 93, line 23, leave out ", 48B(2) or 48BB(5)" and insert "or 48B(2)".

No. 35, in page 93, line 35, at end insert—

'(4A) For the purpose of applying sub-paragraph (1) above in the determination of the rate of any additional pension by virtue of section 48BB(5) above, in a case where the deceased spouse died under pensionable age, the divisor used for the purposes of sub-paragraph (1)(c) above shall be whichever is the smaller of the alternative numbers referred to below (instead of the number of relevant years).

(4B) The first alternative number is the number of tax years which begin after 5th April 1978 and end before the date when the deceased spouse dies.

(4C) The second alternative number is the number of tax years in the period—

(a) beginning with the tax year in which the deceased spouse attained the age of 16 or, if later, 1978–79; and

(b) ending immediately before the tax year in which the deceased spouse would have attained pensionable age if he had not died earlier.'.—*[Mr. Rooker.]*

Clause 33

REBATES

Amendments made: No. 28, in page 30, line 3, leave out—

', under section 48A of that Act,'.

No. 29, in page 30, line 5, at end insert—

', in accordance with section 48A below and Schedule 4A to the Social Security Contributions and Benefits Act 1992,"'.—*[Mr. Rooker.]*

Clause 36

MODIFICATION OF EARNINGS FACTORS

Amendments made: No. 30, in page 31, line 25, leave out "Pension Schemes Act 1993" and insert "1993 Act".

No. 31, in page 31, line 26, leave out—

'Social Security Contributions and Benefits Act 1992'

and insert "1992 Act".

No. 32, in page 31, line 30, leave out subsection (2) and insert—

'(2) Subsection (1) shall have effect—

(a) in relation to the application of section 44(5A) of the 1992 Act by virtue of sections 39C(1) and 48BB(5) of that Act;

(b) in relation to the application of section 44(5A) of the 1992 Act in the circumstances described in section 128(4) to (6) of the 1995 Act.

(3) In relation to the period—

(a) beginning with 6th April 2000, and

(b) ending with the day before the first regulations under section 48A(5) of the 1993 Act (as amended by subsection (1) above) come into force,

the Secretary of State shall be taken to have, and to have had, power to calculate and pay relevant pensions by reference to section 44(5) of the 1992 Act as modified by regulations under section 48A(5) of the 1993 Act.

(4) For the purposes of applying subsection (3) above—

(a) the substitution made by section 128(1) of the 1995 Act shall be ignored, and

(b) references in enactments to section 44(5A) of the 1992 Act shall (so far as necessary) be treated as references to section 44(5).

(5) The first regulations under section 48A(5) of the 1993 Act (as amended by subsection (1) above) may include provision in relation to—

(a) revising the calculation of a relevant pension;

(b) paying a relevant pension in accordance with a revised calculation.

(6) Relevant pensions are pensions which fall to be calculated—

(a) in the circumstances described in section 128(4) to (6) of the 1995 Act, and

(b) in relation to persons where, by virtue of section 48A(1) of the 1993 Act, section 44(6) of the 1992 Act has effect in any tax year as mentioned in section 48A(1) of the 1993 Act in relation to some but not all of a person's earnings.

(7) For the purposes of this section—

(a) the 1992 Act is the Social Security Contributions and Benefits Act 1992;

(b) the 1993 Act is the Pension Schemes Act 1993;

(c) the 1995 Act is the Pensions Act 1995.'.—*[Mr. Rooker.]*

New Clause 25

RESTRICTION ON INDEX-LINKING WHERE ANNUITY TIED TO INVESTMENTS

'.—(1) In section 51(2) of the Pensions Act 1995 (annual increases in rate of pension) for "Subject to section 52" there shall be substituted "Subject to sections 51A and 52".

(2) After section 51 of that Act there shall be inserted—

"Restriction on increase where annuity tied to investments

51A.—(1) No increase under section 51 is required to be made, at any time on or after the relevant date, of so much of any pension under a money purchase scheme as—

(a) is payable by way of an annuity the amount of which for any year after the first year of payment is determined (whether under the terms of the scheme or under the terms of the annuity contract in pursuance of which it is payable) by reference to fluctuations in the value of, or the return from, particular investments;

(b) does not represent benefits payable in respect of the protected rights of any member of the scheme; and

(c) satisfies such other conditions (if any) as may be prescribed.

(2) For the purposes of this section it shall be immaterial whether the annuity in question is payable out of the funds of the scheme in question or under an annuity contract entered into for the purposes of the scheme.

(3) In this section 'the relevant date' means the date appointed for the coming into force of section *(Restriction on index-linking where annuity tied to investments)* of the Child Support, Pensions and Social Security Act 2000." '.—*[Mr. Rooker.]*

Brought up, and read the First time.

Mr. Rooker: I beg to move, That the clause be read a Second time.

New clause 25 provides members of money purchase occupational pension schemes with a choice. They will be able to use the non-protected rights element of their accumulated pension fund, in respect of rights accrued from April 1997, to buy instead either an investment-based annuity or an index-linked annuity. Occupational pensions must be increased annually as follows: rights that accrue from 5 April 1988 in respect of guaranteed minimum pension and protected rights must be indexed by the retail prices index, capped at 3 per cent.; and all rights accrued in salary-related and money purchase schemes from 6 April 1997 must be indexed by the RPI, capped at 5 per cent. Protected rights in appropriate personal pensions are subject to the same level of indexation.

We consulted the pensions industry, employers and the public on whether it would be right to relax the current rules for money purchase pension schemes in order to allow schemes to offer investment-linked annuities to any member who might wish to choose that option as an alternative to a traditional index-linked annuity. Of course, the advantage of an investment-linked annuity is that it enables the annuitant to benefit from growth in a range of underlying investments after retirement, although that goes hand in hand with a risk of possible falls in pension income if investment performance is poor.

The principle of introducing greater flexibility for occupational scheme members was widely welcomed. Indeed, a number of annuity providers pointed out that investment-linked annuities have delivered better results in recent years than the traditional index-linked annuity. The new flexibility will apply equally to members of money purchase schemes, whether they buy an annuity or are provided with a pension by their scheme.

Protected rights are not covered by the new clause. As I said when I announced the results of the consultation exercise on 22 March, we intend to give further detailed consideration to issues that arise for protected rights before we decide whether to make any changes to the indexation rules that apply to them. We shall also give careful consideration to the comments that many respondents made on the wider question of the application of indexation requirements to occupational money purchase schemes.

I emphasise that the proposed change provides a genuine option for members of money purchase schemes. The alternative of buying a traditional index-linked annuity will remain available for those members who prefer the certainty of a specified annual rate of increase each year.

The new clause is quite narrow. I hope that it has the support of the House.

Mrs. Lait: We certainly welcome this relaxation of the annuity rules for people who have to retire with a compulsory annuity, but it is worth pointing out that it has had to happen because annuities have been progressively less good value, and we are now dealing with a cohort of pensioners who are upset and angry about what a bad deal the current requirement of compulsory annuities is. I would like to encourage the Government to be slightly braver and to look at all the requirements about annuities for the sake of the aggrieved pensioners for whom they are tinkering around the edges, welcome though these changes are.

I would like the Government seriously to consider, first, whether annuities should be obligatory and, secondly, whether there is an argument for abolishing the 75-year rule for income drawdown. I should like to hear the Government's views on the proposal by the retirement income working party, in its document "Choices", that people should be obliged to take out a compulsory annuity that provides sufficient income merely to keep them off state benefits, and should then be allowed to manage the rest of their pension pot as they see fit. That seems to be the most sensible, logical and grown-up way of dealing with pensions.

On that note, I would welcome—

Mr. Quentin Davies: My hon. Friend has just said that the Government made this proposal only as a sop against the enormous, quite justified outcry from those people who are being cheated—being forced to take annuities at a yield scarcely above the gilt rate, although their capital is being extinguished thereby. Does she agree that this is a thoroughly inadequate, characteristically new Labour, sop? It is a thoroughly fraudulent public relations response.

Mr. Deputy Speaker: Order. Now that the hon. Gentleman has made his speech, perhaps I can say to the hon. Lady that we are going wide of the amendment before us.

Mrs. Lait: I completely agree with you, Mr. Deputy Speaker, which is why I was trying to bring the debate back to the small improvement that the Government have offered. Although I might thoroughly agree with my hon. Friend, I was trying to encourage the Government to help, rather than to beat them round the head, because sometimes it helps if you stroke them. Therefore, I hope very much that they will be stroked, and are prepared to consider much wider provision of better retirement income for pensioners.

Mr. John Butterfill (Bournemouth, West): I want to support what my hon. Friend has said and to welcome the measure as far as it goes, but the sheer complexity of the measure that the Minister has just outlined shows how impossible it has become for those who are buying annuities and pensions even to understand what they are contracting for.

We are now in a position where any independent financial adviser who advised a prospective pensioner to buy a personal pension would be guilty of mis-selling. That is partly because the Government, and successive Governments, have laid on alternative forms of tax-advantageous investment. Recently, individual savings accounts were introduced. Before that, there were personal equity plans and tax-exempt special savings accounts. There are still venture capital trusts and enterprise investment schemes, all of which, from an investor's viewpoint, are better investments than personal pensions.

The situation for personal pensions will get worse. Because of the operation of the minimum funding requirement, the funds are not allowed to invest in such advantageous forms of investment. They are forced into gilts, so the value of pension funds will be diminished, which means that the yield on the annuities will be diminished. That is why the Government tabled the new clause, but it is a wholly inadequate response. We must put pension provision and pension saving on the same footing as the other forms of saving that the Government seek to encourage. As they do that, however, they are undermining the basis on which pension provision has been made in the past.

11.15 pm

Mr. Flight: I welcome the new clause, but I wish to point out that there are two problems with investment-linked annuities. First, it is normally impossible to change manager. If someone is locked into what he considers to be a poor fund, he can do nothing about the manager of the equity-linked annuity.

Secondly, the tax rules are such that if the annuity performs extremely well, the investor cannot take the full gains. The smoothing rules require that the income taken from the equity-linked annuity makes provision for potentially bad years in the future. There have been many cases in which people have died and left behind undrawn income, which simply accrues to the benefit of the insurance company.

As far as I am aware, neither problem has been addressed by the Government's proposals. Therefore, I exhort them to get a move on and to consider the retirement income working party's report. It has addressed all the key concerns that the Treasury and the Inland Revenue have had about abolishing the obligation to buy an annuity. The debate has been going on for three years, and the Minister might even agree that the argument has been conclusively won by those who support the abolition of the requirement to buy an annuity and who want to move to something like the Canadian scheme. The requirement is particularly unjust for those approaching 75 and who find themselves locked into an annuity.

Mr. Field: I very much welcome the change that the Government are making, but I hope that they will listen to the comments that have been made from both sides of the House and that we can move to a position in which the taxpayer's interest is protected. Provided that people meet the requirement of not being on welfare when they already receive tax concessions to build up their pension entitlement, they should be free to manage their own funds over and above the level stipulated.

Mr. Rooker: I could get quite angry. However, given the time of night, I shall not do so. I do not think that we have received a big enough thank you for what we have done.

Mr. Field: I say a big thank you to my right hon. Friend.

Mr. Rooker: I expect that from Labour Members.

When I moved the new clause, I tried to hint at a serious issue that has not been addressed by it. The new clause is quite narrow and the issues that have been raised are important. In due course, the Government will respond to the "Choices" report and I am very keen to get a positive response. The report raises some important issues. I do not think that it provides all the answers, but I doubt whether we shall ever find all the answers. However, we must find a way through the impasse.

The problem is partly a consequence of the very low rates of inflation that we currently enjoy. Some people are aggrieved, and we shall try to find a solution, perhaps based on the "Choices" report, which may provide a foundation for the answer. My Department is concerned to ensure that any proposed scheme guarantees that people do not fall back on the state and means-tested benefits, and the Revenue has its views. The Government can make a collective response and we will come forward with that as quickly as possible.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 32

JURISDICTION OF THE PENSIONS OMBUDSMAN

'.—(1) Section 146 of the Pension Schemes Act 1993 (functions of the Pensions Ombudsman) shall be amended as follows.

(2) In subsection (1), after paragraph (b) there shall be inserted—

"(ba) a complaint made to him by or on behalf of an independent trustee of a trust scheme who, in connection with any act or omission which is an act or omission either—

(i) of trustees of the scheme who are not independent trustees, or

(ii) of former trustees of the scheme who were not independent trustees,

alleges maladministration of the scheme,".

(3) In that subsection, for the words after sub-paragraph (ii) of paragraph (d) there shall be substituted—

"and in a case falling within sub-paragraph (ii) references in this Part to the scheme to which the reference relates are references to each of the schemes,

(e) any dispute not falling within paragraph (f) between different trustees of the same occupational pension scheme,

(f) any dispute, in relation to a time while section 22 of the Pensions Act 1995 (schemes subject to insolvency procedures) applies in relation to an occupational pension scheme, between an independent trustee of the scheme and either—

(i) trustees of the scheme who are not independent trustees, or

(ii) former trustees of the scheme who were not independent trustees, and

(g) any question relating, in the case of an occupational pension scheme with a sole trustee, to the carrying out of the functions of that trustee."

(4) After that subsection there shall be inserted—

"(1A) The Pensions Ombudsman shall not investigate or determine any dispute or question falling within subsection (1)(c) to (g) unless it is referred to him—

(a) in the case of a dispute falling within subsection (1)(c), by or on behalf of the actual or potential beneficiary who is a party to the dispute,

(b) in the case of a dispute falling within subsection (1)(d), by or on behalf of any of the parties to the dispute,

(c) in the case of a dispute falling within subsection (1)(e), by or on behalf of at least half the trustees of the scheme,

(d) in the case of a dispute falling within subsection (1)(f), by or on behalf of the independent trustee who is a party to the dispute,

(e) in the case of a question falling within subsection (1)(g), by or on behalf of the sole trustee.

(1B) For the purposes of this Part, any reference to or determination by the Pensions Ombudsman of a question falling within subsection (1)(g) shall be taken to be the reference or determination of a dispute."

(5) In subsection (3) (persons responsible for the management of the scheme to be the trustees and managers and employer), after "occupational pension scheme" there shall be inserted "or a personal pension scheme".

(6) For paragraph (a) of subsection (6) (exclusion of the Ombudsman's jurisdiction where court proceedings have been begun) there shall be substituted—

"(a) if, before the making of the complaint or the reference of the dispute—

(i) proceedings in respect of the matters which would be the subject of the investigation have been begun in any court or employment tribunal, and

(ii) those proceedings are proceedings which have not been discontinued or which have been discontinued on the basis of a settlement or compromise binding all the persons by or on whose behalf the complaint or reference is made;".

(7) In subsection (7) (persons who are actual or potential beneficiaries)—

(a) after paragraph (b) there shall be inserted—

"(ba) a person who is entitled to a pension credit as against the trustees or managers of the scheme;" and

(b) in sub–paragraph (i) of paragraph (c), for "paragraph (a) or (b)" there shall be substituted "paragraph (a), (b) or (ba)".

(8) In subsection (8) (interpretation) after the definition of "employer" there shall be inserted—

"'independent trustee', in relation to a scheme, means—

(a) a trustee of the scheme appointed under section 23(1)(b) of the Pensions Act 1995 (appointment of independent trustee by insolvency practitioner or official receiver),

(b) a person appointed under section 7(1) of that Act to replace a trustee falling within paragraph (a) or this paragraph;".

(9) In subsection (1)—

(a) for "complaints and disputes" there shall be substituted "matters";

(b) in paragraph (b), for the words from "is to" to the end of the paragraph there shall be substituted "are references to the other scheme referred to in that sub–paragraph"; and

(c) in paragraphs (c) and (d), the words "which arises", in each place where they occur, shall be omitted.

(10) Subsection (6) does not have effect in relation to proceedings begun before the day appointed under section 79 for the coming into force of this section.'.—*[Mr. Rooker.]*

Brought up, and read the First time.

Mr. Rooker: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: New clause 22– *Transfer to Financial Services Ombudsman of functions of Pensions Ombudsman and OPRA*—

'.—(1) There shall be transferred to the Financial Services Ombudsman all the functions and powers of the Pensions Ombudsman established under Part X of the Pension Schemes Act 1993 (as amended by the Pensions Act 1995); and the functions and powers of the Occupational Pensions Regulatory Authority shall be similarly transferred.

(2) The Treasury may by order—

(a) provide for the transfer of any property, rights or liabilities held, enjoyed or incurred by any person in connection with functions transferred under this section;

(b) provide for the carrying on and completion by or under the authority of the Financial Services Ombudsman of any proceedings, investigations or other matters concerned, before the order takes effect, by or under the authority of the Pensions Ombudsman or Occupational Pensions Regulatory Authority;

(c) make any transitional, incidental or consequential provision which is necessary, or expedient as a result of the transfer of functions under this section;

(d) provide for the substitution of the Financial Services Ombudsman for the Pensions Ombudsman or Occupational Pensions Regulatory Authority in any instrument, contract or legal proceedings made or begun before the order takes effect.

(3) The Treasury may make regulations providing for—

(a) the transfer to the scheme operator of any staff previously employed in the service of the Pensions Ombudsman or Occupational Pensions Regulatory Authority;

(b) the terms on which any such transfer shall take place; and

(c) the terms on which the employment of any person previously employed in the service of the Pensions Ombudsman may be terminated.'.

Government amendment No. 84.

Mr. Rooker: New clause 32 will allow the pensions ombudsman to consider five new types of case, which I shall briefly describe. First, it allows independent trustees to take complaints or disputes with other trustees or former trustees of the same scheme to the pensions ombudsman. The independent trustees may discover that the actions of previous trustees were less than would have been expected. Currently, they would have to try to take the trustees to court, spending what may be limited scheme resources, or persuade a member to make a complaint to the pensions ombudsman on their behalf.

Secondly, there may be occasions when scheme rules are unclear on an issue. Trustees may have to go to court to obtain a ruling on the meaning, particularly when a scheme is winding up and the rules cannot be changed. The new clause will allow the trustees to ask the pensions ombudsman for clarification if at least half of the members of the trustee board agree to do so, with no cost to the scheme. Half or more of the trustees have to agree because we do not want to overturn the principle that the majority view of the trustees should prevail.

Thirdly, the new clause enables the pensions ombudsman to accept complaints about the employer in connection with personal pensions. Employers can have an increasing role to play in personal pensions, particularly in group personal pensions. Currently, a personal pension holder can complain about the actions of the trustees or administrators, but not those of the employer.

Fourthly, the new clause allows those who are concerned, for example, about the level of charges or the implementation of the pension share, to raise that with the pensions ombudsman. When a person has a pensions credit awarded in a pension-sharing case, they should be able to complain if it is not handled properly by the scheme.

BEST COPY AVAILABLE

Finally, a scheme member may raise an issue concerning their pension scheme with the wrong authority, such as an industrial tribunal, which in this instance can be considered a court. Currently, if they do so, even by mistake, the pensions ombudsman cannot later accept the case. The new clause ensures that he can accept the case if it has been referred to court and has been discontinued.

Amendment No. 84 makes consequential changes resulting from new clause 32.

The new clause fills gaps in the pensions ombudsman's jurisdiction. There is a range of issues that the pensions ombudsman can investigate, but there are some issues that he currently cannot investigate. There is no good reason why he should be prevented from doing so and it would be helpful to members and schemes if he could investigate those issues. We consulted on those measures in "Strengthening the Pensions Framework", the consultation document issued at the same time as the Green Paper. There was overwhelming support for them, and I commend the new clause to the House.

I turn now to new clause 22, to which I presume the hon. Member for Beckenham (Mrs. Lait) will speak. The matter was raised in Committee, and I agreed that it was a legitimate question that should be debated. We all want to ensure that pension schemes and other financial products are properly regulated and that there are routes to deal with consumers' concerns.

As my hon. Friend the Economic Secretary acknowledged when a similar clause was debated during the Report stage of the Financial Services and Markets Bill, there is a certain logic to the proposal. However, there are reasons why both the pensions ombudsman and the Occupational Pensions Regulatory Authority should remain separate from the Financial Services Authority and the financial ombudsman service.

I shall first clarify the current position. OPRA is a regulatory body that was set up to help to ensure that occupational pension schemes comply with the provisions of the Pensions Act 1995. That role is different from that performed by either the pensions ombudsman or the financial ombudsman service in that those organisations deal with complaints from individual scheme members, employers or trustees; they do not regulate. It would be inappropriate to combine the functions of a regulator with those of a complaint-handling body. That principle has been applied to the Financial Services Authority and the financial ombudsman service; they are separate and independent, although linked, organisations.

The financial ombudsman service's compulsory jurisdiction is linked to regulation by the FSA. If an individual or organisation is authorised by the FSA, they come within the compulsory jurisdiction of the financial ombudsman service.

On the other hand, the pensions ombudsman has jurisdiction over employers and trustees in relation to both occupational pension schemes and personal pensions. The jurisdiction is also compulsory in that there is no opt-out. Sponsoring employers and trustees of pension schemes are not authorised by the FSA and it would not be appropriate for them to be so.

Bringing the pensions ombudsman's functions into the financial ombudsman service would mean that employers and trustees would have to be authorised by the FSA, which would not be sensible; or that the clear link between authorisation and compulsory jurisdiction would be broken. It would not be practical to extend the financial ombudsman service's compulsory jurisdiction to include all those, such as trustees and sponsoring employers, who come within the remit of the pensions ombudsman.

It is important that consumers are clear about whom they should go to for advice and to complain. The common theme is the office of the pensions advisory service. OPAS handles information and guidance concerning personal pensions and occupational schemes, and will cover stakeholder schemes. It is ideally placed to steer consumers toward the most appropriate place for their concerns to be dealt with. Indeed, the Financial Services and Markets Act enables the financial ombudsman service, with the consent of the complainant, to refer a case to another body, such as the pensions ombudsman, for resolution by that body. Those provisions were included with the pensions ombudsman in mind, to ensure that the consumer can benefit from a seamless service in respect of pensions issues.

Furthermore, we shall work with both the financial ombudsman service and the pensions ombudsman to ensure that the lines between the two are clear and that consumers have access to the right organisation to deal with the concern raised. We want to ensure that consumers are clear about where their complaint will be dealt with.

I had to stick to my text, because it is important that we make clear the reason why we do not want to accept new clause 22. I hope that I have demonstrated that the Occupational Pensions Regulatory Authority, the pensions ombudsman and the financial ombudsman service operate in connected, but different, spheres and that there are therefore good reasons why those organisations should remain separate. However, I assure the House that we remain aware of the issue of clarity for the consumer. We shall develop ways in which to ensure that it is clear who consumers should approach. If, at any time, the Government fall down in that respect, I hope that right hon. and hon. Members will bring it to our attention.

Mrs. Lait: I am grateful to the Minister of State for his detailed explanation of the role of the pensions ombudsman, OPRA and OPAS. If it took so long to explain that to people who are interested in the subject, I dread to think how long it would take to explain to someone who was trying to navigate their way around the issue. However, as the right hon. Gentleman has been kind enough to set out the Government's reasoning clearly, we should like to go away and think about his comments, perhaps with a view to returning to the issues in another place.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 30

CUSTODIANSHIP OF INVESTMENTS

'.—(1) The trustees or managers of an occupational pension scheme or a personal pension scheme must secure that investments held for the purposes of the scheme are held in accordance with an agreement made between the trustees or managers and an appropriate authorised person ("the custodian") which contains the provisions mentioned in subsection (2).

(2) Those provisions are—

(a) that the investments are held in the custodian's name and he maintains adequate records for identifying them as belonging to the scheme and not to himself or any other person,

(b) that the custodian is required to safeguard the investments,

(c) that all documents of title relating to the investments are kept in the custodian's possession and may not be delivered to any other person except—

(i) to another appropriate authorised person with whom the trustee or managers have made an agreement within this section or in accordance with instructions from the scheme's fund manager, and

(ii) upon a request which is signified in the manner specified in the agreement,

(d) that all arrangements and transactions relating to the investments are conducted and recorded in the manner and within the period so specified,

(e) that adequate arrangements are made for the deposit or investment of money received by the custodian in pursuance of the agreement and for the payment by him of money required for the purposes of the scheme,

(f) that the custodian is responsible for securing that the trustees and managers are fully informed of all matters relating to the investments within a period which is reasonable having regard to the importance of the information,

(g) that, in any case where the custodian is also a person to whom any discretion to make any decision about investments has been delegated under section 38, the functions exercisable by him as custodian are adequately differentiated from those exercisable by him by virtue of that delegation,

(h) that the custodian is liable for any reduction in value in the assets of the scheme arising from any breach of his obligations under the agreement, and

(i) such other provisions as the trustees or managers consider appropriate for securing the safeguarding of the investments of the scheme.

(3) Where an agreement in relation to the investment held for the purposes of a scheme has been made with a custodian in accordance with this section—

(a) except in prescribed circumstances, the custodian shall not be regarded as a trustee or manager of the scheme by virtue only of complying with such provisions of the agreement as are mentioned in subsection (2), and

(b) the trustees or managers of the scheme are not responsible for any act or default of the custodian in the course of exercising his functions as such if they have taken all reasonable steps to satisfy themselves—

(i) that he is an appropriate person to appoint as custodian, and

(ii) that he performs his functions under the agreement competently.

(4) Subject to any restriction imposed by the scheme, an agreement under this section may include provision enabling the custodian to make arrangements with another person for him to exercise any of the custodian's functions under the agreement; and where the custodian makes such arrangements this section shall, except in prescribed circumstances, apply in relation to the other person as it applies to the custodian.

(5) Regulations may—

(a) provide that this section does not apply, or

(b) modify it in its application,

to schemes or investments falling within a prescribed class or description.'.—*[Mr. Butterfill.]*

Brought up, and read the First time.

Mr. Butterfill: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: New clause 31—*Supplementary provisions concerning custodianship*—

'.—(1) In section (*Custodianship of investments*) references to an appropriate authorised person are to a person who—

(a) is regulated in the carrying on of business consisting of the holding of pension scheme investments in accordance with such agreements as are mentioned in that section by a body which is a recognised self-regulating organisation for the purpose of the Financial Services Act 1986, and

(b) subject to subsection (2), is not connected with the person who is the employer in relation to the scheme in question.

(2) Paragraph (1)(b) does not apply—

(a) where the employer is an institution authorised under the Banking Act 1987 or a prescribed person and the arrangements made under this section comply with such further requirements as may be prescribed, or

(b) in prescribed circumstances.

(3) Section 2(1) of the Financial Services Act 1986 (power to extend or restrict the meaning of "investment" and "investment business" for the purposes of all or any provisions of that Act) shall apply in relation to the provisions of section (*Custodianship of investments*) and this section as it applies in relation to the provisions of that Act.'.

New clause 34—*Company takeovers: trustees rights*—

'.—In circumstances where the employer changes the trustees will be consulted by the existing employer on any issue that would have any impact upon the pension fund or monies due to it, prior to the transfer.'.

Amendment No. 83, in schedule 5, page 105, line 9, at end insert—*'Minimum funding requirement*—

. In section 56 of the 1995 Act (minimum funding requirement) subsection (4) shall be omitted.'.

Mr. Butterfill: I rise to speak briefly to new clauses 30 and 31. They are not new clauses, in that they are not new to the House: they were first debated during consideration of the Pensions Act 1995. Their author was the National Association of Pensions Funds, and they were first proposed by the right hon. Member for Glasgow, Anniesland (Mr. Dewar), now First Minister in the Scottish Parliament. He was absolutely right to propose the provisions, because the issue of custodianship of assets is a vital one.

The 1995 Bill was, in many ways, a reaction to the Maxwell pensions scandal. The only reason why Mr. Maxwell could get away with his nefarious deeds was that he could get his hands on the securities that were held by the pension fund, and falsely pledge them to the bank as being assets of his company. If he had not been able to do that, none of the Maxwell scandal could have occurred. It would have been much more difficult for him to do that if he and his co-trustees had been required to have an independent custodian holding those securities—a custodian who would have asked why Mr. Maxwell personally needed his hands on those documents.

11.30 pm

If we proceed with the two related new clauses in my name, it will make it very much more difficult—not impossible, but very much more difficult—for a future Maxwell to behave in that way. Of course, even an independent custodian must hand over securities if required but, given the responsibilities that custodians

now have under legislation, and given the responsibilities that would be placed on them by the new clauses, they would be required to ask pertinent questions before they gave in to any unusual requests of that nature. Under the new clauses, they would also have responsibility if they did not behave with due discretion in these matters. Such clauses are the only way of preventing a future Maxwell.

The previous Government argued, and the present Government are arguing, that the new clauses are unnecessary for a number of reasons. One is that custodians are now adequately regulated. They are indeed regulated under the Pensions Act and under the Occupational Pension Schemes (Minimum Funding Requirement and Actuarial Valuations) Regulations 1996.

The second reason given is cost. That was dealt with last time. The National Association of Pension Funds estimates that, for the average scheme, the cost of independent custodianship would be one twentieth of 1 per cent. of the total of the assets. That is not an exorbitant amount. It is an amount that any reasonable scheme could bear for the security that would be given to its members.

The third reason given by the Government when the matter was last considered was that there was no legislation in place to regulate the operation of the custodians themselves. The Government said that we would have to wait until the relevant legislation determined how they would be regulated. If the custodians could be regulated, perhaps such a proposal would work.

Well, the custodians are now regulated. The legislation has done its job. The Occupational Pensions Schemes (Scheme Administration) Regulations 1996 have done their job in regulating the activities of custodians, as the Minister confirmed to me. This is the only way in which we can prevent someone from acting as Maxwell acted. There is now no reason why that should not be done. All the pieces of the jigsaw are in place.

It is no use the Minister or others saying that most schemes already have independent custodians—of course they have—and that only small schemes do not have them. In my constituency, small firms have gone bust. The entrepreneur who was running them had appointed his cronies as trustees of the pension fund, and ran off with the money. That can still happen even today, regrettably. Only a measure such as the new clauses can prevent it.

I apologise for detaining the House, but these are important subjects. Amendment No. 83 would amend section 56 of the 1995 Act in a way that would change the operation of the minimum funding requirement.

The amendment's intention is to permit fund trustees to take into account the total return on their assets rather than simply to consider the income that derives from them to match the fund's future liabilities. I admit that the amendment that I tabled is incompetent and does not achieve the effect that I intended. People who are more expert than me have pointed that out. Nevertheless, it is important to debate the subject.

I declare an interest on behalf of all hon. Members: I am a trustee of the parliamentary contributory pension fund. I also acknowledge the assistance that I received from the National Association of Pension Funds, the Institute of Actuaries and especially from Mr. Graham Bishop of Salomon Smith Barney. His research paper "Understanding Bond Markets" has been an invaluable source of statistical information.

I have already emphasised the importance of the 1995 Act in response to the Maxwell scandal. It ensured that funds were maintained at a sufficient level to meet future requirements. The Act authorised the Secretary of State to issue regulations to govern such activities, especially the Occupational Pension Schemes (Minimum Funding Requirement and Actuarial Valuations) Regulations 1996.

Paragraph 7 of the regulations causes particular anxiety. It is headed "Determination and Valuation of Liabilities". Sub-paragraph 3 provides that there is an assumption that all liabilities will be met through investment in gilt-edged securities. That is the crux of the problem. If liabilities have to be met through such investment, and gilt-edged securities are continually decreasing, the yield to the fund will steadily diminish.

I first raised the matter when the original legislation was made. My right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley) wrote me a letter—now known in the industry as the Butterfill letter—which relaxed the regulations to permit large funds to invest a specific proportion of their matching in equities rather than gilts.

However, the requirement to match a significant proportion of a scheme's future liabilities by investment in long-term gilts remains. It has created the problems that I now want to tackle. Of course, I know that the Government recognise that a problem exists and that they are conducting a review of the operation of the minimum funding requirement. However, I am worried by rumours that the outcome of the review may consist of little more than proposing an extension of the requirement to invest in gilts to allowing additional investment in high-quality corporate bonds. Unfortunately, that would be a palliative. It would do little more than apply sticking plaster to a gaping wound in the whole system of pension provision; a wound that is getting wider and deeper with every month that passes.

The problem arises not from one factor but from a series, which interact cumulatively to produce a most alarming problem. I shall outline those factors. The first is increasing life expectancy. We all live much longer. Secondly, there is an increase in the demand for gilt-edged securities not merely by pension funds but by insurance companies, which are required by regulation to match their liabilities in their reserving regime. Thirdly, there is a reduction in the supply of long-dated gilts due to an improved inflow of funds to the Treasury as a result of increasing economic activity and significant increases in taxation by the Government as a percentage of gross domestic product.

The last factor may be alleviated. The Red Book shows that the Government may move from a surplus to a growing deficit over the next few years. That factor may therefore be less serious than we anticipate. However, the first two factors are likely to become much more serious for the foreseeable future.

The improved health in our nation is likely further to extend life expectancy and thus the long-term liabilities of funds for such funds will require them to hold a rising proportion of gilts as their members age. That has been exacerbated by the Government's decision in 1997 to remove the ability of pension funds to reclaim advance corporation tax on dividends.

[Mr. Butterfill]

Gilt yields have halved in the past few years and that trend accelerated following the rush for valuations ahead of the 1997 deadline, with the resultant sharp rise in long gilt purchases as the funds decided to strengthen their position. As a result, the 15-year gilt yield fell by more than 30 per cent.—from 7.6 to 4.9 per cent.—in the two years between 1997 and October 1999. The inexorable movement in that direction is exacerbated by the fact that the actuaries to the funds are allowed no discretion in their valuations.

The problem that we face is that the current system forces funds to switch from equities to gilts. That in turn drives down the yield on gilts, which in turn creates a need to purchase still more gilts to match the future liabilities. Thus we are creating an inexorable downward spiral of gilt yields, fed by itself. That is an investment black hole into which an increasing proportion of funds is sucked with calamitous potential results for purchasers, equity investment and our national well-being.

The Government have stated that they are keen to encourage savings for retirement and that an increasing proportion of those savings should be invested in the productive economy, particularly the newly emerging high-tech sector. However, if a fund chooses an investment policy with a higher equity content, which the Government say that they want, rather than matching the equity-gilt balance used in calculating the liability and if gilt yields then decline relative to equity yields, the current value of the "pensions in payment" and the "approaching requirement" segments of that liability, subject to the equity easement to which I referred earlier, will rise relative to the equity-based assets. Thus, the minimum funding requirement ratio of assets to liabilities will deteriorate.

Unless the Government take immediate action to remedy that situation, the results will be disastrous. First, they will not be able to achieve their ambition to persuade UK funds to invest in the productive sector of the economy. That is already apparent as the overwhelming bulk of funds flowing into British venture capital companies arises from investments in those companies by United States pension funds. The Government of that country have created more enlightened rules for investment by pension fund trustees.

Secondly, the yield on long-dated gilts will continue to fall. That creates huge distortions in our funding system where the yield on long gilts is massively lower than that for short-term interest rates. Indeed, although UK short-term interest rates are double those prevailing in the rest of the European Community, yields for 10-year bonds are three percentage points less than those of their German counterparts. Incredibly, we are approaching a position where the Government could find it to their advantage to repay the notorious 3.5 per cent. war loan.

The impact of falling gilt rates on annuities has been disastrous for those who have reached retirement age and who had prudently saved for their retirement through personal pension schemes. As *The Sunday Times* pointed out on 26 March, after the Budget, in 1990 a man of 65 could have bought a pension of about £1,500 a year for every £10,000 that he had saved in his pension fund. Today, he would get about £900 a year—almost half—and the figure continues to fall. Our system betrays all those who have saved through personal pensions, particularly as most would have achieved a far better and more flexible result had they saved through one of the alternative investment vehicles, which I pointed out in the previous debate.

Thirdly, the rules do not operate for the benefit of future pensions. Funds invested in pension schemes, whether personal or occupational, have been so successful because of the rising rate of equities and the benign overall economic climate created by increasing investment. Perversely, the minimum funding requirement as presently constituted will transfer the amount invested in the productive sector of the economy to the far less productive fixed interest investment sector. It is therefore extremely unlikely that the value of pension funds will grow as it has in the past and there could be serious implications for the future well-being of those making pension savings today.

11.45 pm

The answer to the problem will not be to allow limited and highly regulated investment in high-quality commercial bonds. The yield on those bonds will fall, and the contribution that they can make to investment requirements is of necessity limited. Such a move would have only a temporary palliative effect. The answer is to move away from mechanistic actuarial calculations based solely on income flow and towards a system that realistically and conservatively assesses total investment returns. That policy is now being adopted by the trustees of many institutions other than pension funds.

I serve on the council of management of the People's Dispensary for Sick Animals. As that charity has substantial on-going liabilities for the monthly payment of the salaries of veterinary and other staff, the investment policies that we dictated to our fund managers were, until recently, income constrained. We realised that it did not matter whether the money coming into the charity was income or from capital gains, so long as we got in enough money. We decided that, provided that our calculations were prudent and likely to produce sufficient funds, we could change the whole basis of our investments. So it should be with pension funds.

If the present trend continues, we could arrive at a situation in which funds have capital values that massively exceed any reasonable calculation of future liability, but their income is so poor as a result of declining gilt yields that they are constantly forced to add to their capital funds. We have surely created a regulatory madhouse, which the Government must reform without delay.

Mr. Andrew Miller (Ellesmere Port and Neston): I never thought that the day would come when I would find myself agreeing with a significant part of what the hon. Member for Bournemouth, West (Mr. Butterfill) has said, especially in his earlier contribution. I profess a certain ignorance on the latter points that he made, but I am pleased that he is looking after our pension fund in the House.

The hon. Gentleman raises some important points. I shall refer to new clause 34 and the question of takeovers. It was interesting to hear the exchange last week and again today between the hon. Member for Solihull (Mr. Taylor) and the Secretary of State for Trade

and Industry on the position of Rover. The hon. Member for Bournemouth, West raised a particularly important point about smaller companies.

I sought to introduce a private Member's Bill on this point in the previous Parliament, but I was persuaded by the then Government that the issues that I was raising would be covered by the Pensions Act 1995. To be fair, a significant number of improvements were made at that time. Sadly, the collapse of H. H. Robertson's in my constituency early in 1997 shows that the 1995 Act may need strengthening further.

In commenting on that case, I should like to pay tribute to a number of colleagues. I mentioned the hon. Member for Solihull, who in his position in the previous Government referred this case to the Serious Fraud Office. His successors have also been extremely helpful. The noble Lord Harrison of Chester and the noble Lord Hunt of Wirral have made positive contributions in this area. My right hon. Friend the Member for Birkenhead (Mr. Field) is still working with me on this case, as are other local colleagues. Many of them, including the Under-Secretary, my hon. Friend the Member for Wallasey (Angela Eagle), have constituents who are affected by this terrible tragedy. The Minister of State, Cabinet Office and the Deputy Prime Minister have consistently taken an interest in this case.

This collapse came about after an asset-stripping operation by Mr. Ric Wharton, who bought the company for $1. He made a pretence of reviving the company, but in reality he made a lot of money at the expense of the company's creditors. Sadly, and perhaps wrongly, pension funds are unsecured creditors, so when the company was refinanced by a conventional bank loan, the fund fell further down the pecking order of creditors. The net effect was that, when the company collapsed, the pension fund had a shortfall of about £5 million. Now, pensioners are surviving on about 25 per cent. of their pension entitlement, while Mr. Wharton lives in the lap of luxury.

Many of the people who lost their jobs would have been far better off had they chosen to retire, rather than taking a pay cut—at Mr. Wharton's behest, and having had no real choice, and no knowledge of how to handle the situation. Had they done so, the state would, ironically, have saved money, because the amount now being paid in benefits is astronomical. At that point, the company's assets would have largely covered its debts, including those of the pension fund. The trouble is that those concerned were not entitled to the key information, and had to rely on the word of someone who has since proved to be less than straightforward. The new clause would put a little power back into the hands of pension funds in similar circumstances.

I realise that, in its present form, my proposal would have serious implications for company legislation, but I hope that the plight of my constituents will persuade the House to ensure that what I have described never happens again. I accept that the whistleblowing and other provisions of the 1995 Act help, but they do not entirely deal with the problem.

I know that the new clause does nothing to help my constituents, but all to whom I have spoken agree that no one else should suffer what they have suffered. I urge my right hon. Friend to do all that he can to protect funds at the point of takeover, by agreeing to look at the practical effects of this dreadful case on real people and legislating accordingly.

Mr. Field: Like the hon. Member for Bournemouth, West (Mr. Butterfill), I will speak briefly.

I support the campaign spearheaded by my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) on behalf of his constituents, and people in surrounding constituencies. Many worked hard for what was, they thought, a full working life, expecting to retire on a decent pension; they now find that their pensions are so reduced that they will not even be able to claim the minimum income guarantee, because they will be just above the qualifying level for income support. This is a very important issue, and I hope that those in the other place will be able to examine it again.

The hon. Member for Bournemouth, West, citing the Maxwell effect on pension funds, asked whether all the checks that we could put in place were there to protect pension funds. In the other place is the person who recovered most of the funds for the Maxwell pensioners. Perhaps when the Bill moves there, he will be the appropriate person to look at not only new clause 30, but new clauses 31 and 34.

Mr. Rooker: I almost feel tempted to say, "Let's call it a day and send the Bill to the other place." I am sure that those in the other place will find a more civilised and conducive time for discussion. However, we plod on.

That is not a complaint, by the way. It is not a complaint about the new clauses and amendments that have been tabled, or about the debate—far from it. A vital part of life in this country is the protection of the interests of pensioners. However, I do not think we are in a position to do the subject justice here at five minutes to midnight. I have no problem with the idea that we may look at the matter again in the summer.

The hon. Member for Bournemouth, West (Mr. Butterfill) was good enough to warn me that he intended to table the new clauses. We have engaged in correspondence, but I may not have convinced him fully in that, and I think it useful to present the Government's views again.

As the hon. Gentleman knows, new clauses 30 and 31 are identical to those tabled in Committee in June 1995, during consideration of the Pensions Act 1995, by my right hon. Friend the Member for Glasgow, Anniesland (Mr. Dewar), who then represented Glasgow, Garscadden and who is now Scotland's First Minister.

The Government of the day rejected those new clauses—I hate to have to read this out, but it is true—for reasons that I find as persuasive today as they were in 1995. [HON. MEMBERS: "Hear, hear."] I am being as honest and open as I possibly can. However, the fact is that when one is in opposition, one does not always have access to all the necessary information on the arguments. When one crosses over to the other side of the Chamber, one sometimes discovers that the arguments are not quite as one thought that they were.

Mr. Kevin Hughes (Doncaster, North): That works both ways.

Mr. Rooker: Yes, but I prefer crossing the Chamber in this direction.

The use of custodians in occupational pension schemes is as widespread today as it was in 1995—it is more or less universal. A very small minority of schemes do not

[Mr. Rooker]

make use of custodians, but most schemes regard the use of custodians both as good practice and as a prerequisite for carrying on investment in certain overseas markets.

There are, therefore, two issues to be considered in relation to new clauses 30 and 31. The first is whether the use of custodians significantly increases the security of scheme assets and should be made mandatory for all occupational pension schemes. The second is whether—and, if so, in what manner—the conduct of custody business should be regulated. New clause 30 deals with the first issue, and new clause 31 with the second.

In 1995, the predecessor to new clause 30 was rejected because both the Government of the day and the then hon. Member for Garscadden recognised that the Pensions Law Reform Committee, under the chairmanship of Professor Goode, had taken the view that the appointment of a custodian could give only the illusion of security. The appointment of a custodian does not in itself increase the security of scheme assets, as the custodian is required under the terms of the custody contract to release the assets in question provided that the instructions to do so are issued in the manner stated in the contract.

Mr. Butterfill: I had anticipated that the Minister would make that argument, which has been made before. However, the situation has now changed. When that argument was first made, we did not have the regulation of custodians that we now have under the pensions regulations and the Financial Services Act 1986. The onus on custodians is, therefore, now much greater. However, even if that were not the case, the onus imposed on custodians by the new clauses would deal with that point.

Mr. Rooker: I am grateful for that intervention, as it gave me time to find the note that I was looking for. I have already partly dealt with the point, but I also accept the hon. Gentleman's comments on the changes, which I shall deal with in a moment. However, he made the point that the use of custodians would have stopped Maxwell and prevented other people from raiding pension fund assets. That is not strictly true. Some of the assets misappropriated by Maxwell were placed with independent custodians, but that did not stop him. Independent custodians also would not necessarily deter another Maxwell. The custodians are bound to release the assets that they hold in accordance with their contracts.

The man was a crook, and a determined one. It is very difficult to guarantee that we can prevent all future problems caused by determined fraudsters, although we can erect the best barriers possible—and considerable barriers have been erected since 1995. However, appointment of a custodian offers no significant protection against a determined fraud. That holds true today.

The Government therefore consider that the voluntary use of custodians by occupational pension schemes recognises both the advantages of custodianship and its inherent limitations. Making use of custodians mandatory might well convey the impression to scheme members that the assets of their schemes are secure, when in fact they are no more secure than they would be if no custodian were used.

Additionally, for the small number of schemes which for reasons of their own do not make use of custodians, making their use mandatory might place additional and unnecessary financial and administrative burdens on schemes whose arrangements for security of scheme assets serve them perfectly well and have done so for many years.

The only point that I need to make on new clause 31 is that, since June 1997, as the hon. Member for Bournemouth, West said, the investment activity of custodians has been regulated under the Financial Services Act 1986. There is no need to set up a new regulatory body to oversee custody business.

On amendment No. 83, as hon. Members are aware, the Pensions Act 1995 introduced various measures aimed at—

12 midnight

Mr. Butterfill: Will the Minister address the fact that even the latest legislation does not require arm's-length appointment of trustees, as the new clause would?

Mr. Rooker: I am not seeking to give the impression in my response, inadequate though it may be, that the position is perfect and everything is locked down. No doubt we shall return to the issue in due course.

A number of measures were introduced in the 1995 Act with the aim of promoting security for members of pension schemes, including the minimum funding requirement. It is important to protect members and the benefits that they are promised. There can be no objection to that.

Amendment No. 83 would undermine the minimum funding requirement for some schemes, which would be considered as meeting the requirement even if there were insufficient funds to meet the rights of members on the basis on which they were accrued. If a scheme was not funded to the minimum requirement, the liabilities—the members' pension rights—could be reduced to the level of the assets available in the scheme rather than increasing contributions.

The minimum funding requirement is not a guarantee of solvency. I freely admit that as a lay person I had thought it was. In the past eight months, since I have been at the Department of Social Security, I have looked at the issue in more detail. The lay person can get a false impression from the minimum funding requirement. It is not intended to force employers to contribute at a higher rate than is needed in the long term to meet the benefits promised.

A wide-ranging review of the minimum funding requirement is being carried out by the Institute of Actuaries and the Faculty of Actuaries in Scotland, in partnership with the Department of Social Security. It has been a significant and detailed review, with different groups looking at seven different papers and sub-groups set up. The report is due this spring. There will be full consultation on any changes that we propose. We have to strike the right balance. This can be a sensitive issue, because of the differences in pension funds. In the light of what I have said, I hope that the hon. Gentleman will withdraw the motion, on the promise that the issue will be raised in the other House.

I pay tribute to my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller), who raised the issue behind new clause 34 with me a few weeks ago in respect of the former members of the H. H. Robertson pension scheme. He has been a tireless campaigner and

has a good record for raising the issue with Ministers in my Department and the Department of Trade and Industry. The sale of a business by one employer to another is a common occurrence. There are provisions in pensions legislation to protect the funding of pension schemes. I freely accept that those provisions were not in place when the relevant events at H. H. Robertson occurred, but I hope that my hon. Friend accepts that they are in place now and are worthwhile additions to the protection afforded to scheme members.

My hon. Friend alluded to the situation at Rover. In that case, one company has been sold to two other companies, with a bit of it being retained by the current owner, as I understand it. Occupational pensions are voluntary. There is no requirement to run a scheme and I have no information on Alchemy's proposals. Ford is a responsible employer of many thousands of people in this country with occupational pension schemes. We can assure Rover employees who are members of the existing occupational pension scheme that the pension rights that they have already earned are protected. It is crucial that that is understood. The trust arrangements are irrevocable.

I do not know the details of the Rover scheme, but it is true that surpluses sometimes accrue. It is a moot point who owns the surplus. The legal authority is such that the surplus is not in the members' ownership: as long as the money is there and the pensions are being paid, it seems to be in the ownership of the employer. That is a not unimportant point: especially when large companies break up other companies and sell them as though they were a row of cans on a supermarket shelf, it is crucial to ensure that the protections put in place after 1995 are thoroughly explored and the schemes are secure for current pensioners as well as those who are paying in for the future.

Trustees have a role in seeking to ensure that debts due from an employer are paid promptly, including any debts created by ceasing to participate in the scheme, if the scheme is underfunded or if no contributions, or the incorrect contributions, are paid. My hon. Friend the Member for Ellesmere Port and Neston spoke about the Serious Fraud Office being called in. I have no information on that aspect of the specific case, and it would be improper for me to speculate on it.

The minimum funding requirement should lessen the risk that a scheme is underfunded through, for instance, an over-extended contributions holiday. There are many home-grown blue-chip companies in this country that have not paid a penny into their pension funds for years. Many of my constituents who are members of the Lucas pension fund have often had cause to speak to me about that situation.

The MFR is an on-going requirement on schemes to monitor their funding position and to have in place a contributions plan to ensure that the appropriate funding level is maintained. The Occupational Pensions Regulatory Authority must be told if employers fail to stick to the contributions plan and to pay contributions on time.

We are aware of the importance of protecting members' rights. That is the bottom line. If we cannot do that, they have no one else to look to. Where there are gaps in the legislation, we must block them. There is no evidence of major difficulties. Reviews are going on and we will report the results to the House as early as we possibly can. There will be full consultation on any changes that we propose, and one can assume from that that there will be further debate on the issue.

Mr. Butterfill: I am grateful to the Minister for that response, but I do not accept his arguments on custody. Of course, some of the Maxwell funds were held by custodians, but custodians were not regulated at that time, so that argument does not hold water. They are now properly regulated, although I think that the regulations could have been improved, and the need for custodianship remains.

Of course, nothing that we can do will prevent a determined fraudster from getting his way—we cannot stop crime—but we can make it a darn sight more difficult for such a fraudster, and that is what we ought to do. I do not understand the argument advanced by both the previous and the present Government, that investors would be lulled into a false sense of security. How would that change their behaviour? Would they not then belong to their company's pension scheme? The argument is a non sequitur. We need to give investors as much security as we can.

The argument on cost does not stand up either. Anybody would be prepared to pay one twentieth of 1 per cent. for the benefit of that security. Does the Minister really think that custodians, who are now properly regulated, would hand over the assets, just like that, to a company boss who happened to ask for them, because he was a trustee of the scheme? Does he think that the trustees of the parliamentary contributory pension scheme would hand over to me or to other trustees all the securities that we hold on behalf of Members of Parliament? Of course they would not. The matter should properly be considered in another place, so I will not seek to press the matter to a Division. I am grateful to the Minister for his assurances on the minimum funding requirement. I hope that the review is thorough and that what I have said contributes in some small way towards it, but I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 40

MEMBER-NOMINATED TRUSTEES

Mr. Miller: I beg to move amendment No. 70, in page 35, line 25, at end insert—

> '(za) The word "and" shall be omitted and after paragraph (a) there shall be inserted—
>
> "( ) that in the case of schemes which fall in a prescribed class, that such arrangements for the selection of persons nominated by pensioner members and deferred members of the scheme to be trustees of the scheme as are required by this section are made, and".'.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss the following amendments: No. 72, in page 35, line 30, leave out subsection (3) and insert—

> '(3) In subsection (3) (selected persons to be trustees)—
>
> (a) in paragraph (a) for "in accordance with the appropriate rules" there shall be substituted "as a member-nominated trustee"; and

(b) after paragraph (b) there shall be inserted—

"(c) for member-nominated trustees to be selected only by the members of the scheme or their representatives;

(d) regulations may prescribe who is a representative for the purpose of paragraph (c).".'.

No. 71, in page 35, line 39, at end insert—

'(5A) In paragraph (b) of subsection (6), after the words "total number of trustees" there shall be inserted the words "and in the case of schemes to which paragraph (b) of subsection (1) above applies, at least one additional trustee nominated by the pensioner members and deferred members of the scheme.".'.

No. 95, in page 35, line 41, after "(6A)", insert—

'The arrangements must provide that pensioner members of a scheme have the same rights of nomination and selection for member-nominated trustees as all other members of a scheme.

(6B)'.

No. 73, in page 36, line 19, leave out "and".

No. 74, in page 36, line 22, at end insert—

', and

(c) unless a proposal is made to which section 18A below applies, and regulations made under section 18A(4) apply as a consequence, the manner in which the trustees are to inform and consult with the members and former members of the scheme about the effect of the arrangements to be made in accordance with this section.'.

No. 66, in page 36, line 22, at end insert—

'(9A) The Secretary of State shall make regulations providing that all trustees shall be required to have attended an approved training course explaining the role and responsibilities of trustees within six months of being either elected as a member-nominated trustee or appointed as a trustee by the scheme's sponsoring employer.

(9B) Regulations under subsection (9A) shall also prescribe the content of such an approved training course.

(9C) The failure of a trustee to attend such a course as is mentioned in subsection (9A) within six months of being either elected or appointed as a trustee shall nullify the trustee's election or appointment.'.

No. 75, in clause 41, page 37, line 7, at end insert—

'(5A) In paragraph (b) of subsection (6) for the words "at least one third" there shall be substituted "at least one half.".'.

Mr. Miller: In view of the time, I will deliver the abbreviated version of the long tome that I have in front of me.

These amendments to the Pensions Act 1995 would ensure that all schemes have member-nominated trustees by not allowing employers to propose opt-outs with no member-nominated trustees, or with less than one third; would provide a new statutory route for the selection of MNTs, whereby trustees can implement proposals within a framework of legislation and regulations without scheme members' approval having to be gained through the statutory consultation procedure, under which proposals are published and allowed to proceed if fewer than 10 per cent. of members object; and would allow employers to make proposals for MNTs outside the bases permitted by the statutory route, but to subject that scheme-specific route to a more rigorous statutory consultation procedure than now applies.

I turn to amendment No. 70. The National Association of Pension Funds survey indicates that only 30 per cent. of members of private sector occupational schemes are active members—38 per cent. are pensioners and 32 per cent. are deferred members. Ten years ago, the corresponding percentages were 46 per cent. active, 34 per cent. pensioners and 20 per cent. deferred members. That trend will continue.

There is no doubt that pensioners as a rule do not feel that their interests are adequately considered by trustee boards. There is a widespread misconception that, if pensioners are given an inflation-linked increase, that is all they should and could have. Pensioners tend to feel, with some justification in many cases, that benefit improvements are concentrated on active members.

I move to amendment No. 72. Under current legislation, the provision is for one third MNTs. By default, that means two thirds company-appointed trustees. The amendment says that "member nominated" is not sufficient and we should have "member selected" trustees.

The confidence of members in schemes demands that member trustees be perceived as representing members. We need to make it as clear as possible that member trustees should be independent of the employer. That purpose will be served by requiring that member trustees be in all cases selected by members of the scheme, or member representative bodies, which may be pension committees, trade unions or pensioner associations.

The amendment proposes that, for a scheme above a size to be prescribed, and where pensioners comprise a specified proportion of members to be prescribed, an additional pensioner trustee should be required. Such a basis would be a modest advance on the one-third minimum, but could still allow employer-appointed trustees to remain in a majority.

I come next to amendment No. 71—the debate about a half, rather than a third. The general conclusion drawn on member trustees is that they improve the working of trustee boards both by their input and by ensuring that trustee boards conduct their meetings properly and in accordance with the Pensions Act. They add to member confidence in schemes, which has been so badly damaged, as the hon. Member for Bournemouth, West (Mr. Butterfill) noted, by the actions of Robert Maxwell and of others.

The Government, and bodies such as the National Association of Pension Funds, endorse the view that having 50 per cent. member trustees represents good practice, but are not keen to make that a statutory requirement. However, many large schemes have operated on that basis without alienating the sponsoring employers. The alphabetical list starts with Allied Domecq, British Airways, British Aerospace and BT, and goes right through to the Prudential, Rolls-Royce, Rover, Shell and Unilever. In my previous work, I had some direct dealings with those funds.

12.15 am

Amendments Nos. 73 and 74 would require the trustees to consult on the proposals under the statutory route. Under the new statutory route, where the employer makes a proposal but does not get approval for it under the scheme-specific route, it falls to the trustees to devise and implement proposals for member trustees. They would not be obliged to consult anyone, or to seek member approval for the basis that they devise.

Once implemented, the system would last indefinitely, or until there was a major change in the scheme. Amendment No. 74 proposes a requirement for consultation by the

trustees before they implement a proposal. A possible model may be the existing requirement for the employer to inform and consult members three months before implementing a change in contracting-out arrangements. However, there would need to be a change to include pensioners in that.

In making arrangements for member trustees, a key objective is that members should have confidence in the arrangements. If trustees were able to implement a system without notice or consultation they would run a grave risk of alienating members. The amendment therefore asks for regulations to prescribe a basis for information and consultation before trustees implement proposals.

Mr. Burstow: I shall speak briefly to amendment No. 95, which covers some of the issues outlined by the hon. Member for Ellesmere Port and Neston (Mr. Miller).

We want the Minister to clarify how the rules will work for the constituency structure proposed for the composition of the member-nominated members of trustee boards in the future. The Federation of Post Office and BT Pensioners has expressed concern that the rules will mean that the method of selection and nomination of constituency elements of the member-nominated trustees will work against the interests of pensioners. The federation fears that pensioners' role and representation on trustee boards will be marginalised.

I understand that that concern arose at least in part out of a meeting that the federation had with the Minister and departmental officials. I hope that the Minister will confirm the value that the Government rightly attach in the Bill to the important role that pensioner trustees can play. I hope also that he will make some sort of commitment to the importance of ensuring that the constituency nomination and selection procedures will not limit pensioner members' ability to be represented fairly in the schemes.

The key matter is fair representation for pensioner members, who can bring an independence to the boards of trustees that other members often cannot bring. It would be very helpful to hear some reassurance in that regard.

Dr. Lynne Jones: I will be very brief. I should simply like to remind my right hon. Friend the Minister of State of a meeting that he and I and other Members of Parliament representing Birmingham constituencies attended some years ago with representatives of Lucas pensioners. They left us in no doubt that the pensioner members of the Lucas pension fund had interests very different from those of the other members of the pension funds, and made us aware of the need to ensure that their interests in pensioner funds were represented.

I urge my hon. Friend to listen to the arguments in favour of amendments Nos. 70 and 71, to ensure that funds include pensioner representatives and that they do not take a place that is currently allocated to other members.

Angela Eagle: The amendments cover two related issues—member-nominated trustees and training for pension scheme trustees. On member-nominated trustees, clauses 40 to 43 will ensure that every occupational pension scheme has at least one third member-nominated trustees. The provisions in sections 16 to 21 of the Pensions Act 1995 have, by and large, worked, but they do not go far enough. There are still too many schemes that do not have member-nominated trustees. The current provisions give the employer the opportunity to propose arrangements that do not include provision for any member trustees.

The Bill legislates for the principle of member-nominated trustees, and puts it into the law for the first time. We want every scheme to have member-nominated trustees, and as a result of the Bill, they will. We believe that they add value, and increase member confidence.

Regular complaints about the current system are that it is too easy to exclude pensioner members from the process, and that the present legislation is too complex and difficult to operate. We have listened and responded to those concerns. Under the new provisions, there will be member-nominated trustees or directors in every scheme. There will be two routes to satisfy the new requirements—we have labelled them the trustee route and the employer route.

Under the trustee route, trustees will implement nomination and selection procedures using a framework set out in regulations. The regulations will provide trustees with flexibility over certain aspects of the nomination and selection procedures. For example, they will be given discretion to divide the membership into constituencies. However, the framework will ensure that all members are treated fairly, so there will be no need for consultation or for member approval. As a result, the process will be simpler and cheaper, which will be widely welcomed.

Under the employer route, employers will have the right to propose bespoke nomination and selection arrangements for their scheme, but the proposal must provide for a minimum of one third member-nominated trustees to be approved by the members. There will be no opportunity to opt out, so every scheme will have member trustees, whichever system is used.

We thought long and hard about whether to provide for a reserved place for a pensioner trustee in large, mature schemes. We decided, on balance, that it would be unwise to do anything to suggest that any trustee has a directly representative role for a particular group of individuals, and that our priority should be to ensure that every scheme has members on the board. That we have done. However, we are aware of concerns that in some schemes pensioner members have been unfairly excluded from participating in the selection of member trustees. That is why we have gone much further to ensure that pensioner members cannot be unfairly treated. The new provisions ensure that pensioner members are included at every stage in the trustee route, and that they will have a say in the approval process under the employer route.

We have worked closely with the pensions industry and other groups, including the TUC, to produce changes that will give members greater participation and confidence in their pension schemes, and at the same time to make arrangements for the nomination and selection of member-nominated trustees easier to operate.

This package of changes represents a real strengthening of the legislative framework for occupational pension schemes, without imposing undue costs or disturbing existing arrangements unnecessarily.

[Angela Eagle]

Amendment No. 66 would make it compulsory for all trustees—employer-appointed trustees as well as member-nominated trustees—to attend an approved training course—

Mrs. Lait: We have not spoken to that amendment.

Angela Eagle: In that case, I will just check that I have not missed anyone else's amendment, and sit down. I hope, however, that my explanation has reassured hon. Members about the principles behind the changes that we have put into effect, and that my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) will withdraw the amendment.

Mr. Miller: I believe strongly that the Bill is a significant step in the right direction. Some issues that I raised could be dealt with under the regulatory regime referred to by my hon. Friend the Under-Secretary. I understand her point about pensioners being treated as a separate class in terms of the responsibilities of the board of trustees of any scheme. However, that issue requires further exploration. As schemes develop, it may be possible to revisit the issue in future.

I acknowledge the positive changes brought about by the Bill, and I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

New Clause 21

WAR WIDOWS' PENSIONS—ENTITLEMENT

'.—(1) The Secretary of State shall review the operation of this section when—

(i) a report on the armed forces pension scheme has been laid before Parliament by the Secretary of State for Defence; and

(ii) the results of any public consultation upon a report as cited in subsection (i) above have been published;

and a report of any review carried out under this section shall be laid before Parliament.

(2) Subject to subsection (3), a widow in receipt of a widow's pension under any of the enactments mentioned in subsection (4) ("the DSS pension") and in receipt of a pension paid under the Armed Forces Pension Scheme shall on remarriage or when living together as husband and wife with a member of the opposite sex only retain the Forces Family Pension (attributable).

(3) Subsection (2) does not apply to a widow in receipt of a basic pension under section 44 of the Social Security Contributions and Benefits Act 1992; and a widow in receipt of such a pension who has remarried or is living together as husband and wife with a member of the opposite sex may not retain the Forces Family Pension (attributable).

(4) The enactments referred to in subsection (2) are—

(a) the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983, and any order re-enacting the provisions of that order,

(b) the Personal Injuries (Civilians) Scheme 1983, and any subsequent scheme made under the Personal Injuries (Emergency Provisions) Act 1939,

(c) any scheme made under the Pensions (Navy, Army, Air Force and Mercantile Marine) Act 1939, or the Polish Resettlement Act 1947 applying the provisions of any such order as is referred to in paragraph (a),

(d) the order made under section 1(5) of the Ulster Defence Regiment Act 1969 concerning pensions and other grants in respect of disablement or death due to service in the Ulster Defence Regiment.'.—*[Mr. Willetts.]*

Brought up, and read the First time.

Mr. Willetts: I beg to move, That the clause be read a Second time.

War widows have a long-standing grievance. When they remarry, they lose their armed forces family pension. We propose, as we have before, that approximately 2,500 post-1973 widows of men killed in the line of duty should retain their right to that pension even if they remarry.

This cause was particularly close to the heart of Michael Colvin, the late hon. Member for Romsey. He contributed an enormous amount to this subject, drawing on his own expertise in the armed forces. It has also been pursued vigorously by Baroness Strange in the other place. Indeed, the Minister of State has previously made encouraging sounds about it, and has made it clear that his heart was with us on this reform. In Standing Committee, he may been over-excited when he said:

> I may be putting myself in the hot seat by saying this, but if I were a Back Bencher, I would go for it. As a Minister, I shall, of course, explain why we should not proceed down that road.—[*Official Report, Standing Committee F*, Tuesday 7 March 2000; c. 751.]

As there are many Back Benchers in the Chamber, on both sides, I hope that the Minister will encourage them to vote for the new clause, which would rectify an injustice at modest cost. We understand concerns about the need to ring-fence the provision; we accept that, but the provision should be made to protect a narrow group of war widows. In the light of the review currently being undertaken, I hope that the Minister will feel able to accept our proposal.

Mr. David Heath: This is the third time that we have debated an amendment of this sort during the past six months. As the hon. Member for Havant (Mr. Willetts) said, there are clear reasons for doing something about the group of war widows involved. It would provide justice for them and their families, enabling them to rebuild their lives and get on with normal life without losing out. The cost to the Exchequer is minimal. Indeed, given the limited number of people involved, the change might even be beneficial because of the effect that it would have on morale in the services. We all know of the current recruitment and retention problems. The attitudes displayed by the current arrangements are frankly out of date in treating widows as chattels of their late husbands. We should not tolerate that any longer.

12.30 am

As the hon. Member for Havant said, in earlier discussions the Minister of State virtually told us that we were right but that he was not allowed to say so. I hope that he will reiterate that intimation this evening. I hope that we shall not hear figures bandied about from the brief as we have on previous occasions. At one point, we were told that this rather modest measure would cost £3 billion. I do not believe that to be the case, or that anyone believes that to be the case. It may have been an inappropriate suggestion.

I am very glad that the Secretary of State for Defence is in the Chamber. I know that he will be listening carefully to what is said and will wish the new clause to be pressed to a Division to assist his deliberations in the review.

We have been entirely consistent on this matter. If I have one small criticism of Conservative Front-Bench Members, it is the fact that I do not recall two consecutive debates in this and another place in which they have taken a consistent position. *[Interruption.]* Sadly, that is the case. Before 3 November, the Conservative Front-Bench team in another place voted against; when the measure came to this place, the Front-Bench team voted for; when it went back to the Lords, the Front-Bench team abstained; when it came back to this place, the Front-Bench team voted for again.

I hope that the hon. Member for Havant will communicate to his colleagues in another place the importance of the amendment; that the House will support it tonight; and that, even if it is not passed tonight, it will return to us from the House of Lords and we shall be able to put it into law.

Mr. Quentin Davies: I think that it will be in accordance with the mood of the House if I am extremely brief. This, as my hon. Friend the Member for Havant (Mr. Willetts) said, is a cause that has been with us for some time, and which the late Mr. Michael Colvin made his own. He did a magnificent job.

I want to speak to this issue both from the point of view of justice and from the point of view of practicality. From the point of view of justice, there is no doubt that the present situation is illogical, anomalous and, frankly, hypocritical. It has never been suggested that widows should wear their widows' weeds permanently. A widow who formed, for example, a permanent lesbian relationship or a widow who had a kaleidoscopic series of heterosexual relationships would be allowed to retain her pension, but a widow who forms a permanent relationship or gets remarried loses the totality of her pension. As a constituent who is a war widow put it to me, "We really have a choice between celibacy, dishonesty"—that is to say, concealment of the actual position—"and promiscuity." That is an absurd situation in which to place war widows. From the point of view of justice, there is absolutely nothing to be said for the present situation, and it is shameful that it has not already been righted.

From the point of view of practicality, the issue of cost always arises—quite rightly—but in recent wars such as the Falklands war, Operation Desert Storm and so on, the number of our casualties has been very limited, so, fortunately, the group of war widows with which we have to deal post-second world war is relatively small and, we trust, will remain that way. It therefore seems to me that the cost of justice is not very great; and when the cost of justice is not overwhelming, there is absolutely no excuse for the House not to choose the road of justice.

Mr. Rooker: About eight hours ago, when I was discussing national insurance contributions, I alluded to the fact that at that time I was speaking on behalf of my right hon. Friends in the Treasury, and that later in the day, I would be doing the same for another Department. I have been asked to be really brief. This is the time when, on behalf of my right hon. Friend the Secretary of State for Defence, I have to tell the House that this matter is under consideration and that the situation has not changed since we last spoke. I am not going to bandy about figures. The cost of the new clause is £3 million for the 2,500 war widows.

My right hon. Friend will report to the House. I have raised the matter personally with him, as I said I would in November 1999, when I drew the short straw during consideration of Lords amendments to the Bill that became the Welfare Reform and Pensions Act 1999. Defence Ministers take the issue extremely seriously. The review will come to the House this summer. There will be adequate consultation on it, and I hope that we can reach a satisfactory conclusion on behalf of this very important group of people. I do not want to enter into the debate about how we feel about them, but there is a serious issue to be dealt with, and I hope that it can be dealt with as soon as possible.

Mr. Willetts: We appreciate that the Minister believes that there is an injustice that needs to be corrected. To help him on his way and in his negotiations with the Ministry of Defence, we propose to press the issue to a vote to show how strongly we feel that war widows are entitled to a better deal.

Question put, That the clause be read a Second time:—

The House divided: Ayes 141, Noes 265.

Division No. 140] **[12.35 am**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Harris, Dr Evan
Harvey, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jenkin, Bernard
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*

Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Mates, Michael
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Page, Richard
Paice, James
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Wardle, Charles
Waterson, Nigel
Webb, Steve
Whitney, Sir Raymond
Whittingdale, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Peter Luff and
Mr. John Randall.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benton, Joe
Bermingham, Gerald
Berry, Roger
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael J *(Worcester)*
Foulkes, George
Gardiner, Barry
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hill, Keith
Hinchliffe, David
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Maxton, John
Meacher, Rt Hon Michael
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ryan, Ms Joan
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry

Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Ward, Ms Claire
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Clive Betts and
Mr. Graham Allen.

Question accordingly negatived.

Schedule 9

REPEALS AND REVOCATIONS

Amendment made: No. 58, in page 130, line 7, at beginning insert—

'10 & 11 Geo. 6 c.24.	The Naval Forces (Enforcement of Maintenance Liabilities) Act 1947.	In section 1(1), paragraph (aaa).
3 & 4 Eliz. 2 c.18.	The Army Act 1955.	In section 150A, in subsection (2), paragraph (b) and the word "or" preceding it, and in subsection (3), the words "or cancels" and "or (as the case may be) that it has been cancelled".
3 & 4 Eliz. 2 c.19.	The Air Force Act 1955.	In section 150A, in subsection (2), paragraph (b) and the word "or" preceding it, and in subsection (3), the words "or cancels" and "or (as the case may be) that it has been cancelled".
1973 c.18.	The Matrimonial Causes Act 1973.	In section 29, in subsection (7), the words "or is cancelled", "or was cancelled" and "or, as the case may be, the date with effect from which it was cancelled"; and in subsection (8), paragraph (b) and the word "and" preceding it.
1978 c.22.	The Domestic Proceedings and Magistrates' Courts Act 1978.	In section 5, in subsection (7), the words "or is cancelled", "or was cancelled" and "or, as the case may be, the date with effect from which it was cancelled"; and in subsection (8), paragraph (b) and the word "and" preceding it.
1989 c.41.	The Children Act 1989.	In Schedule 1, in paragraph 3(7), the words "or is cancelled", "or was cancelled" and "or, as the case may be, the date with effect from which it was cancelled"; and in paragraph 3(8), paragraph (b) and the word "and" preceding it.'.

—[Mr. Rooker.]

Angela Eagle: I beg to move amendment No. 90, in page 130, line 48, column 3, at end insert—

'Section 24. Section 26(4)(c).'.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendment No. 97.

Angela Eagle: Amendment No. 97 is extremely minor and amendment No. 90 is consequential. I commend the amendments to the House.

Amendment agreed to.

Remaining Government amendments agreed to.

Order for Third Reading read.

12.46 am

Mr. Rooker: I beg to move, that the Bill be now read the Third time.

I think that I have spoken enough for today.

12.47 am

Mr. Willetts: The Minister has indeed spoken a lot this evening—it is because he has had so much trouble from Labour Members who disagree with his policies. The reason why we have only reached Third Reading at 12.45 am is that the Government have found that a significant number of their Back Benchers are unable to accept their policies.

I should like to congratulate my hon. Friends the Members for Beckenham (Mrs. Lait) and for Brentwood and Ongar (Mr. Pickles), who led for the Opposition in Committee. I also congratulate the other Conservative members of the Standing Committee: my hon. Friends the Members for New Forest, West (Mr. Swayne), for Tewkesbury (Mr. Robertson), for Bromsgrove (Miss Kirkbride) and for Gainsborough (Mr. Leigh). To our regret, the Government did not listen to the pertinent criticisms that they levelled at the Bill.

We have criticised the proposals for the Child Support Agency, especially their inflexibility. The absence of any upper limit means that, however well-off the absent parent becomes, a fixed percentage of his or her income will always be taken by the CSA—the Government will come to regret that. They will also regret their inflexibility regarding the possibility of very affluent parents with care continuing to receive maintenance from absent parents

[Mr. Willetts]

with far lower incomes. Problems will also arise from the inflexibility in respect of variations: we understand the need for a simpler formula, but if no flexibility is shown about variations, the result will be a system so rigid and inflexible that it cracks under its own weight.

We believe that the provisions relating to the Child Support Agency, as amended by the Bill, will sadly not be the final word on this difficult subject. We agree with the Government, and not with the Liberal Democrats, that child support is best delivered by administrative formula, rather than by returning the matter to the courts. That is where we and those on the Government Front Bench have made common cause. Nevertheless, we do not believe that the application of the formula will be sustainable.

The state second pension is in direct breach of a manifesto pledge to retain SERPS. Ministers claim that no one will be worse off than would have been the case under SERPS, but that is not true. Whole swathes of the population will be worse off than they would have been under SERPS.

People who have earnings from self-employment and employment in the same year will be worse off. The working families tax credit will not earn credits under the state second pension in the way that family credit earned credit under SERPS. Certain groups will be worse off as a result of the shift. Labour Members were elected on a manifesto pledge that they would keep SERPS. They have just voted to get rid of SERPS and to put in its place provision which, for many people, will not be as good.

Labour Members have also voted, for the first time, for home responsibilities protection to end when a child reaches the age of five. That is a significant change in approach, and I have been amazed at the lack of interest shown by some Labour Members. For the first time there has been a signal that if a parent—usually, but not only, a mother—chooses to stay at home when her child is above the age of five, no credits will be earned in the state second pension. When they realise the implications, Labour Members will come to regret the cavalier way in which they voted for that change.

Labour Members have voted for pensions apartheid. It will be extremely difficult for people with earnings below £9,000 to move into funded pensions. The regime under the state second pension will create a divide in pension provision in which we do not believe. We want everyone, as far as possible, to have open and free access to funded pension provision. Sadly, the state second pension will not encourage that. It will have the opposite effect.

Ministers quote apparently enormous figures as the amount that people will accrue as their rights under the state second pension. They will accrue that amount in 40 or 50 years' time. Meanwhile, there will be considerable pensioner poverty, which the state second pension does very little to address.

In an amazing speech, the Minister explained that it would not be possible to increase the basic state pension in line with earnings rather than prices because of the increasing diversity of pensioner incomes. That is an argument which we understand, and which Conservative Ministers used year after year. But when the Minister was sitting on the Opposition Benches, he did not accept it.

At the same time, the Government cavalierly announce that there is to be a universal heating addition and a universal free television licence for people aged over 75. Those can be universal. Suddenly, there is no problem with those being badly targeted. The Minister is happy to announce those policies, regardless of the income of the pensioner.

On the same day, in the same debate, we have witnessed a totally inconsistent approach to probably the most important and most difficult issue on pensions policy—whether the way forward is universal provision or through targeting and means testing. The Government cannot have it both ways. They cannot tell their own rebels that it is impossible to have universal provision in the basic pension rising more than prices, and then proudly announce that they are putting more money into other universal provision.

There are flaws in the state second pension, just as there are in the child support provisions. We regret the imposition of employers national insurance contributions on private medical insurance. Earlier, we saw the extraordinary sight of Labour Members being whipped through the Lobby in order to vote against a measure announced in the Budget. That must be some sort of first. We heard in the Budget announcement only a fortnight ago that child care provision was not to bear NICs by the employer, and we helpfully tabled a new clause to give effect to that measure. The Government had to whip through their troops to vote against it. The provision cannot be in the Finance Bill because changes to national insurance contributions cannot be made in that measure. The Government will have to introduce a measure after whipping through Labour Members to vote against a provision that the Chancellor announced only a fortnight ago. If this place is not to become the theatre of the absurd, Ministers must stop forcing their troops to participate in such shenanigans. The Government will regret many of the provisions.

12.55 am

Mr. Webb: I shall not match the Minister for brevity, but I will do my best.

I want to comment on the final stages of our proceedings. If the Conservative party had voted with us and the Labour rebels tonight, the Government would have been defeated. Opposition Members can be proud of their achievement in making the Government reconsider the adequacy of the basic state pension.

Like the hon. Member for Havant (Mr. Willetts), who thanked his hon. Friends, I want to thank my hon. Friends the Members for St. Ives (Mr. George) and for Sutton and Cheam (Mr. Burstow) for their hard work in Committee.

The Bill has three main parts and we are worried about all of them. The child support provisions will be regretted. The House once reached an agreement on child support that led to a serious mistake. The provisions will prove to be rough justice and they will not fit our constituents' circumstances. Our constituents will call for change, and change will come. The Bill is insufficiently flexible.

The state second pension is not unworthy in its intentions, but it will take almost for ever to achieve little. It is not an adequate response to the problem of pensioner poverty.

We were unsuccessful in bringing up one subject on Report, but we are sure that our hon. Friends in another place will try to draw attention to the draconian response to those who breach community service orders. That issue may well return to the House.

The Bill does not take social policy forward. We regret that it has come before the House.

12.57 am

Dr. Lynne Jones: Like other hon. Members, I want to go home, so I shall try to be as brief as possible. On Second Reading, I expressed reservations about whether the Bill would achieve the Government's intentions in regard to pension reform. I hoped that improvements would be made through scrutiny in the House. I remain worried about the Government's pensions policy and whether it will stand the test of time.

We wanted to reduce means testing, but there will be more means testing of pensioners. At best, the Bill will reduce the amount of means testing that would have occurred without the provisions. I suppose that that is at least an improvement.

Although they have not yet taken the opportunity to do so, there is still a chance for the Government to relent and improve the level of the basic state pension, and prove that we want it to be the foundation of the pensions system in this country.

The Government also want to improve take-up and encourage more people to make private provision. On Second Reading, I said that the growth in private provision had been underpinned by the basic state pension and SERPS. Unfortunately, when I re-read my speech today, I realised that *Hansard* had reported "undermined" rather than "underpinned". I now have an opportunity to put that right.

Many pensions commentators doubt whether there will be more private pension provision as a result of the measures. The state second pension is horrendously complicated. It has three different rates of accrual. I hope that the Government achieve their aim of informing all pensioners and people who contribute to the schemes about the exact pension that they are likely to receive when they retire. I wish them luck with that. It will be difficult, but if people do not understand the sort of schemes to which they contribute, it is doubtful whether the provisions will stand the test of time.

There is still an opportunity to improve the Bill. It would be greatly improved if the Government decided to do more to uprate the basic state pension. That would help the other provisions in the Bill.

1 am

Mr. Leigh: In summary, I oppose the Bill because its Child Support Agency provisions are too inflexible and its pension provisions undermine the contributory principle.

Question put and agreed to.

Bill accordingly read the Third time, and passed, with amendments.

AID SYSTEM FOR FLAX AND HEMP

Motion made and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees,

That this House takes note of European Union Document No. 12992/99, a draft Council Regulation on the reform of the flax and hemp support regime; and supports the Government's aim of promoting reform of this sector, whilst ensuring that the changes to the regime do not prejudice the future viability of the UK industry.—*[Mr. McNulty.]*

Question agreed to.

NORTHERN IRELAND GRAND COMMITTEE

Ordered,

That—

(1) the matter of the state of Northern Ireland agriculture, being a matter relating exclusively to Northern Ireland, be referred to the Northern Ireland Grand Committee;

(2) the Committee shall meet at Westminster on Thursday 13th April at 2.30 p.m.; and

(3) at that meeting—

(a) the Committee shall take questions for oral answer; and shall then consider the matter of the state of Northern Ireland agriculture, referred to it under paragraph (1) above;

(b) the Chairman shall interrupt proceedings at 5 p.m.; and

(c) at the conclusion of those proceedings a motion for the adjournment of the Committee may be moved by a Minister of the Crown pursuant to Standing Order No. 116(5) (Northern Ireland Grand Committee (sittings)).—*[Mr. McNulty.]*

COMMITTEES

Mr. Deputy Speaker (Sir Alan Haselhurst): With permission, I shall put together the motions relating to Committees.

AGRICULTURE

Ordered,

That Ms Fiona Jones be discharged from the Agriculture Committee and Dr. George Turner be added to the Committee.

NORTHERN IRELAND AFFAIRS

That Mr. Tony McWalter be discharged from the Northern Ireland Affairs Committee and Mr. Colin Burgon be added to the Committee.—*[Mr. Clive Betts, on behalf of the Committee of Selection.]*

Residential Homes

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McNulty.]*

1.1 am

Mr. Tony McWalter (Hemel Hempstead): The debate, which is about the treatment of the elderly in residential homes, concerns how we should safeguard the human rights of the elderly. Those of us born in England might well be tempted to think of old age as Shakespeare thought of it. In "As You Like It", Jaques, famously, makes the seven ages speech, which starts with the infant "mewling and puking"—like many Members of the House, perhaps—and ends with the seventh age:

> Last scene of all,
>
> That ends this strange eventful history,
>
> Is second childishness, and mere oblivion,
>
> Sans teeth, sans eyes, sans taste, sans everything.

Despite its powerful hold on our cultural consciousness, Shakespeare's seventh age is not true to old age for most elderly people: it is not simply that, in modern times, dentistry has made it possible to keep one's teeth, but that modern medicine extends the prospect of full and joyful old age, with those of advanced years keeping active, sociable and intellectually lively until severe illness or accident takes them to the destination that we all share.

Although in the past old persons were thought to lose their marbles, we now know that certain illnesses make us lose mental capacity, and the majority of the population do not have the disposition to get those illnesses. Shakespeare may have been right about the seventh age in his day, though even then the speech was directed inappropriately, but in our planning for the care of the elderly we think much more in terms of how to facilitate an active and sociable life, which is what we ought to do.

Today's newspapers feature 93-year-old Jim Dowd, who works for Sainsbury's, helping to collect trolleys and keep them available for customers. While his life style might not be typical, he provides a clear example of how important it is that ageist attitudes do not deny our fellow human beings who have aspirations the possibility of realising them. It might have been less poetic for Shakespeare to say that, for most people, old age brings a capacity actively to continue to enjoy life, albeit at a slower pace, but it would have been more truthful.

I chose the treatment of the elderly in residential homes as my topic because of my disquiet at how elderly persons are being treated at such a home in my constituency. There are in my area manifestations of what I can call the Shakespearean attitude to the elderly and I want to enlist the Government's help to combat them. Gadebury residential home is owned by Hertfordshire county council. Following privatisation by the Conservative council in 1993, the contract for care for 31 such homes was awarded to an organisation called Quantum Care.

Quantum proceeded to refurbish 29 homes, but two, including Gadebury, were left to go downhill for five years. Then, Quantum announced that it would "cost a fortune" to do up the two homes. At the end of January, Hertfordshire county council announced that Gadebury would be closed in July 2000. Since then, there has been an exodus of staff and residents, and the decision is now irreversible.

I am aware of the Government's determination to ensure that our elderly population are treated with more respect than they have been hitherto. The case of Gadebury echoes the treatment of council house tenants in what many of us who grew up in such houses regard as the bad old days. Council house tenants used to be strongly reminded that they were merely tenants, and that their hold on their homes was provisional. When their families had grown up, they could be relocated to a smaller dwelling, even though that meant selling the furniture, not being allowed to have a pet, having insufficient space for grandchildren to visit, and losing the garden and facilities that many of them had worked hard all their lives to build up.

We rightly decided that such a system was unjust. Under-occupancy of a council house may make housing managers lose sleep, but the first imperative of housing management is to recognise the right of good citizens who pay their bills to continued enjoyment of their home.

That change in managerial style was welcome, but it has not been extended to the elderly. I did not encounter one person in Gadebury who wanted to be relocated. Furthermore, there was a strong ethos at Gadebury, which conformed to many of the Government's ideas on care for the elderly. The home was primarily residential, but if residents needed nursing care it could be provided without an enforced move. One floor of the home tended to be for those who were frailer than the others, and whose need for nursing care was more pronounced. At Gadebury, those employed by the health service, the care agency and the county's social services team worked closely together. The Berlin wall that was described so ably by the previous Secretary of State for Health, my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson), had been broken down sufficiently for quarrels about funding and resources to be minimised.

I am happy to commend Hertfordshire county council and the West Hertfordshire health authority for the way in which they have jointly delivered on co-operative programmes of care—in some cases well in advance of governmental initiatives. It is clear that such arrangements are fragile if the threat of closure hangs over a place where such good practice is achieved.

Why was Gadebury served with a notice of closure? The crucial point is that, in the deal that Hertfordshire county council made when it privatised care, there was never any commitment to keep it open, even though it was only built in the late 1960s. Such privatisations often have unacceptable secret clauses and undisclosed understandings. The announcement of closure at Gadebury came as a complete shock to staff and residents at the home, but county council officers had known for more than five years that the plan was to close it. Such secrecy cannot be right. It undermines confidence in any other assurances that council officers may make. The elderly and their relatives and carers were still accepting places at the home in late 1999, even though those responsible for the home knew that it was destined for the chop.

After Gadebury had been neglected for five years, some running repairs that could have been phased over time had built up, and some said that the building needed rewiring and a new heating system. Work on such replacement systems is usually phased, but when there is an

undisclosed determination to close a building dating back years, the phased improvement in such systems is not undertaken.

Why did Hertfordshire county council and Quantum Care decide not to invest in Gadebury, especially as it offered a high standard of care that was, in some ways, a model? I am forced to the sad view that it was because the site, which is close to the town centre, is worth a fortune and the county council wanted to asset strip once the initial furore about privatisation of care had quietened down.

The high price of land in Hemel Hempstead brings about many difficulties. As an example, I cite the 65 persons who have used a temporary homelessness provision supplied by local churches over three months around Christmas. That period is now over, and there is now no provision for the homeless in Hemel Hempstead.

With the closure of Gadebury, residents of the home on public land close to the town centre will be cleared and the land asset disposed of. If Hertfordshire county council's first obligation is to ensure that public assets address public needs, its first duty should be to inform itself of the needs that the land asset may be used to address.

I have given what I believe to be the main reason why Hertfordshire county council has connived at a policy that has caused real distress to my constituents. There is, however, a particularly disturbing dimension to the argument. Certain county councillors say that the Gadebury home is to be closed because the Government have produced guidelines, in a paper entitled "Fit for the Future?", that necessitate closure. Gadebury does not afford its residents rooms that measure 10 sq m, and that is what the paper enjoins.

I know that my hon. Friend the Minister will confirm that "Fit for the Future?" is not law, and, indeed, that those who inspect existing homes in future will consider the overall standard of care that such homes provide. If Gadebury did not have rooms measuring 10 sq m per resident, it did have the most precious attribute that any such home can have: it was regarded by those who lived there as a home, and it was organised in such a way that it could be a home for most residents for life, however frail they might become.

The home had a joyful atmosphere, and if the facilities were not the most modern, they were sufficient to produce a quality of life to which, in new legislation, we aspire. I hope that my hon. Friend will confirm that, whatever changes the Government make, when inspectors see good-quality provision of the sort that Gadebury had, their brief will be not to close such homes, but to commend them.

I have four concerns. First, the Government are rightly worried about the standards in care homes; indeed, they are the subject of a Bill being considered in another place. However, the biggest issue for residents in such homes, when they are enjoying their place of abode, is the feeling of security engendered by their belief that they will be able to continue to live there. When a home is well organised and staffed in a friendly way, and when it has the capacity to cope with those who become progressively more frail—that applied to Gadebury—residents believe, very reasonably, that they will probably be able to end their days there. The secretive actions of Hertfordshire county council and Quantum Care violated the reasonable expectations of the Gadebury residents.

Summary decisions of that sort, made with no reference to the views of residents, their families and their carers and with no reference to those working in such homes, constitute a violation of the rights of such persons. I ask the Government to ensure that, in future, residents in homes throughout the country will not be subjected to circumstances in which they feel vulnerable to decisions summarily to close such homes.

Secondly, Hertfordshire county council has decided to dispose of an asset that is of considerable value, but could also be used for a variety of socially beneficial purposes, whether for the establishment of new extended care provision for the elderly—in which Hertfordshire is a pioneer—or for other purposes. I am thinking of, for instance, people who are homeless, mentally frail, or both.

I should like the Minister to see such disposal as akin to selling off a school playing field. Such sites are being transmuted from being community resources to being simply private assets. Perhaps the Minister could consider whether he should have the power to call in such asset disposals above a certain value. That is particularly an issue when there is not a unitary local authority. Socially beneficial projects that the borough council might have in mind are not considered by the county council, which has a more focused brief.

Thirdly, Hertfordshire county council's decision was based on the grinding of a political axe. Members were given a figure for the refurbishment of Gadebury which included a large sum relating to compliance with new Government regulations, as articulated in "Fit for the Future?". In doing that, the county council has tried to transfer responsibility for closure to central Government. I ask the Minister to confirm that, as he has said in the past, the remit of the National Care Standards Commission will not be to close homes that work well, even if their rooms are not spacious, and that the commission will have regard to the general level of amenities in and about the environs of a home when it makes a judgment about whether care should continue to be given at such a place.

Fourthly, I ask that consideration be given to the grief caused by the break-up of friendships, the distress caused by unnecessary discontinuities in caring provision, and the bewilderment caused to elderly people when they have to go through an unnecessary uprooting.

As we have yet to act on the Sutherland report, many such elderly people have lost their savings, the family home and their access to friendly neighbours. When government or other agencies consider the closure of a home, they should recognise that they are dealing with persons who have already endured trauma. Although sometimes the closure of a home cannot be avoided—there is such a home not far from Gadebury, but it is not the subject of this debate, as it is falling down and its closure is necessary—I hope that the Government will exercise strongly their powers to prevent unnecessary home closures.

In a recent Adjournment debate, my hon. Friend the Member for Wakefield (Mr. Hinchliffe) said that local authorities should act like the Official Receiver in the case of home closures, so that there is a back-stop to prevent unnecessary distress of the type that famously caused eight deaths within a fortnight because of a relocation to Barnet.

[Mr. Tony McWalter]

In the Gadebury case, the local authority, in the shape of Hertfordshire county council, is itself responsible for causing unnecessary distress to residents and erstwhile residents. However, the failures by a local authority to discharge a function are a different order of problem from the current situation, which is that no body is acting to underpin the security of tenancy of those in homes for the elderly.

What knits those concerns together is that the elderly have rights and interests that they, their families and their carers should have the freedom to express. They were denied that freedom in the case of Gadebury, which, prior to the decision to close, treated residents in Shakespearean style as passive recipients of services. Whatever form the seventh age takes, I hope that the Minister will assure the House that he is alive to the need for the human rights of those who are of that age to be taken fully into account.

1.17 am

The Minister of State, Department of Health (Mr. John Hutton): I congratulate my hon. Friend the Member for Hemel Hempstead (Mr. McWalter) on choosing the subject of residential care for this debate, and also for the way in which he has spoken up for some vulnerable people in his constituency. How we as a society provide for the care needs of older people is a hugely important subject. We live in an ageing society—which is something to be celebrated—and it is therefore right that we look critically at every aspect of our system of providing long-term care for older people, with a view to improving choice in, and the quality and flexibility of, those care services.

My hon. Friend has expressed a number of specific concerns about the provision of residential care services in his constituency and the proposed closure of Gadebury house, in Hemel Hempstead. I shall try to deal with those concerns later in my speech. I think that it would be helpful if I were, first, briefly to spell out the Government's wider policies on residential care, to explain to my hon. Friend the background and context within which residential care services should be planned and delivered.

My hon. Friend may be aware that there are about 30,000 residential and nursing homes in England, providing a range of services for almost 500,000 people. The vast majority of those homes are now being operated by the independent sector. Less than 20 per cent. of residential homes are operated by local authorities. It is the responsibility of local authorities to plan and to commission a suitable range of services to meet the needs of local communities.

The Government's responsibilities are, first, to set the right policy and legal framework to regulate and improve the quality and standards of care being provided in care homes; secondly, in partnership with employers, to develop the appropriate training necessary for the social care work force; and, thirdly, to provide adequate resources to local authorities to allow them properly to fulfil their social services responsibilities.

As my hon. Friend has acknowledged, the Government have started a major programme of reform and modernisation in all of those three key spheres. Many of the reforms were described in the White Paper, "Modernising Social Services". Our main ambitions are to improve the quality of social services and the protection afforded to vulnerable people and better to promote the independence of those who need to use those vital public services.

The Care Standards Bill contains many of those proposals, including the establishment of the new independent regulation and inspection arrangements and the introduction for the first time of a proper framework of national standards for care homes. The new National Care Standards Commission, which my hon. Friend mentioned, will take over from health and local authorities the responsibility for registering and inspecting residential and nursing homes, closing the loopholes that exclude many homes from any effective monitoring. For the first time, all local authority-run homes will be subject to independent quality control and monitoring.

The commission will inspect and register homes against a new set of national minimum standards for the first time. National minimum standards should help to ensure that poor standards and shoddy treatment are rooted out for good and that all residents in care homes, irrespective of which part of the country they are in, will be afforded the same protection and access to decent services.

In September last year, the Department began a consultation exercise on a proposed set of standards developed by the Centre for Policy on Ageing. The consultation ended in January and we are considering our response. The Department received 1,400 responses to the consultation on "Fit for the Future?".

We have made it clear that we want the final set of standards to reflect best practice in ensuring a quality care environment for older people. The standards will be realistic and affordable and will give care providers a sensible time in which to make any necessary improvements in the care home. The national minimum standards will, at the least, depend on the new National Care Standards Commission being fully operational, which will not happen before April 2002. Some of the standards, particularly the more challenging ones relating to the physical environment of a care home, will not be introduced until some time after the commission has started its work.

It should be clear that there can be no substance to the claim that the "Fit for the Future?" proposals by themselves provide any justification for the closure of the care home in my hon. Friend's constituency. We have not yet fixed the final set of national standards, and in any case some of them are several years away from being implemented. The effective planning and commissioning role of local authorities is central to the exercise, because they have the main responsibility for ensuring that the social care needs of their communities are properly met. Many of my hon. Friend's comments addressed that issue.

The previous Government's devotion to the privatisation of care provision put dogma before the care needs of service users and threatened the fragmentation of vital care services. However, it is equally true that the near monopoly of local authority provision that used to be a prominent feature of social care frequently led to a "one size fits all" approach, with users being expected to accommodate themselves to the services provided, regardless of their needs and preferences.

We want to put those bogus distinctions and arguments behind us and move on. We want to move the focus away from who provides the care and place it firmly on the

quality of the services experienced by, and the outcomes achieved for, individuals and their carers and families. We do not take a rigid position on whether services should be provided directly by local authorities or by the independent sector. It is the quality of the care provided that counts.

Decisions about the provision of residential care services in Hertfordshire were taken several years ago, as my hon. Friend made clear. That included the decision to transfer the existing residential care homes operated by the county council to Quantum Care, which is a not-for-profit organisation with an excellent reputation for providing quality care to older people.

The role of my Department is to ensure that the local authority has in place proper mechanisms for the effective discharge of its statutory responsibilities and that the people of Hertfordshire receive high-quality social care services.

The social services inspectorate provides a powerful monitoring and inspection role to ensure that both those objectives are met in all parts of the country, including my hon. Friend's constituency, but it is not my Department's role to overrule local decisions made by social services departments or to intervene directly in decisions made by care home providers to continue to operate a particular home.

I understand that Gadebury is closing because it does not meet existing registration standards set by the county council. It is always distressing for residents when a care home closes, so it is enormously important that the upheaval be handled with sensitivity and respect. I understand that every effort is being made to ensure that the residents are found suitable alternative homes that fully meet their choices and care needs.

The new regulatory system will certainly provide stronger powers to monitor the financial viability of homes and will ensure that residents have contracts that clearly spell out their rights—a matter to which my hon. Friend rightly drew attention.

The present situation regarding training is completely unacceptable, as I am sure that my hon. Friend will agree. The social care work force is nearly 1 million strong, but currently 80 per cent. have no formal social care qualifications whatever. The Government have set up a national training organisation for social care, the training organisation for personal social services—TOPSS—which is developing a national training strategy.

We have substantially increased the training support grant, which is now more than £120 million, to support social care training provision. The Care Standards Bill is also setting up a new general social care council. We are taking urgent action to improve training, which will in turn lead to improved care for those in residential care homes.

Hertfordshire's standard spending assessment for social services is increasing by 5.8 per cent. this year, which represents nearly £165 million and is more than twice the rate of inflation, compared with an average increase of 5.1 per cent. nationally. We are providing record resources to the council to allow it to provide effective social services.

In all the three areas to which I referred at the beginning of my remarks, the Government are taking action to improve the quality of social services, and we will continue to do so, because those vital services can be a powerful force for good, performing crucial functions that are fundamental to any decent and compassionate society; but social services are local services, and it is for local councils ultimately to take responsibility for how the resources are used in the front line.

My hon. Friend raised his genuine concern over the decision to close Gadebury house and transfer the residents elsewhere. I fully understand and respect his concerns, and I will be happy to meet him at any time in the future to discuss them in more detail. I will, in particular, draw his remarks about the sale of local authority assets to my right hon. Friend the Minister for Local Government and the Regions.

I hope that, at the very least, I have been able to persuade my hon. Friend that the Government are determined to strengthen the regulation and inspection of care homes, giving more effective rights to residents such as those at Gadebury to have a better standard of care than has sometimes been the case. I hope that he, in turn, will be able to support the measures to which I have referred and to work with us to provide greater security and peace of mind to all those who need long-term residential care.

Question put and agreed to.

Adjourned accordingly at twenty-eight minutes past One o'clock.

House of Commons

Tuesday 4 April 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF NEWCASTLE UPON TYNE BILL *[LORDS]*

Order for Third Reading read.

To be read the Third time on Tuesday 11 April.

GREENHAM AND CROOKHAM COMMONS BILL

Order for Second Reading read.

To be read a Second time on Tuesday 11 April.

Oral Answers to Questions

ENVIRONMENT, TRANSPORT AND THE REGIONS

The Secretary of State was asked—

Council Constitutions

1. **Mr. Tony McWalter** (Hemel Hempstead): What representations he has received opposing his plans to divide councillors into those with an executive function and those with a scrutiny function; and if he will make a statement. [116141]

The Minister for Local Government and the Regions (Ms Hilary Armstrong): We have received many representations both supporting and opposing our proposals for new constitutions for councils. The evidence is that local people want directly elected mayors to lead their communities.

Mr. McWalter: I thank my right hon. Friend for that answer. Will she confirm that it is not her intention to have a single monolithic model imposed on all councils and, in particular, that, as long as councils achieve the aim of greater transparency in their dealings, the Government agree that that is an effective way to run local councils?

Ms Armstrong: My hon. Friend is right. The reforms in the Local Government Bill will open up many opportunities for councils to run themselves in the way that is most appropriate to their local area, after consultation with local people. Greater efficiency, transparency and accountability are at the heart of the Bill—as the Joint Committee recognised when it considered the Bill in draft. The traditional committee system does not meet that aim; that is why we want to move forward.

Mr. Peter Viggers (Gosport): Is the Minister old enough to remember the words of the old Erasmic shaving soap advertisement? Does she think that £58,500 a year for three days work a week on Cardiff council is a bit too much, not enough or about right?

Ms Armstrong: I am concerned that we should have a local government system that local people feel is really effective and is working for and with them. I do not know about shaving soaps—I am sorry to disappoint the hon. Gentleman but the matter is not one that I spend much time worrying about. However, I do spend time trying to ensure that local government is open, accountable and working with local people.

Mr. Llew Smith (Blaenau Gwent): Will the Minister explain how, on the one hand, the Government are in favour of devolution of power, but, on the other, in relation to local authorities, they seem to be concentrating on the centralisation of power in the hands either of a mayor or a leader and a cabinet? Does the Minister accept that, if a councillor does not fit into one of those categories, his or her role will be minimal? Will she accept the amendment from the other place that gives local authorities the option of maintaining the status quo?

Ms Armstrong: There is a slight problem with the amendments from the other place; three or four were accepted—all are contradictory. The status quo does not allow for scrutiny. It does not allow local people to find out what is really happening in their council; what the effect of any of its decisions would be on the ground; and how they would be implemented. The present system was right for 150 years ago, when few people had the franchise and were allowed to sit on councils. That system does not meet the needs of modern society or the demand from local people to have a better look at what is happening in their council and at the consequences of its decisions.

Mr. Nigel Waterson (Eastbourne): As the Labour leader of Cardiff receives £58,500 a year, as we have heard, and leaders of London boroughs are likely to receive £45,000, is there not a real danger of creating two classes of councillor? After the clear-cut vote in the Lords recently, will the Minister confirm whether the Government intend to remove the freedom of local councils to choose their own structures? Will she listen to the voices of people such as her hon. Friends, the Local Government Association and councillors of all parties, including the Labour campaign for open local government—with 1,000-plus supporters, of whom 500 are councillors from 80-plus councils? Is it not high time that she and her friends gave up this control-freakery?

Ms Armstrong: We are trying to emerge from an era when only one system was possible. At present, only the committee system is legal. The Bill offers a wide framework; those councils that have begun preparations to introduce it are coming up with widely different forms of governance. They are doing so after consultation with

local people. Of course, it is important that I consider and scrutinise what the Lords have said. I am discussing matters with the LGA; I met the LGA again last week. However, the Government have the right to ensure that the basic integrity of the Bill is preserved; we shall make sure that scrutiny—far from having a second-tier, less important role—is properly recognised as essential to good local government.

London Transport

3. **Mr. Harry Cohen** (Leyton and Wanstead): What plans he has for reform of the management of London Transport. [116143]

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): I have reformed the London Transport board and appointed a new chairman and a new managing director of London Underground and a new chief executive. The Government have also decided to introduce the public-private partnership. This will tackle the £1.2 billion investment backlog, provide a stable funding environment and secure long-lasting improvements for the underground.

When the mayor takes office, Transport for London—one of the functional bodies of the Greater London Authority—will take over all London Transport's current responsibilities, except London Underground. London Transport will continue to manage London Underground until the public-private partnership has been put in place.

Mr. Cohen: I support the changes to London Transport that my right hon. Friend has announced, which will make it more dynamic and effective in delivering better public services. However, with two French and one US-dominated consortiums shortlisted to run the deep-level underground, and with several other arrangements involving the private sector, what special arrangements will the Government make to ensure that there is effective public service management at London Transport? Will my right hon. Friend assure me that we will not end up with a situation similar to the one involving Railtrack and the train operating companies, in which they blame each other for performance failures?

Mr. Prescott: It is important to ensure that the outputs of the infracos, or infrastructure companies, can be measured and that we have the proper management to measure them and make proper checks on the financial contributions that are made. Of course, incentives will be built into the system. If the organisations achieve their targets, they will do well. If they fail, they will face a penalty. That point will be built into the contracts. It is my belief—this will be subject to the public sector comparator—that public-private financing will be cheaper than the bond issue that is talked of. Those matters will be settled later, but I have no doubt that Londoners will benefit from a long-term approach to investment in the modernisation of the underground. That will be in contrast to the difficulties that we have faced from the stop-go economy which has reduced the necessary public investment in London Underground.

Mr. Don Foster (Bath): Does the Deputy Prime Minister have confidence in the management of London Transport, given that the money that it has spent on private consultants has gone up two and a half times since the Government came to office? Could that money not have been better spent on repairing the 55 escalators that are currently out of action on London Underground? Is that really the fault of the management—or is it not perhaps the fault of the Government for persisting with their ill-advised and costly sell-off of the underground?

Mr. Prescott: The problems with the escalators and their age are a function of disinvestment in the underground over many years. We are attempting to establish an entirely different financial framework for the underground, so that it is publicly owned and publicly accountable. That will guarantee a proper maintenance programme, so that there will not be breakdowns as there are at the moment. If we are to achieve that, consultants must give advice. Surely the hon. Gentleman does not expect me to make a judgment without proper and informed advice.

Mr. Andrew Love (Edmonton): I am a London Member, and my constituents are looking for a modernisation of the tube that will achieve two things. First, they want reassurance that it will remain in the public sector. Secondly, and perhaps more important, they want value for money for the public purse. Can my right hon. Friend reassure my constituents that both those aims will be achieved?

Mr. Prescott: It is clear that, under legislation, I have an obligation to the House to subject whatever ideas I have for the financing of the underground to the public sector comparator. I have to provide best value. That is what I am required to do by the House and that is what I intend to do. We have received the bids in the past few days, and I believe that those aims will be achieved. My hon. Friend will be able to judge whether we achieve them.

London Underground will be publicly owned, publicly accountable and properly financed. Indeed, in those circumstances, it will offer a better opportunity for the proper investment to be made in it. It is not privatisation; I do not know of any facility that has been privatised where the assets have been returned to the public.

Mr. Bernard Jenkin (North Essex): As the Secretary of State refers to the £100 million spent on consultants, can he recall any time, when he was in opposition, when he supported any money being spent on consultancies? He talks about disinvestment, so will he explain why in every year that he has been in charge less Government money has been spent on the tube than under the previous Conservative Government? Is not the chaos on the tube the result of the PPP being more than a year behind schedule, and is that not another emblem of the right hon. Gentleman's own personal failure? As he boasts about an extra £280 million from the Budget for transport, will he come clean with the House and explain that £100 million of that has been cut from his roads maintenance budget?

Mr. Prescott: The hon. Gentleman has his facts wrong. There is more core investment going into the underground than went in under the previous Administration. I defy him to find any instance of my complaining about spending money on consultants in such matters; all Governments have to take advice. Considerable criticism

was made of the sums that the previous Administration spent on consultants—up to £500,000 in respect of rail privatisation—and there was a legitimate argument about that. We shall produce an underground that receives proper investment to deal with the problems left to us as a result of the Conservatives' disinvestment in the underground.

Standard Spending Assessment (Southend)

4. **Mr. David Amess** (Southend, West): What recent representations he has received on the level of the standard spending assessment for Southend for 2000–01. [116144]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Beverley Hughes): Southend-on-Sea borough council wrote to the Department on 22 December, during our consultation period, commenting on the local government finance settlement for 2000–01. We also received inquiries from the hon. Member for Rochford and Southend, East (Sir T. Taylor).

Mr. Amess: Is the hon. Lady aware that, a few weeks ago, I was invited by the Labour/Liberal-controlled council to meet a Health Minister to discuss the crisis in social services in Southend? When the delegation told the Minister that the council was having to close old folks' homes, introduce charges for people with learning disabilities and increase charges for home helps, the Minister helpfully suggested that representations be made about the standard spending assessment. Will the hon. Lady advise Labour councillors on how they can stop further cuts in Southend?

Ms Hughes: My information does not accord with that of the hon. Gentleman. He is right to say that a meeting took place and that the Minister of State, Department of Health, my hon. Friend the Member for Barrow and Furness (Mr. Hutton), asked the council to submit plans for extra money to deal with social services issues. However, Southend did not request extra funding from the budget; in the end, it informed the Department of Health of an underspend of £31,000 from the partnership fund, which it was able to use.

In general terms, the council is increasing its planned spending by almost 6 per cent.: it is providing for education growth of 7 per cent. and social services growth of 4 per cent. The Tory group did not even bother to submit an opposition budget. Provision is being made for increased investment in services, which stands in stark contrast to what happened under the previous Government, when there were rises in council tax and cuts in services.

Housing Density (South-East)

6. **Jane Griffiths** (Reading, East): What plans he has to increase housing density in the south-east of England. [116147]

The Minister for Housing and Planning (Mr. Nick Raynsford): Planning policy guidance note 3, which we issued on 7 March, makes it clear that local authorities should plan for quality development and more efficient use of land. They should avoid housing densities of less than 30 dwellings per hectare net and encourage developments of between 30 and 50 dwellings per hectare net. Those policies are also reflected in the draft changes to the regional planning guidance for the south-east, which we published on 27 March.

Jane Griffiths: Does my hon. Friend agree that it is vital to increase housing density in areas such as my constituency in the heart of the Thames valley, in the interests not only of sustainability, but of affordability, so that key workers such as nurses, teachers and bus drivers can afford to come and live in such areas?

Mr. Raynsford: My hon. Friend makes two valid points. First, she highlights the importance of concentrating development in brownfield sites and of contributing toward urban renaissance, both of which form a crucial part of our planning policy guidance on housing and our regional planning guidance for the south-east. Secondly, she emphasises the importance of doing more to house people in need, who have difficulty obtaining housing in areas of great pressure, such as the Thames valley. My right hon. Friend the Deputy Prime Minister is shortly to make a statement on our housing Green Paper, in which we expand on our policies to meet those objectives.

Mr. Archie Norman (Tunbridge Wells): I welcome the Deputy Prime Minister back to the House after four weeks' absence. Now that we know what was in the Budget, we understand why he disappeared to Brazil. We also understand why, unusually, there was no Budget debate on Department of the Environment, Transport and the Regions spending—there is to be hardly any DETR spending.

Will the Minister for Housing and Planning explain his arithmetic on the question of housing densities? Does he recall that the Government's proposed building rate will force councils in the south-east to build 900,000 new houses in the next 20 years, and that the Government insist that 60 per cent. of those dwellings should be built on brownfield sites? Will he confirm that 60 per cent. of 900,000 means 540,000 new houses on brownfield land? Does he recall the House of Commons Library estimate that only a maximum of 10,000 hectares are available on brownfield land? Can he tell us, therefore, what density level is needed to build 540,000 houses on 10,000 hectares, and how that compares with the density levels that he just cited and those already achieved in major cities such as London and Manchester?

Mr. Raynsford: May I welcome the hon. Gentleman to the Dispatch Box? He has shown a certain reticence about appearing since his appointment. He has clearly misunderstood the main thrust of PPG3 and our regional planning guidance for the south-east. Predict and provide, which was the hallmark of his party's Government, is dead. We are no longer producing 20-year projections of housing.

The hon. Gentleman knows that we are concentrating on annual build rates, which in the case of the south-east is 43,000. Looking at the figures, he will realise that there is a plentiful supply of brownfield sites to meet the needs

of the south-east over the next five years. His figures are wrong. In future, he should do his homework before coming to the House.

Mr. Norman: The figures are not mine—they come from the House of Commons Library. They are the Minister's figures, and it is a matter of pure arithmetic. He has not attempted to answer the question, so let me answer it for him. The answer is 54 houses per hectare—higher than the figure that he cited, and higher than the density achieved in London. That target is regarded as wholly unachievable by every council leader in the south-east. Incidentally, it is no good the Minister speaking about five years, since every local council has to produce a structure plan for 10 years or more.

As that level of density is unachievable, does the Minister concede that many thousands of extra houses will be built on green fields? While we are about it, will he say who will pay for all the knock-on infrastructure—2,000 km of extra roads, 300,000 new school places, and 3,000 new hospital places? How will he deal with the extra commuting and congestion in the most congested parts of the country? Is it not time that he recognised that his entire policy is not just a disaster for the countryside, but unaffordable? As the Deputy Prime Minister said to the Prime Minister,

fancy dancing with figures is counterproductive.

Mr. Raynsford: It seemed to be quite a long time before the hon. Gentleman got to the point. May I remind him that what he is suggesting comes a little rich from the party that was represented by greenfield building all over the south-east, out-of-town shopping centres, motorways driven across countryside, and by the contempt for the environment in the south-east which characterised the term of that party in power?

The hon. Gentleman does not seem to understand that our new policy means the end of predict and provide. It means annual build rates, not 20-year projections; concentrating development on brownfield sites; and getting higher quality developments in the cities as part of an urban renaissance. It is about time that his party woke up to the reality, rather than looking back to the disaster that the Conservatives caused when they were in office.

Dr. Alan Whitehead (Southampton, Test): Will my hon. Friend comment on the view that a greater density of housing requires a lower land take? Has his Department done any work on the relationship of higher density to lower land take, particularly in the light of the various figures put forward for housing in the south-east, and in view of the land that has already been allocated for housing in local authority plans?

Mr. Raynsford: As my hon. Friend knows, the Government have taken action where the previous Government did nothing, by publishing the national land use database to give us basic information about the availability of land on which plans can then be drawn up for development on brownfield sites. We will take that forward, as the NLUD needs to be improved over time. It has made an important start, but we can do better. Through capacity studies, we will also develop a closer analysis of what can be achieved. I emphasise to my hon. Friend that the key objective is to produce high-quality housing where people will want to live, in order to enhance our urban renaissance policy and to protect the countryside from unnecessary development.

Single-person Households

7. **Mr. Christopher Fraser** (Mid-Dorset and North Poole): What estimate his Department has made of the increase in the number of single person households over the next 20 years. [116148]

The Minister for Housing and Planning (Mr. Nick Raynsford): The latest, 1996-based, household projections suggest a net increase of 3.12 million households in England over the 20-year period from 1996 to 2016. Of these 2.13 million, some two thirds of the total, will be made up of one person living by him or herself.

Mr. Fraser: With those figures in mind, does the Minister agree with me that local people should determine their local housing requirements rather than the Government setting arbitrary figures? What consultation has he had with Purbeck district council, which has written to me today, and with Poole and East Dorset district councils in my constituency, about this matter? Without consultation, the Government's proposals mean the wrong houses for the wrong people in the wrong places.

Hon. Members: Wrong people?

Mr. Raynsford: The hon. Gentleman will be aware that the regional planning guidance for the south-west is undergoing examination in public. Clearly it would not be proper for me to respond on a detailed point, which will come to us for decision after the examination in public.

The hon. Gentleman's figures are wrong. It is important to ensure that there is provision for people in need, and a high proportion of need comes from the sons and daughters of people who live in the area, who want to continue to live there. Older people, the largest proportion of single people, now expect to have independent homes in their old age. That is another area of need. It would be a serious disservice to the needs of single people, either young or old, if no housing provision were to be made for them in their area. Regional planning guidance is an appropriate framework in which the necessary need can be identified and from which recommendations can be brought forward for individual counties.

Mr. Geraint Davies (Croydon, Central): Is my hon. Friend in dialogue with the Treasury over possible fiscal opportunities to reduce the proportion of single-person households, especially in respect of housing benefit rules that encourage adult children to leave home prematurely and in terms of taxes on second homes, equal VAT treatment for both conversion and new build, and multi-occupancy incentives for retired people, for example? Will my hon. Friend consider a portfolio of possible fiscal measures to encourage higher levels of occupancy?

Mr. Raynsford: My hon. Friend raises a number of matters that will be expanded on by my right hon. Friend the Deputy Prime Minister when we come to the statement on the housing Green Paper. It is integral to our

entire approach that we ensure that we create a planning framework that allows mixed and balanced communities in which single people can live side by side with families. We do not intend to repeat the mistakes of the past—of social stratification, with areas of exclusively large executive houses on one side and social housing on the other. We want mixed and balanced communities that will allow adequate provision for single people.

Mr. Peter Lilley (Hitchin and Harpenden): If the Minister's figures are correct and the bulk of new housing is needed for single-person households, will he reconsider the decision to build 10,000 houses on the green belt in my constituency, given that little of that housing will be suitable, either in type or in location, for single people?

Mr. Raynsford: The right hon. Gentleman sounds rather like a gramophone record on this subject. He shows an inability to understand the basic framework on which Hertfordshire county council came forward with its proposals. He will know that there are no detailed plans at this stage for the composition of the housing stock and the proportions that will be single-person units, family units, and units suitable for the elderly. The right hon. Gentleman's ridiculous suggestion reveals something—the attitude of mind that was characteristic of the Conservative Government he served, under whom executive homes were encouraged to proliferate throughout the greenfield land in the south-east. We are ending that nonsense, for which the previous Government were responsible.

Mr. Damian Green (Ashford): The Minister seems not to realise that his answer to this question wrecks the case that he made in answer to the previous question. Does he not accept that, on the basis of the Government's household projection figures, more than two thirds of the homes that are needed are required for single and mainly elderly people? His plans to build tens of thousands more homes than local authorities say they need will inevitably encourage developers to build more profitable three or four-bedroomed homes, which are just what single-person households do not need. Will the Minister not acknowledge that his policy attracts working-age people out of inner cities, threatens our green fields and ensures that, as long as he is in charge, we will continue building the wrong houses in the wrong places?

Mr. Raynsford: I am sorry that the hon. Gentleman clearly prepared his answer before hearing my reply to the right hon. Member for Hitchin and Harpenden (Mr. Lilley) and my hon. Friend the Member for Croydon, Central (Mr. Davies). I made it clear that we are not following Conservative party policy, which encouraged the proliferation of three and four-bedroomed executive homes.

We are specifically encouraging the development of more mixed communities. The hon. Member for Ashford (Mr. Green) knows that we are encouraging more suitable provision, which allows higher densities, of houses for single people and families. The Greenwich millennium village is a good example of good-quality new housing at a high density of 80 people to the hectare. It incorporates social housing and housing for sale; housing for single people and housing for families. It is an excellent example of the mixed development that my right hon. Friend the Deputy Prime Minister is pioneering, not before time.

Safety At Sea

8. **Mr. Colin Breed** (South-East Cornwall): What plans he has to improve safety at sea. [116149]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): With regard to international shipping, the Government continue to play a leading role in efforts to enhance maritime safety through their active involvement in and support of safety initiatives that are being taken forward by the International Maritime Organisation and in the European Union. With regard to the United Kingdom fishing industry, the Government are determined to improve poor safety standards through a mixture of regulation and education to foster a culture in which safe practice, such as wearing automatic lifejackets while working on deck, is taken for granted.

Mr. Breed: I am sure that the Minister would wish to offer his condolences to the family and friends of Daniel Kebble, a young fisherman from Polperro in my constituency, who lost his life fishing earlier this year. Does the Minister accept that safety equipment such as lifejackets that are available to fishermen are either user friendly but do not fulfil the necessary buoyancy standards, or have the buoyancy but are bulky and not easy to use? Will he consider funding the relatively modest amount of research and development to marry the necessary qualities so that fishermen can obtain lifejackets that are user friendly and fulfil adequate safety standards?

Mr. Hill: I join the hon. Gentleman in extending condolences to the family of the young man in question. I agree with his wider point: immersion suits are designed for use in abandon-ship circumstances, not for continuous wear. Under an EU directive on a harmonised safety regime for fishing vessels, all new vessels of 24 m and over must carry lifejackets. However, we are not persuaded that the United Kingdom should go further and require immersion suits to be carried on all vessels, regardless of size. There are anxieties in the industry about their practicality. However, the Government strongly recommend that fishermen should wear an automatic single-chamber inflatable lifejacket while working on deck and we have published standards for such garments.

Dr. Norman A. Godman (Greenock and Inverclyde): I offer my condolences to the family of the young man lost from the constituency of the hon. Member for South–East Cornwall (Mr. Breed), and also to the families of the two Lewis fishermen who were lost at sea at the weekend.

We need an early debate on safety at sea because not enough is being done. No fishing vessel should be allowed to leave port without survival suits on board for all members of the crew. It is not always possible for those lads to put them on when a vessel is foundering,

but when they have time to put on a survival suit, they increase their chances of survival dramatically. The Government must act through regulation.

Mr. Hill: I join my hon. Friend in offering condolences to the Lewis fishermen who were lost at sea at the weekend. My hon. Friend has conducted a long campaign about the availability of immersion suits. I reiterate that the Government are not persuaded that they are appropriate in all circumstances. However, my hon. Friend is right to emphasise the need for enhanced safety measures at sea. We believe that much can be done to improve the appalling safety record of the fishing industry, which is 10 times more dangerous than the next most dangerous industry, which is agriculture. Improvements can be achieved partly through equipment and partly through safety training.

We believe that the time has come to subject the 80 per cent. of the industry that operates in vessels under 12 m in length to a statutory safety code. As my hon. Friend knows, that has been under discussion with the industry for many years. We now propose to implement a mandatory safety code for under-12 m vessels by the end of April 2001.

Mr. James Gray (North Wiltshire): In the fishing industry, three vessels are lost and 11 sailors are killed a month. Both sides of the House will welcome what the Minister said about maximising safety standards. We would have welcomed what the Deputy Prime Minister said about safety grants last week, or last month—or last year rather. He said:

speaking for the Government as a whole, I have made clear that the fishing vessel safety equipment grants would continue.

In that case, why have the Government cancelled them?

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): It was to the end of that year.

Mr. Hill: As my right hon. Friend has accurately stated from a sedentary position, he was referring to the end of that particular year. My right hon. Friend obviously has a clearer sense of time than does the hon. Member for North Wiltshire (Mr. Gray), who did not seem to know what time of the year my right hon. Friend had spoken.

I shall make the Government's position entirely clear. Grants to the fishing industry should not be used for the purchase of mandatory safety equipment. We believe that if further funds are to be made available to the industry, they should be used to enhance that essential safety culture by improved safety training techniques.

Housing Stock

9. **Mr. Gordon Prentice** (Pendle): Which five local authority areas in England have the highest percentage of public and private housing stock built before 1919. [116150]

The Minister for Housing and Planning (Mr. Nick Raynsford): The five local authority areas with the highest proportion of private sector housing built before 1919 are Hammersmith and Fulham, Islington, Hackney, Kensington and Chelsea, and Pendle. The five authorities with the highest proportion of pre-1919 council housing are Camden, Westminster, Hammersmith and Fulham, Islington, and Kensington and Chelsea. We are committed to improving the housing conditions of the poorest households, and today's housing Green Paper will set out some new ideas for tackling those needs in both the public and private sectors.

Mr. Prentice: I knew the answer to my question before I asked it. Is the Minister aware that there is a unique cocktail of housing problems not just in Pendle, but next door in Burnley and in east Lancashire? Pendle ranks third in the entire country when it comes to unfit housing, and sixth in respect of empty housing. It is beyond the resources of local authorities in my area to tackle decades of neglect. I hope that, as a result of the housing Green Paper, of which we will hear details in about 20 minutes' time, the necessary resources will be pumped into the area to bring crumbling, useless housing up to a decent standard.

Mr. Raynsford: I fully recognise the points that my hon. Friend made about the condition of the housing stock and the problems of vacant property in his constituency. Pendle's allocation in 2000-01 under the housing investment programme was some 30 per cent. up on 1999-2000, and, as he anticipated, when he hears the announcement that my right hon. Friend the Deputy Prime Minister will make in a few minutes' time, he will realise that the Government are very serious about extending the help available to improve conditions in areas such as his.

Train Services (Euxton)

10. **Mr. Lindsay Hoyle** (Chorley): What measures he can take to increase the number of trains stopping at Euxton railway station. [116151]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): Services at Euxton Balshaw Lane railway station are provided under a separate contract between Lancashire county council and First North Western. I understand that two additional services to Preston will call at the station at 11.20 and 13.20 from the beginning of the summer timetable in May this year. The franchising director is considering a bid from Lancashire county council under the rail passenger partnership scheme, which, if approved, would further enhance peak hour services.

Mr. Hoyle: I am pleased to learn that there will be an immediate increase in the number of trains stopping at the station. Is the Minister aware, however, that the first train heading north leaves at 8.15 am, although most commuters need to catch a train at about 7 am? Is he also aware that Euxton is the only railway station in Chorley that is on the west coast main line, and that no direct trains to Glasgow or London stop there? What can he do to provide better services and get people off the roads?

Mr. Hill: My hon. Friend is an indefatigable campaigner for his Chorley constituency. I thought that I was giving him genuinely good news in announcing the extra services, but his appetite for further improvements for his

constituents seems to be bottomless. I shall, of course, take account of his demands for further improvements in services to Euxton and Balshaw Lane stations.

Mr. Edward Leigh (Gainsborough): Before the Minister devotes too many resources to Euxton, will he bear in mind the plight of rail services in north Lincolnshire? Last weekend, I had to spend—

Madam Speaker: Order. This is a specific question.

Council and Housing Association Dwellings (London)

11. **Mr. Jeremy Corbyn** (Islington, North): If he will estimate the number of new council and housing association dwellings to be built in London in the next 12 months. [116152]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Chris Mullin): Although no new-build council homes are planned for next year, some replacement homes will be built as part of regeneration schemes. In addition, 5,400 new housing association homes are planned for London next year, of which 3,940 will be for rent.

Mr. Corbyn: Does the Minister realise what a depressing answer that will be for thousands of people in London who are on housing waiting lists or transfer lists, or living in bed-and-breakfast or hostel accommodation? If we are to deal with the housing problem that affects anyone on an average or below average income in London, there must be a significant increase in the number of properties made available for rent by councils or housing associations. Especially in inner London, people look to the Government to ensure that money is spent not just on improving existing estates—although that is welcome and necessary—but on purchasing and providing new homes for rent. Failing that, London will become an increasingly socially divided city as poorer people are forced to move out because there is nowhere for them to live.

Mr. Mullin: I certainly acknowledge that there is a serious shortage of affordable housing in London, but I hope my hon. Friend will acknowledge that the housing investment programme for London has increased dramatically under this Government. This year it will be £613 million, which represents a 54 per cent. increase on the previous year.

Let me also gently say to my hon. Friend that about 2 per cent. of Islington's council stock—not counting properties that are awaiting demolition or major renovation—are empty. One of the most effective ways of creating more affordable housing in London would be to put to proper use council housing in Islington—and, indeed, elsewhere—that is currently vacant. Islington has one of the highest vacancy rates.

Mr. Andrew Robathan (Blaby): Something else that has grown dramatically under this Government is the number of asylum seekers in London. How much of that social housing will be taken up by people who have been on waiting lists for some time, and how much will, of necessity, have to be put aside for new arrivals and asylum seekers?

Mr. Mullin: As the hon. Gentleman knows, the Government are making provision to disperse asylum seekers around the country.

This is not a problem that suddenly arose in May 1997. It existed long before then, and the Government whom the hon. Gentleman supported did very little about it. I regret attempts by some Conservative Members to play—let me call it not the race card but the asylum seeker card.

Urban Taskforce

12. **Mr. Simon Hughes** (Southwark, North and Bermondsey): When he will respond to the urban taskforce report. [116153]

The Minister for Local Government and the Regions (Ms Hilary Armstrong): We propose to publish a response to the recommendations in the urban taskforce report later this year, at the same time that we publish our White Paper on urban policy.

Mr. Hughes: Given that one of the recommendations of the taskforce was that it should have an influence on the comprehensive spending review so that urban policy became a term of reference, may we have a date for the report's publication before the announcement of the comprehensive spending review? Also, may we have a guarantee that sustainable communities will be at the heart of the policy, and that in every instance regeneration will put first the interests of those who live in the urban communities that are to be regenerated?

Ms Armstrong: It is precisely because we want to take into account the urban taskforce's ideas—some of which we are already implementing and getting on with, but specifically those relating to the Government's wider policies, including our policies on regeneration and urban renaissance—that they will be considered as part of the spending review. We shall therefore respond to the ideas following the review. I assure the hon. Gentleman that the Government are determined that we shall have regeneration that really means something, that changes the opportunities of those who live in such areas, and that ensures that those people are able to benefit from the advantages of regeneration. We are also determined to build sustainable communities, which are at the heart of our policy.

Mr. John Bercow (Buckingham): Given that, in the name of urban regeneration, Lord Rogers recommended a cut in VAT on residential renovations, has the right hon. Lady complained to the Treasury that such a helpful measure was not forthcoming in the Budget?

Ms Armstrong: Perhaps the hon. Gentleman did not hear all of the Budget, which showed that the Government believe that there is a strong case for stamp duty relief for new build on brownfield sites. We intend to consult on the matter. We shall demonstrate again that we recognise the important distinction between development on greenfield and brownfield sites. It really is a pity that the hon.

Gentleman and the previous Conservative Government did not do that. We shall be dealing with the need for urban renaissance through the tax system.

Concessionary Fares

13. **Mr. Paul Burstow** (Sutton and Cheam): What plans he has for a common age of entitlement to concessionary fares for older people. [116155]

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): The Government have a strong commitment to concessionary travel for elderly people. In the Transport Bill, we are introducing a statutory minimum for local authority concessionary travel schemes, which will provide at least half-fare travel on buses. After the recent Budget, we announced that the bus pass will also be available free of charge. Those two measures will benefit up to 5.3 million senior citizens. Under the terms of the Pensions Act 1995, the age of entitlement for concessionary travel for both men and women will be equalised at 65 by 2020.

Mr. Burstow: The statutory minimum scheme will be greatly welcomed by very many pensioners across the country. However, given that fact, and given that the statutory minimum scheme will effectively make it unlawful to discriminate on grounds of age, will not the Secretary of State take the opportunity to introduce a common age of entitlement to travel schemes for everyone based on the age of 60?

Mr. Prescott: I recognise the point that the hon. Gentleman is making. As he will know, there have been a number of court judgments in Europe on the matter, and those judgments have not held against our differential at 60 and 65. It is therefore a matter of resources. It would cost about £65 million to meet his request. When considering expenditure, we have to make a judgment on priorities, and the 1p Liberal tax would not necessarily pay for a common age of entitlement.

Angela Smith (Basildon): Many pensioners in my constituency have warmly welcomed the Government's decision on concessionary fares for older people—although, quite rightly, they still complain about the lack of bus services in many areas. However, will the Deputy Prime Minister consider extending the scheme to include young people in full-time education and those who are under 18, who still have to pay full fares?

Mr. Prescott: Those matters are affected by cost resource and priorities, which have to be determined. I note, however, that the Labour candidate for mayor of London has made a similar suggestion.

Mr. Nicholas Winterton (Macclesfield): I know that the right hon. Gentleman is very keen to extend concessionary travel for older people, but how would establishing a common age for concessionary travel, which was the intention of the original question, help older people in many parts of the country where there is little or no public transport at all? Is it not important that the Deputy Prime Minister should consider the problems faced by many elderly people who do not have their own cars and live in remote rural areas—such as some of the villages in my own constituency of Macclesfield?

Mr. Prescott: The hon. Gentleman makes a serious point, but under the Conservative Government there was a massive decline in public transport provision, particularly in rural areas. Our £170 million of rural grants has led to 1,800 new services in rural areas. It may not cover everywhere, but it is a major step forward. I suppose that I should also be grateful that the hon. Gentleman did not mention the Manchester airport eastern link road, as he often does.

Ivory Trade

14. **Mrs. Helen Brinton** (Peterborough): What steps the Government are taking to secure the restoration of a ban on the international trade in ivory. [116156]

The Minister for the Environment (Mr. Michael Meacher): There can be no further international trade in ivory unless the 11th conference of parties to the convention on international trade in endangered species, which opens next week in Nairobi, agrees a specific proposal to permit that. The Government believe that any change to the conservation status of elephants under CITES would be premature. We are therefore urging all the proponents to withdraw their proposals on elephants. If they are not withdrawn, the UK, together with our European partners, will oppose all the proposals including those seeking further trade in ivory.

Mrs. Brinton: I thank my right hon. Friend for that reply. Has he, like me, seen the excellent article in *The Mail on Sunday* last week, entitled "Why killing elephants is again all the fashion"? It was about not just ivory, but a revival in trading in elephant skins. Will he assure me that the Government will do all they can at the talks in Nairobi later this week to support the position of Kenya and India, which want to ban that evil, wicked trade?

Mr. Meacher: I can certainly assure my hon. Friend that we do not want a return to the large-scale poaching and full-scale ivory trading that characterised the 1980s; but for all trading in ivory to be ended and for elephants to be uplifted to appendix 1 of CITES, two conditions must be met. The first is that there must be evidence that the limited, experimental, one-off trade has led to an increase in poaching. The evidence is confused and there is no convincing proof. Secondly, the numbers must justify such a move. Elephant numbers are not small, their distribution is not restricted and they are not in decline. In the three countries concerned with the trade, over the past 15 years elephant numbers have quadrupled in Botswana, gone up sixfold in Namibia and nearly doubled in Zimbabwe. We are concerned to prevent any increase in ivory trading. That is why we have required all parties to withdraw their proposals so that we can monitor the illegal killing of elephants and provide convincing evidence for further action.

Social Housing (Single Tenancy Agreement)

16. **Ms Oona King** (Bethnal Green and Bow): What plans he has to introduce a single tenancy agreement in the social housing sector. [116158]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Chris Mullin): I invite my hon. Friend to stay and listen to the statement that my right hon. Friend the Deputy Prime Minister will be making in 10 minutes.

Ms King: I thank my hon. Friend for that kind invitation. I recognise that it might be a bit late to put in a bid for issues to be included in the housing Green Paper. However, does he agree that the introduction of a single tenancy would help to reassure council tenants and enhance their rights when they are offered transfers to community housing organisations, as those organisations are currently unable to offer secure tenancies?

Mr. Mullin: I am aware of the problem that has arisen in my hon. Friend's constituency, where some misinformation has been floating about. There is no practical difference between secure and assured tenancies apart from the right to buy, which is guaranteed under the transfer schemes. Some tenants have been misled on that. It is desirable in principle that there should be a single tenancy, but there are practical difficulties.

Housebuilding (Chelmsford)

17. **Mr. Simon Burns** (West Chelmsford): If he will make a statement on future housebuilding in the Chelmsford local authority area. [116159]

The Minister for Housing and Planning (Mr. Nick Raynsford): An illustrative breakdown of future housing provision within the south-east region, including an annual rate of provision for the county of Essex, was published for consultation with the proposed changes to the draft regional planning guidance on 27 March. Once finalised, it will be for the Essex county structure plan to determine the level of house building in the Chelmsford local plan area.

Mr. Burns: Will the Minister confirm that that fudge by his right hon. Friend the Secretary of State means that there will be about 1,200 extra houses a year in Essex? Will he also confirm that his past statements on the Government's commitment to the green belt were sincere? If the answer is yes, what does he think of Liberal Democrat-controlled Chelmsford borough council's preferred option of building possibly 2,500 houses in greenbelt land in the village of Margaretting in the local authority area?

Mr. Raynsford: The hon. Gentleman has got his figures wrong. The annual average for housebuilding in Essex under the existing south-east regional planning committee arrangement is 6,383 homes per year. The average number of homes built throughout the 1990s was 5,770, and the illustrative proposals that we sent out on 27 March, to which I have just referred, suggests that an average of 5,420 should be built. Therefore, it is simply not true that we are imposing an increase on existing Serplan arrangements, or on current levels of building.

Mr. Burns: What about the green belt?

Mr. Raynsford: I turn now to the green belt, which the Government are committed to protecting and extending, and whose area we have increased by some 30,000 hectares. There is a presumption against development in the green belt, which will be overruled only in exceptional circumstances.

We have a quasi-judicial role in relation to individual planning inquiries, so the hon. Gentleman will understand that I cannot comment on a matter that might come before my right hon. Friend the Secretary of State. However, I reaffirm our commitment to the defence of the green belt.

Council Tax (Second Homes)

18. **Mr. David Rendel** (Newbury): What plans he has to abolish the 50 per cent. reduction in council tax on second homes. [116160]

The Minister for Local Government and the Regions (Ms Hilary Armstrong): We have no plans at present to abolish the council tax discount for second homes. Some respondents to our consultation last year on rural issues suggested ending the discount, and we are considering this along with many other proposals for tackling rural problems.

Mr. Rendel: Does not the Minister agree that giving local authorities the right to raise the council tax on second homes would do quite a lot to reduce the problems of overdevelopment across the south-east? Would not it also give young people wanting to move out of the parental home a better chance of obtaining affordable accommodation?

Ms Armstrong: The hon. Gentleman is being too simplistic. Sometimes there are good reasons for not raising council tax on empty properties, as such properties are empty for all sorts of reasons. Second homes come into that general category.

The issue is complex, and varies across the country. We are considering the matter, and I am sure that the hon. Gentleman will want to contribute his thoughts to our deliberations.

Dr. George Turner (North-West Norfolk): Does my right hon. Friend recognise that there are many different views on the matter across the country? People in north Norfolk are often unable to buy a house because others are coming into the area and buying second homes—those incomers include Members of Parliament. Their presence contributes to the local economy, but the negative feelings of the local community would be somewhat diminished if they were to pay the full council tax. I understand that my right hon. Friend may want to introduce a broader package

of changes to council tax, but will she assure my constituents that that particular change has not been ruled out?

Ms Armstrong: I have made it clear that the change has not been ruled out, but that it has not been ruled in either.

Mr. Geoffrey Clifton-Brown (Cotswold): The Minister may be aware that 600 new wooden chalet-type homes are being built in the Cotswold water park. The local Cotswold district council does not get the full benefit of the council tax on those homes, which are entirely second homes. Will the Minister consider giving local authorities a discretionary power to enable them to levy full council tax in certain circumstances?

Ms Armstrong: I have given the assurance that we are considering that.

Housing Revenue (Resource Accounting)

19. **Mr. Bill Rammell** (Harlow): If he will make a statement about the move to resource accounting for housing revenue accounts and his plans to mitigate its effects on councils in negative subsidy. [116161]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Chris Mullin): Our view has always been that transitional measures would be justified for councils in negative subsidy. We propose to introduce such measures from April next year, to coincide with the introduction of the major repairs allowance. We shall consult on the detail of the measures in due course.

Mr. Rammell: The Minister will be aware of the dramatic impact of this change on a number of local authorities, particularly new town authorities. Without mitigation, the change would involve a dramatic slashing of council services or a huge and unsustainable increase in the council tax. Will the Minister look carefully at the issue and, in particular, at the use of housing capital receipts for non-housing capital purposes which took place during the 1980s and which is the major cause of this problem in my local authority?

Mr. Mullin: I have possibly taken my hon. Friend by surprise by saying that we are proposing to introduce transitional measures from April next year. We are aware of the problem—I met a delegation of leaders of councils that are affected, and am due to meet my hon. Friend in due course. I look forward to discussing the details with him then.

Housing Green Paper

3.30 pm

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): I am very pleased to announce to the House that today we are publishing the housing Green Paper "Quality and Choice: A Decent Home for All". This is the first comprehensive review of housing for 23 years. [HON. MEMBERS: "No."] Any search of the record will confirm that.

Housing is a basic requirement for everyone. Every member of the House will know from their postbag just how much housing matters. Decent housing gives people a stronger sense of security and identity. It strengthens communities and provides a better setting in which to raise families. It improves health, educational achievement and employment opportunities. It provides a long-term asset that can be passed on to future generations.

Despite the fact that the majority of people are satisfied with their housing, there are still too many problems. The previous Government's neglect made those problems worse. I inherited the worst repossession crisis ever, with more than 1 million homes repossessed or in negative equity, and a £19 billion backlog of repair and modernisation work in council housing. Despite Britain's mild winters, we have one of the worst records of winter deaths in Europe. Whole communities have been abandoned in ghettos of deprivation, and the number of homeless people and those sleeping rough has doubled.

Nothing in the Opposition's latest policies suggests that they have learned any lessons. Their proposals have little to do with solving problems and nothing to do with common sense. In fact, to coin a phrase, they are all mouth and no action.

We have made an early start to put things right. *[Interruption.]* This is what action is. We have released £5 billion of capital receipts to renovate 2 million homes. We are implementing the Egan report on raising standards in construction and are tackling the problem of cowboy builders.

Our economic policies have delivered stability, so that people can afford their own home. We have announced measures to make it easier for people to buy and sell their home. Our initiatives have reduced the number of rough sleepers by 10 per cent. These are a few of the things that we have done.

From this week, we are giving tenants a greater say in how their homes are managed. This week, the best value regime starts to ensure better services to tenants. A new housing inspectorate will ensure high standards.

The Green Paper on housing is a key part of our wider ambition to support sustainable communities. It shows how our existing initiatives fit into an overall strategy. It also sets out a range of proposals.

Over the coming weeks and months, I shall be launching the National Strategy for Neighbourhood Renewal, the urban White Paper and the rural White Paper. The housing Green Paper, together with those documents, is a key part of our strategy to build sustainable communities in this country.

The Green Paper is a consultation document. We are seeking responses by the end of July, but we would also welcome earlier reactions to inform decisions in the next three-year spending review. We shall be looking to press ahead with our housing agenda in the autumn, although clearly some of our proposals will require legislation.

The Green Paper is about quality and choice. We want to raise the quality of homes everywhere, whether they are owned by individuals or provided by landlords. We want to extend choice, so that there is more choice for tenants and for those wanting to buy their own home.

I will start with the greenest part of the Green Paper—that dealing with housing benefit and rents. Everyone recognises that housing benefit is in need of reform. It has helped distort the structure of rents and trap people in unemployment. It is difficult to understand and complex to administer. I am sure that every Member of Parliament knows that to be so from dealing with constituents.

Most people who receive housing benefit are of working age, although 41 per cent. are over 60. We are already helping those moving into work by arranging to pay benefit automatically for the first four weeks in employment, but we want a more efficient service for all who receive benefit. In the short term, we propose improvements such as computerising mail between different benefits offices. That will save the postage of 20 million pieces of paper and speed up the process.

We are also tackling fraud and error. The Green Paper proposes further options, such as a single national fraud hotline service.

Mr. Eric Forth (Bromley and Chislehurst): Oh, a hotline!

Mr. Prescott: The right hon. Gentleman appears to be not too concerned about fraud.

In the longer term, we want to examine the case for reforming housing benefit to give tenants greater choice over where they live, but that will require reform of rent structures. There is a consensus that council and housing association rents are a mess. We want to build a new consensus on the way forward.

Mr. Forth: What does that mean?

Mr. Prescott: It means reaching agreement about commonsense proposals.

The Green Paper offers a range of options for restructuring rents. We believe that the key principles should be comparable rents for comparable properties and rents that take account of the size and quality of the homes on offer. I can give a clear commitment that, whatever changes we introduce, we shall maintain rents in the social sector at an affordable level—below market rents. I also make it absolutely clear that pensioners on housing benefit will not be affected by any proposals to reform housing benefit.

Home ownership has increased dramatically over the past few decades, owing partly to the right-to-buy programme introduced by the previous Administration, under which 1.3 million people bought their own homes. I have already referred to our initiative to make the home buying and selling process easier. We are also taking action to help first-time buyers.

We are announcing a new starter home initiative to help key workers, such as nurses and teachers and first-time buyers on modest incomes. The initiative will help them

[Mr. Prescott]

to buy their own homes in areas where housing is costly, in the town or in the country. We will invite proposals from housing associations and others. Ideas could involve interest-free loans, development grants or other innovative approaches.

We are also giving new help to unemployed home owners who are moving back into work. We are helping them to pay mortgage interest for the first four weeks after they start a new job. Some home owners, especially the elderly, are unable to maintain and modernise their property. We propose a range of new options to help more people to make essential repairs.

The private rented sector provides homes for more than 2 million households. Most private landlords are professional and responsible, but a minority of bad landlords gives the whole sector a bad name. Our proposals include helping landlords to improve their expertise and standards. We intend to make sure that unscrupulous landlords who neglect their responsibilities do not profit from housing benefit. We also intend to give local authorities a selective power to license private landlords where bad landlords and bad tenants—sometimes in collusion—are destabilising the local community.

Social housing has been at the foundation of millions of people's lives for decades. The previous Government viewed council housing as little more than an embarrassment. Their neglect of investment in social housing created misery for millions of people and deprivation for whole communities. In the Tory vision, there were two nations—home owners and those who were left behind in areas of deprivation.

We must ask why 25 per cent. of crime is concentrated in 10 per cent. of communities. The Government believe that we should have a greater mix of social housing and owner-occupied housing. People should have a real choice between buying a home and renting without a sense of stigma or snobbery. In the Green Paper, we propose to improve the quality of social housing, housing management, and lettings.

Too often in the past, social landlords have offered people a home on a take-it-or-leave-it basis. That system has failed: it often concentrates the poorest people in the poorest properties. We must design a lettings system for the 21st century if we are to support sustainable communities. We propose to give new applicants and existing tenants more say in choosing where they live. In the Green Paper, we propose pilot schemes across the country to test new approaches that put the tenant first.

The growth of homelessness over the past two decades is completely unacceptable. The previous Government took away rights from homeless people and made it harder for local councils to help them. In our election manifesto we promised to improve the safety net for those who are homeless through no fault of their own. Our proposals will ensure that homeless people are given the support that they need while they seek more permanent housing along with others in housing need on the waiting list.

In addition, we propose to extend the safety net to a wider group of homeless people, such as young people aged 16 and 17—that measure is not before time—and those who are vulnerable because they are leaving care and other institutions. Those are the people most at risk of ending up on the streets without a home and without hope. Our commitment is to end the scourge of people sleeping rough. We shall also ensure that local authorities work with other agencies to prevent people from becoming homeless in the future.

The House should recognise the crucial role played by local authorities in the past in providing good homes. Over the past 100 years councils have met the housing needs of millions of people who otherwise would have been left in private sector slums. The private sector would not have met that need. Local authorities tackled the slums and the squalor and rebuilt our communities.

Local authorities are still well placed to play a dynamic role. In our Green Paper we are proposing a stronger, more forward-looking and strategic role for local authorities, in which they will identify and address housing needs across all housing in their area, in the public and private sectors.

The past 20 years have seen massive disinvestment in council housing. In our Green Paper, we set out a range of approaches to investment. We aim for a step change to ensure that all social housing is of a decent standard within 10 years. That will give us a decade to overcome the mountainous £19 billion backlog of repairs and modernisation left by the previous Government.

Stock transfer began in 1988, under the previous Administration. Since then, more than 400,000 homes have been transferred to registered social landlords, mainly housing associations. Stock transfer will continue to be the preferred approach for many authorities and their tenants, provided of course that they vote for it. We shall support the transfer of up to 200,000 homes each year from local authorities to registered social landlords. That is a matter of choice; it is not a target. We will make provision for that, but only where local authorities propose it and tenants vote for it.

A number of local authorities have asked to use the private finance initiative to increase private sector investment while maintaining ownership of their stock. We are piloting eight pathfinder schemes to find out how that approach can work best.

Some have suggested that stock transfer means the end of the local authority as landlord, and the end of the council house. We believe that there is a continuing role for council housing. Indeed, today I am announcing a new option for investment in local authority stock. Local authorities will be given new borrowing powers to invest in their housing and retain full ownership where they put their housing management in arms-length companies and demonstrate an excellent record of management through best-value inspection. There is therefore a good future for the council house.

The housing system that we inherited from the previous Government was fraught with difficulties: stigmatised social housing; a £19 billion backlog of repairs and improvements; a housing benefit system spiralling out of control; record repossessions; and a lack of choice and flexibility.

The proposals in our Green Paper can set about repairing Britain's poorest quality homes, helping first-time buyers and key workers, moving towards a fairer balance in rents and improving services. We are working hard for Britain's hard-working families. We propose help for home owners and the private sector, and we are not ashamed of that. We propose investment and

modernisation in social housing. A decent home is a measure of a civilised society. All in all, our proposals mean better quality, more choice and more opportunity. The system will be based not on stigma and snobbery, but on social justice, ensuring that everyone in Britain has the chance of a decent home.

Mr. Archie Norman (Tunbridge Wells): Once again, we have the familiar pattern of events surrounding one of the Deputy Prime Minister's announcements of policy failure. First, we read about it in the newspapers over the weekend and on Monday; then one of his Ministers appears on the "Today" programme, and then the Deputy Prime Minister appears in the House, claiming that the leaks are unauthorised and nothing to do with him.

Does the Deputy Prime Minister recall what he said after his statement on rail safety on 22 February? He said:

> I ask the hon. Gentleman to believe that I did not brief on that report. I should make it clear that that is not my style; I do not play that way.—[*Official Report*, 22 February 2000; Vol. 344, c. 1378.]

Does the Deputy Prime Minister recall what he said before his statement on housing in the south-east? He said:

> I regret and denounce the leaks, as I have said before in the House, and I am doing all I can to prevent them.—[*Official Report*, 7 March 2000; Vol. 345, c. 863.]

Can he confirm that he did all he could on this occasion, or is it that, as usual, circumstances are beyond his control?

There are aspects of the Green Paper that we welcome: for example, the proposals for shared ownership—a Conservative proposal—and the aspirations to which the Deputy Prime Minister referred to improve social housing in Britain. I remind the House, however, that the Deputy Prime Minister came to power promising to reduce homelessness, to improve the quality of public housing stock, to cut benefit fraud and to provide more social housing. Can there be a more explicit or embarrassing example of all mouth and no delivery?

Under the Government, homelessness has risen, not fallen, by 3,000. Both capital and revenue spending on public housing has fallen. Spending on urban regeneration is lower than under the last Conservative Government. Fewer social houses, not more, are being built. There is an estimated £20 billion backlog of housing repairs. Housing benefit fraud is estimated to be at £2 billion and rising, with only a pathetic 700 successful prosecutions last year.

The Deputy Prime Minister has now confirmed in his statement that council and housing association rents are a mess after three years. Is he not embarrassed? *[Interruption.]* Is he not embarrassed that, after three years in government and one year before he retires to his RMT-owned flat in Clapham, all he can produce is a Green Paper for consultation? Is it not a splendid irony that it is the Deputy Prime Minister, the self-appointed guardian of the old left, who should end up starved of Treasury funding and presiding over plans finally to abolish council housing in Britain?

The Green Paper is a long shopping list of ideas for consultation. The question that the House is entitled to ask is: how much of that has been costed? Who will pay? When will the Deputy Prime Minister deliver and what will he deliver? *[Interruption.]*

Madam Speaker: Order. The House must come to order to hear these important exchanges.

Mr. Norman: How will the Deputy Prime Minister's widely trailed mortgage subsidies, which have been proposed in the very week that MIRAS is abolished, be funded? How much will they cost and has he agreed them with the Treasury? Is that proposal not more than a little divisive? How will the Deputy Prime Minister explain who will receive the subsidies? Is it right that a nurse in the south-east can get a home loan, but that a nurse or hospital cleaner in the north-west cannot?

Are not the Deputy Prime Minister's new proposals to make local authorities shareholders in arms-length companies just a muddled way of getting around the Treasury and of enabling councils to borrow money? Has he cleared it with the Treasury? What will it do for tenants that bulk transfers to housing associations cannot do better? Is it not the housing equivalent of the air traffic control fiasco: the worst of all possible options? Is not tinkering with the priorities for places in housing lists a poor substitute for reducing growing waiting lists in the first place?

How will hard-working families feel about being queue-jumped by released prisoners? Is that another example of a Labour Government penalising those who work hard and who do the right thing for society and for their families?

Why is it that, after three years of a Labour Government, five Labour councils have the worst record on empty council housing in Britain? One is Kingston upon Hull—the Deputy Prime Minister's own constituency. When will he deliver on any of his earlier manifesto commitments? These are basic facts. Housing investment has fallen by more than 10 per cent. since 1997. When will he increase it so that it will again reach the levels delivered by the previous Conservative Government, which he chose to deride in his statement? When will he increase the number of social houses built—which has fallen by a third since 1996, not risen—so that it will again reach the levels delivered by a Conservative Government at the end of our time in office?

In conclusion—[HON. MEMBERS: "Hear, hear."] Wait for it. In conclusion, can the Deputy Prime Minister explain why he is still asking questions, not providing answers, after three years in government? Is not the bottom line the fact that housing policy is being sacrificed to a turf war between him and the Treasury? The Treasury has won and the Green Paper is the surrender document. Is there a single item in the consultation document that will deliver anything in the lifetime of the Government? Does it seriously pass the Kilfoyle test? On housing, is not the bitter truth that the Deputy Prime Minister will go down in history as not only a new Labour failure, but an old Labour failure as well?

Mr. Prescott: Another impressive performance! May I put the record straight on one fact? If one looks at the history of local authorities, of Labour government and of the building of council housing in this country, our record stands clear against that of Conservative Administrations. I well recall that, after a Labour Government built the massive housing estates after the war, a Tory Government were returned and brought in what were called the Macmillan houses, and they achieved 300,000 by

[Mr. Prescott]

reducing the size and the quality of houses. Macmillan houses, such as those in my constituency, are known as ones where people bring the rubbish through the front room to take it to the dust cart. That is the reality of what Tories have done. They have never been concerned about the quality of social housing—the evidence has always been clear.

Let me address a number of points. With regard to leaks and the remarks made by the hon. Member for Tunbridge Wells (Mr. Norman), I can only assume, and the House might accept, that if I had leaked the statement I would hardly have said that I would give priority to prisoners. That would not be the leak that I should have wanted to give to the press, but I might say that to pick on that point—*[Interruption.]* I would hardly do that—there are more positive things to say. With regard to the prejudice here and the extent of homelessness, let me make it clear that a third of homeless people have been in care. We have some responsibility to provide them with homes. Indeed, as the hon. Gentleman may well know, some might be Tory Members of Parliament coming out of prison to whom we would want to give some consideration.

With regard to the personal matter, let me say to the hon. Gentleman that I strongly resent any implications that I did wrong concerning rents and my flat. I have done what is proper—*[Interruption.]* I trust that the House will listen. I have done what is proper and immediately referred the matter to the Parliamentary Commissioner to ask for advice. This rent is covered by legislation passed by a previous Tory Government. In those circumstances, it would be better if the House would at least accord me the right to wait for the report from the Parliamentary Commissioner as to whether any offence has occurred. Indeed, Members should not simply rely on press reports. Everyone should at least expect that, and I certainly expect it from the hon. Gentleman. I personally do not want to get involved in a slanging match on those matters; I make the fair point—*[Interruption.]*—I am responding to the point made by the Opposition spokesman.

In relation to the hon. Gentleman's comments on houses, it is a bit much for an Opposition spokesman to talk about the disinvestment that took place in the social housing stock. We estimate that as about £19 billion. That occurred because the policy of the previous Tory Administration was to sell housing, while denying councils the use of the £5 billion in their accounts to improve their properties. That was especially obscene. We corrected that injustice immediately. Let us compare our investment to that of the previous Government, which was referred to in the press reports. From 1991 to the last year of their administration in 1997, under the Treasury commitments made by the Conservative Chancellor, capital investment was halved. With the £5 billion, we have doubled it since we came into office. That is the reality.

The Conservatives halved investment through that period—the figures are clear. We have doubled it. We have changed direction because we are investing in social housing, as we are committed to do. Today, we are talking about the quality of housing. That is the difference between us.

The policy on MIRAS was not started by us. The reduction of MIRAS and of the payments for the subsidy of mortgages for private housing were initiated by the previous Administration. Both sides of the House agreed that MIRAS had affected house prices and that it should be abolished. The former Chancellor wanted to abolish it in one go. The objective has now been achieved by both Labour and Conservative Governments. We felt that MIRAS unfairly influenced the price of houses. I believe that there was agreement on that across the House.

On local borrowing and my influence on the Treasury, I am accused, on the one hand, of having no influence with the Treasury and, on the other, of getting something from the Treasury that I should not have received. What I achieved for local authorities was the right to borrow.

Local authorities were discriminated against. Housing associations were able to borrow against their rents and assets. It was unfair that local authority tenants should be discriminated against because local authorities were not allowed to raise resources against their assets and the income stream to improve the quality of their housing. I have removed that discrimination. I have offered local authorities the opportunity to have the same advantage. That is right. I am grateful for the support of my right hon. Friend the Chancellor in that matter.

That opportunity is a major and most welcome change. It will be given to those local authorities that have good management standards, achieve best value and can get on with providing good council housing. The Green Paper is a major step towards a more comprehensive approach to housing. I shall not deal with any more of the questions put by the hon. Member for Tunbridge Wells, as they were wholly irrelevant.

Madam Speaker: I call Mr. Frank Dobson.

Hon. Members: Hear, hear.

Mr. Frank Dobson (Holborn and St. Pancras): May I welcome my right hon. Friend's Green Paper and its recognition of the problems in London, where vital workers, such as nurses and teachers, are being priced out of the city because of the rise in housing costs? I thank him for adopting my suggestion that interest-free and cheap loans for nurses and teachers would be helpful. I urge him to proceed with those proposals as quickly as possible because a large number of hard-working people in London are under severe pressure. We need those teachers and nurses; we cannot afford to lose them because they are being driven out by housing costs.

Mr. Prescott: Like other hon. Members, I welcome my right hon. Friend to our proceedings today. I am delighted to support his election campaign. I also congratulate him on the campaign he led while he was Secretary of State for Health. That should be properly recorded. I held many discussions with him—as did many of my hon. Friends—on the new starter home initiative. His concern was especially for teachers and nurses, although I know that the issue also became important in relation to the police.

Perhaps I could point out to my right hon. Friend that I have read the *South London Press*, as one tends to do when one has nothing has else to read—I hope that I do not get into trouble with the *South London Press*. In an article dated 31 March, the newspaper quotes someone

complaining about the sale of homes set aside for police officers and nurses in London and it accuses the past Administration of selling off police section houses and

police estates and . . . good nursing accommodation.

That seems to be a powerful argument, particularly when it comes from the Tory party's candidate for the mayoral election, Mr. Steven Norris.

Mr. Don Foster (Bath): Why the right hon. Member for Holborn and St. Pancras (Mr. Dobson) is with us is, I suppose, beyond our Ken. However, we are delighted to see him here.

I thank the Deputy Prime Minister for his courtesy in letting me have advance notice of his statement. We acknowledge that the Green Paper is a consultation document and we look forward to participating in the discussions that will follow. We welcome much that is in the document: the proposals for a more flexible housing market; the speeding up of house sales; the wider definition of homelessness, which is long overdue; and the promise of action on leasehold reform.

However, we have concerns on three issues. First, although it is important to offer new powers and responsibilities to local councils, giving them those powers and responsibilities without the promise of additional resources is meaningless. They must be told how they will fund new loans, how they will have the money for increased discretionary grants and how they will make payments to home improvement agencies. The proposals will be useless unless they receive the promise of additional funding.

Secondly, I simply fail to understand why, apart from the few headline-grabbing proposals, any real reform of housing benefit has been kicked into the long grass. The Government promised us that they would take tough decisions, but on this issue, at least, they appear to have chickened out.

Thirdly, why is the Deputy Prime Minister so totally besotted with stock housing transfer? Why, in the latest proposals, will he allow councils to borrow additional money only if they are prepared to privatise their housing management systems? Surely there should be a level playing field in which housing associations and councils can borrow money on equal terms. Tenants could then choose. At present, they can choose anything that they like so long as they say yes to transfer. That is like having a pistol put to their heads.

Mr. Prescott: I am most grateful for the warm support that the hon. Gentleman gave to the Green Paper. I hope that it will start a debate and achieve the consensus that we want. Resolving the problems will take longer than the term of any one Government. There is a desperate desire to reach consensus; the problems of housing finance, and particularly housing benefit, mean that one must achieve considerable agreement. We will achieve nothing if Governments continually seek to change policy. On housing benefits and rents, we must take a long-term view; anyone considering the problem knows that that is true. By keeping the Green Paper green, by not coming to conclusions and by holding discussions, I hope that I am able to achieve such consensus.

That does not mean that we are not doing anything. My right hon. Friend the Secretary of State for Social Security has done much in the Department of Social Security to deal with such matters. As I said earlier, it is important that we get a proper balance to deal with fraud and to improve administration. However, the real problem is with structural reform. People should recognise that and realise that it is a long-term problem involving—let us make no mistake about it—many political difficulties. We have started to make changes and we look forward to considerable debate and discussion on them.

On local authorities and stock housing, I cannot have made myself clear to the hon. Gentleman—even though I thought that I had. Ownership of the stock remains with the local authority; it is not passed over as with other stock transfers. He should bear in mind that local authorities have pushed us to take a different approach so that they can have access to resources to improve the quality of their stock after such massive disinvestment has taken place. In some cases, they are stock transfers, which were offered by the previous Administration in 1988, and PFIs have been pushed by some local authorities. I have opened a new possibility. Local authorities will keep the ownership of the assets—it is not privatisation—and they will borrow against the income and the assets.

In some local authorities—Burnley is one—the overhanging debt is too great compared with the value of the houses to obtain a private finance arrangement. We are making some changes to deal with such cases. I am offering another option—giving local authorities another opportunity. As for resources, the on-going spending review will measure the sums going into housing. A combination of a new source of borrowing and new resources resulting from the spending review will deal with the housing changes.

Mr. Gerald Kaufman (Manchester, Gorton): I congratulate my right hon. Friend on the best statement on housing since I was Minister in charge of housing in the last Labour Government. After that time, the Conservatives ended the council house building programme and caused appalling problems for owner-occupiers. My right hon. Friend is putting that right. I especially congratulate him on dealing with collusive fraud between private landlords and their tenants, which, in inner city areas such as my constituency, is a stain on housing finance.

I thank my right hon. Friend for pioneering pilot schemes and suggest that the Gorton division of Manchester would be a good place to run one. I have received strong representations from many constituents living in local authority estates saying that they want to have the right to remain council house tenants. Despite all the shortcomings that may affect council house management, council housing is accountable in a way that even Housing Corporation housing is not. I should be grateful if my right hon. Friend can provide assurances for me to take back to Manchester.

Mr. Prescott: I am grateful for my right hon. Friend's warm support: his record as a Minister in the Department of the Environment and in housing matters is so considerable that I should be grateful to leave with a similar reputation—I am working on it.

I am sure that my right hon. Friend will make a bid for his area to host a pilot scheme and that he will be a powerful advocate for it. He makes an important point about tenants' rights. The first housing action trust introduced by the previous Administration was in my

[Mr. Prescott]

constituency. Those who remember the debates at that time will know that the Tories took the view that tenants should have no say. However, they found that no one would take up the scheme, so when the first one was introduced in the Hull area, tenants had the right to vote; they all voted to return to local authority control.

We think that tenants' rights are important: tenants should have considerable influence over where they live, how they live and what happens to them. That is why we shall ensure that there is accountability and that none of the schemes will be introduced without tenants' agreement.

Mr. Eric Pickles (Brentwood and Ongar): In chapter 11 of the Green Paper, the Deputy Prime Minister lays down seven commitments on housing benefit, all of which fall well short of its fundamental reform. Is he aware that the list bears an uncanny resemblance to a list published in *Housing Today*, which stated that the measures had been considered by the Government a year ago, but had been dismissed as inadequate tinkering on the fringe? How has the passage of a year turned measures that were dismissed as tinkering on the fringe into fundamental reforms of housing benefit? Is not the truth that the wheels have fallen off welfare reform?

Mr. Prescott: The hon. Gentleman asks me to comment on a leak and on reports of the Government's views. We do not think that our measures constitute tinkering; they make a contribution to the discussion that we shall have to have about housing benefit, and to radical change. The previous Administration introduced housing benefit and watched it increase from £2 billion to £11 billion, yet they did little to check fraud. It is important that we deal with fraud, but issues of administration, how to deal with people, how to apply the benefit and rent structure are all fundamental.

I believe that there will be fundamental reforms, once agreement is reached, but I do not kid myself that there is not a long and controversial road to be trod before we achieve that. If the hon. Gentleman thinks that that is tinkering, I can live with that, but I think that the measures contribute to radical change.

Mr. Clive Soley (Ealing, Acton and Shepherd's Bush): May I express my delight that my right hon. Friend has put quality and affordability back at the top of the housing agenda, after they were removed by the Conservative party for all those years? Will he make sure that we keep mobility up there as a major priority? People want to choose the area in which they live, and they want to choose whether to rent or buy, and to interchange between the rented and purchase sectors at different stages of their life, as events dictate. I welcome the Green Paper immensely and I hope that my right hon. Friend carries it forward.

Mr. Prescott: I thank my hon. Friend for his words of support. I well remember when he was the shadow spokesman on housing, and the emphasis that he placed on mobility and quality. However, he does himself less than justice. There is one aspect of my statement today that he should especially welcome. He was the man who made a statement, as I did supporting him, suggesting that local authorities should have the right to borrow against their assets and to use their income stream to improve quality and choice in housing. He got a terrible press, and a great deal of reaction from some on our side. I am delighted to say that what I announced today has long been advocated by my hon. Friend.

Mr. John Bercow (Buckingham): What is the implication of the Secretary of State's borrowing proposal for the level of interest repayments on local authority debt?

Mr. Prescott: All our proposals, particularly in respect of borrowing requirements, depend on how far we advance. The extent of the borrowing will determine the interest rate. Once we establish that, we will be able to make a judgment. That will be taken into account when we allocate the resources available for borrowing.

Mr. Jeremy Corbyn (Islington, North): What improvement does my right hon. Friend expect in inner London housing as a result of the Green Paper? Although many would welcome the recognition of the need for homes for nurses, teachers and police staff, I hope that there will also be a recognition of the need for homes for people who are on a housing waiting list and who have no possibility whatever of renting privately or buying. For them, the only future is to move out. Will my right hon. Friend recognise that there is a need for local authorities to be able to buy or build, in order to alleviate the terrible housing stress and the overcrowding in which many inner-city children are growing up in London?

Mr. Prescott: No one can doubt my hon. Friend's analysis of the difficulties of housing in London. Most of us, who come from various parts of the United Kingdom, know that to be true. There are real difficulties. However, there are still problems with empty homes, even in his constituency. Unfortunately, that is often a result of inadequate resources being allocated to maintain standards. It should be recognised that no local authority likes to have empty houses; it is income lost. I am told that even in Tunbridge Wells there has been a 50 per cent. increase in empty houses. I do not know why that should be so—perhaps it has happened since the hon. Member for Tunbridge Wells (Mr. Norman) was elected or his constituents heard him at the Dispatch Box.

There are serious housing problems, but we are moving to help. I am sure that my hon. Friend will welcome the key worker proposal. We are providing extra resources, and the £5 billion has had its effect in the London area. The waiting list remains a problem. Although housing is still the responsibility of central Government, I am sure that when my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) is elected as London mayor, we will get together. He will have responsibility for planning, we will have responsibility for housing, and we will see what we can do together to improve the situation in London.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): The Deputy Prime Minister referred to the transfer of 200,000 houses a year. The Local Government Bill contains compelling incentives for the continuation of the transfer of existing housing stock to social landlords. Is it the

Government's intention to force councils to continue, even when it is not financially viable for them to do so? We have heard precious little about resources today.

Mr. Prescott: No, local authorities will not be forced to transfer houses. It is optional for them, and they must secure the agreement of the tenants, so there are two checks on whether they go along that road. The figure of 200,000 is not a target that we expect them to meet. We are allocating expenditure to allow them to deal with the transfer of up to 200,000 houses.

I have shown that since we came to office, we have doubled the resources available, and I hope for more resources from the spending review. The money that we have put in and the changes that we are making will considerably improve housing and will ensure that many of the decisions must be agreed between the local authority and the tenants.

Ms Karen Buck (Regent's Park and Kensington, North): May I congratulate my right hon. Friend on a wide-ranging and genuinely exciting set of housing options? I was particularly pleased to hear him refer to changes in the allocation procedure, which will introduce choice and flexibility to people who are often totally disempowered by the present process. Does my right hon. Friend agree that the investment in additional social housing is critical, particularly in London, where we currently house 40,000 families in bed-and-breakfast accommodation? Can we build on the success of the rough sleepers initiative, so that under a Labour Government we will end the scandal of children growing up in bed-and-breakfast accommodation?

Mr. Prescott: My hon. Friend's view is consistent with what my right hon. Friend the Prime Minister has said about children and homelessness. I very much agree with her remarks about tenants having choice. Most of us who have dealt with the points system with our various councils understand it to be fair, but it is discriminatory. It leaves many people dissatisfied with the system. We are trying to improve choice so that the tenant feels part of the system and not that he is being told to take it or leave it, which has undermined a great deal of public housing.

I take my hon. Friend's point that the amount of investment in social housing in London is critical. Apart from the provision of housing, we look for social housing and mixed development in new development sites. I am delighted that 20 per cent. of the millennium village concept that we are developing at Greenwich will be affordable housing.

Mr. Edward Leigh (Gainsborough): Will the Deputy Prime Minister say a little more about housing benefit reform, into which a Select Committee is conducting a comprehensive inquiry? He said that this reform is the greenest part of his statement. When does he expect to come to a conclusion on the matter? He must accept that the present system distorts the market, as he has said so. I detected the hand of 10 Downing street in the lauding of the market heard in the right hon. Gentleman's statement. Is he prepared to consider fundamental reforms such as giving help to tenants so that they can shop around rather than giving help and subsidies direct to the landlord? These will be fundamental reforms, but we need decisions quite soon.

Mr. Prescott: Many of the proposals in the Green Paper cover some of the points to which the hon. Gentleman has referred. Anyone who has had to consider housing benefit and structural rents will realise that they raise complex issues. I have suggested before that, if we make adjustments to rents and housing benefit and to all the issues that would flow from that, there would be gainers and losers. That is my answer to those who ask, "How long will it take?" We must ensure that the period of transition during which change is introduced will be fair to all concerned. Fundamental changes will not come overnight. We want consensus. As I have said, the hon. Gentleman's proposals are mentioned in the Green Paper.

Ms Glenda Jackson (Hampstead and Highgate): May I congratulate my right hon. Friend on approaching housing, or rather the lack of it, in such an imaginative and practical way? I congratulate him also on acknowledging that housing, be it public or private, is a national asset and that the nation must work to maintain it. At the same time, he has restated firmly and comprehensively Labour's commitment to social housing.

In central London, there is an increasing problem in the private sector, where exploitative landlords are increasing their rents year on year. Elderly and frail people, whose incomings are frozen, see their outgoings increasing every year. I hope that my right hon. Friend will address this issue with some speed. I follow the example of my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) in making a plea for a pilot private finance initiative for the Chalcot estate in my constituency.

Mr. Prescott: I hear what my hon. Friend says about special pleading. Presumably there must be proposed measures in the Green Paper that are welcome, and I am delighted that that is so. I wish my hon. Friend good luck with the application.

I think that right hon. and hon. Members on both sides of the House recognise that housing is a national asset. We must have housing policies. Governments have been actively involved in the housing programme, with a commitment especially to social housing. However, there is clearly a difference between the parties in the priorities that we deploy in dealing with social housing, as we have seen today.

There is a major problem with the private sector and exploitative landlords. There are very good landlords but there are also bad ones, who get a great deal of publicity. We want to deal with them because we do not think that they are fair. As is mentioned in the Green Paper, sometimes bad landlords act in collusion with tenants. That undermines good will and good policy, and in some cases it is clearly fraudulent and criminal. We shall take whatever action we can to prevent it.

Mr. Paul Tyler (North Cornwall): Does the Deputy Prime Minister recognise that some of the worst areas in terms of the housing affordability gap are those where there is a disproportionate number of second homes that create an artificial market, such as Cornwall and the lake

[Mr. Paul Tyler]

district, where there are ghost villages in winter and where it is entirely uneconomic for the people to whom he has referred to buy or rent at the prices that prevail? May I ask him to review, as part of the consultation process, the opportunities that he can give local authorities to tackle the problem?

Mr. Prescott: Yes, I have a great deal of sympathy with the hon. Gentleman's point. There are difficulties. We have already made a start on 50 per cent. of the empty homes in our towns and cities. My colleague said at Question Time that we are considering the point that the hon. Member for North Cornwall (Mr. Tyler) has made.

The provision of housing in rural areas is an important issue. I recently visited one of the dale areas. A farmer complained that he wanted to convert a farm into two or three houses for local residents but was prevented by the planning authority's requirements, simply because he apparently said—I do not know whether it is true—that people would live in the houses and hang their washing on the line, and that a road would have to built. We must change such attitudes, because some rural areas as well as some urban areas suffer genuine problems. Housing is equally important in rural and urban areas.

Mr. Peter L. Pike (Burnley): I welcome the Green Paper that my right hon. Friend introduced this afternoon. I represent a constituency that contains 3,000 older empty terraced houses, and I urge my right hon. Friend to acknowledge the wide variation of housing problems in various parts of the country. We must ensure that our policy is flexible. I also urge him to press the Treasury to look again at reducing VAT on housing repairs and renovation, because that would do a lot for areas with older housing stock, which cannot be renovated because people cannot afford it.

Mr. Prescott: I thank my hon. Friend for his remarks. I acknowledge the problem of the variation in housing in all our cities. I can recall the housing to which my hon. Friend refers from my visits to Burnley. The Green Paper tries to deal with all the different sorts of properties. Our policy is about homes for all, whether in the public or the private sector.

My hon. Friend's second point, about VAT, was a recommendation of Lord Rogers. We have considered whether the fiscal framework can assist in such programmes. My right hon. Friend the Chancellor said in the Budget statement that he wants to consider the way in which the fiscal framework can help. The matter is not a complete write-off; we are continuing to consider it. I bear in mind Lord Rogers' recommendations in his urban regeneration report, which I commissioned.

My hon. Friend made two points; he could have made a third. We have agreed a settlement on overhanging debt to help Burnley to tackle its housing problems.

Mr. Pike: Thank you.

Ms Margaret Moran (Luton, South): As a former housing association director and chair of a housing committee, I warmly welcome my right hon. Friend's decision to end the illogical investment rules for housing associations and local authorities. It gives local authorities a genuine opportunity to use investment to tackle housing need in their areas.

What plans has my right hon. Friend to deal with the problem of the differences in rents between housing associations and local authorities and between regions? Often, similar properties have widely varying rents regardless of their condition. How does my right hon. Friend intend to tackle that and thus facilitate the provision of more choice for our tenants and residents, and end the scandal of the massive increases in council and housing association rents which happened under the previous Government?

Mr. Prescott: I thank my hon. Friend for her supportive remarks. I readily acknowledge her active part in housing. As she said, the local authority changes should have happened a long time ago. I am delighted to end that discrimination and place faith in local authorities to begin to build good quality houses in the public sector.

My hon. Friend's other important point is covered in the Green Paper. It is amazing to consider the different rent structures not only between local authorities and housing corporations but for the same sort of house in different local authority areas. The differences between regions are a genuine problem. We acknowledge that there must be a social rent that is below the market rent, but we need to establish uniform principles that apply to the rent structure. Tackling that would have consequential effects on housing benefit and on the role of housing finance to which we are committed in the Green Paper.

Ms Oona King (Bethnal Green and Bow): I too welcome the Green Paper and the way in which it moves housing further up the agenda. Did the Deputy Prime Minister share some of my incredulity when listening to the remarks of the hon. Member for Tunbridge Wells (Mr. Norman) on the key workers scheme? He suggested that he could not perceive a difference between people in different parts of the country. However, in the north of England, nurses who earn £14,000 may be able to buy a four-bedroomed terraced house for £10,000. Meanwhile, a house in Tower Hamlets in my constituency has just gone for £500,000.

In the light of that, will the Deputy Prime Minister confirm that help will also go to other vital workers, such as hospital porters, cleaners and waste collectors, so that people living in areas with high increases in house prices get a chance to have a decent house and a roof over their head?

Mr. Prescott: I thank my hon. Friend for her warm words of support. She makes a powerful point about key workers. The proposal covers not only those workers whom I have mentioned, but people who are in difficult circumstances in areas of high-cost housing, which are not necessarily limited to London and the south-east. There are various key workers, such as hospital porters, nurses and teachers. We will leave local authorities and the appropriate bodies to make a judgment. We must clearly address that problem.

Key workers are an essential part of the programme; important workers need housing. However, I shall resist saying what I was going to add.

Madam Speaker: In that case, I shall resist calling any more questions.

Health Care Standards for Elderly Persons

4.26 pm

Mr. Paul Marsden (Shrewsbury and Atcham): I beg to move,

That leave be given to bring in a Bill to amend the National Health Service (Primary Care) Act 1997 to prohibit the refusal or delay of treatment or the provision of an inferior standard of care on the basis of age and to establish an inquiry into the extent of age discrimination in the provision of health services.

I am presenting the Bill to highlight the national problem of age discrimination in health services, including dental services, and to urge the Government to set up a national inquiry to investigate the massive evidence of discrimination and prejudice against the elderly. The Bill is backed by Age Concern, and has the wholehearted support of Help the Aged. I should like to thank everyone in those organisations for their dedication and commitment to the elderly. I should particularly like to thank Julia Lueginger and Caroline Gilchrist of Age Concern for their terrific support and expertise in helping to produce the Bill.

It is an open secret that elderly people are vulnerable and do not receive the same quality of treatment as younger people. They may not be as physically active as younger people, and may not be able to communicate as well. There is clearly prejudice at work, because the elderly do not always receive the respect that they deserve.

I am not saying that the national health service is, per se, discriminatory against the elderly—it is not. Thousands of caring auxiliaries, nurses, doctors and consultants fight day in and day out to give the best possible care and treatment to the elderly. I salute them, as I know that they work under great pressure. I have seen that at first hand, and I am amazed at how well they cope. Many older people have said that they have received outstanding care, but worryingly the multitude of evidence that has been sent to Age Concern shows that there is a case to answer.

The country was delighted with the Chancellor's announcement in the Budget of £2 billion of extra money this financial year, with a promise to drive up health spending towards the European Union average. That is long overdue, and I warmly welcome it. However, it must go hand in hand with more modernisation and an improvement in standards. I want measures to stamp out discrimination against the elderly, and a real commitment to improving health care standards for older people.

I appreciate the fact that the Government will publish later this year a national service framework for older people. However, I believe that an inquiry is still needed to establish the size of the problem, and to send a strong signal to pensioners that the Government are listening to them. It is not about better service decisions in the future, but about stamping out discrimination now.

This weekend, *The Sunday Times* reported the allegations of a junior doctor, Rita Pal, who came across examples of discrimination because of the age of the patient. I understand that a dossier containing the allegations has been sent to the General Medical Council. Two weeks earlier, an undercover *Sunday Times* reporter had found other cases of mistreatment of the elderly.

Since launching its campaign, Age Concern has been inundated with hundreds of detailed accounts of elderly people receiving poor to appalling treatment. Its report, "Turning your back on us", graphically illustrates the point. Four new cases provide examples of the continuing discrimination experienced by the elderly and their relatives.

The first case concerns an elderly lady from London. Her daughter reports that she suffered initially from a chest infection; however, when the daughter visited her in hospital, she found new bruises on her body. She also found that her mother sometimes received no assistance with feeding, that pills were left by her bedside, and that an oxygen tube was not plugged in. That elderly lady died.

The second case, in Nottingham, involves an 84-year-old lady who, at 75, was told by her GP that she was suffering from a build-up of cholesterol. However, she was allegedly told that the cut-off age for cholesterol treatment was 70. She never received the treatment on the NHS.

The third case is that of an elderly lady from Berkshire, who was admitted to hospital for a routine operation and, unfortunately, was then rushed into intensive care. It is alleged that she was moved out of intensive care early to make way for a 30-year-old woman. The elderly lady subsequently died.

The fourth case concerns an 81-year-old lady from Darlington, who suffered for seven months owing to a misdiagnosis by a GP and the local hospital. Doctors did not believe her desperate cries of constant pain, which they put down to arthritis and emotional distress. In fact, it was not all in her head: it turned out to be cancer.

Those cases and many more are subject to internal complaints procedures and ombudsman reviews. Each case on its own could be dismissed as an isolated one, but the sheer weight of cases adds up to something far more serious. There is clearly discrimination against older people in parts of the NHS, although it is not limited to the NHS; I would say that the problem exists throughout today's society.

We would rightly never stand for discrimination against people because of the colour of their skin, their sex or their sexuality. I fear that a lack of respect for older people is becoming endemic across society. Medical decisions should be made solely on a basis of clinical need. I believe that, as well as providing decent, fair standards of health care based on clinical need, we should ensure that we fulfil a debt of gratitude to that generation. A generation who survived Hitler's blitz deserve the best health care.

The elderly are not a drain or a burden on the health service; they are the pioneers who designed and built the NHS. In its campaign "Dignity on the Ward", Help the Aged draws attention to the need to change the views of certain medical professionals about the elderly. Some 1,300 people wrote supporting the campaign and highlighting appalling standards of care in—again—parts of the NHS.

We are not talking just about discrimination that prevents people from receiving treatment; this goes much further. We need to stamp out the second-class-citizen mentality that is sometimes found nowadays. Older people deserve respect. Sometimes they are frightened to speak out, fearing that their treatment will be stopped, or never started, if they complain.

[Mr. Paul Marsden]

Age Concern discovered from a Gallup survey that one in 20 people over 65 had been refused treatment, while one in 10 felt that they had been treated differently since turning 50. It has been found that four out of 10 coronary care units apply age restrictions to certain drugs, that two thirds of kidney patients over 70 have been refused dialysis or transplants, and that some clinical trials involve age limits. That is blatant, unacceptable discrimination.

I urge the Government to set up a national inquiry to investigate this national scandal. We need to establish the extent of the discrimination that is spreading across society, to identify the underlying reasons for it, and to come up with new ways of rooting out the prejudice and discrimination. We need to educate, and to raise awareness of the problems. Above all, we need to send a clear signal to everyone in the NHS that discrimination will not be tolerated.

As for those—I shall call them angels—in the NHS who care so well for the elderly: I thank them. We must aim to raise standards to their level—to be sensitive, patient and respectful to the elderly. As for the minority who discriminate against and abuse the elderly, I remind them of this: one day, they too will grow old. I urge the House to support the Bill and to end discrimination against the elderly in the health care services.

Question put and agreed to.

Bill ordered to be brought in by Mr. Paul Marsden, Mr. David Amess, Mr. John Austin, Mr. Peter Bottomley, Mr. Paul Burstow, Dr. Vincent Cable, Dr. Ian Gibson, Mr. David Hinchliffe, Dr. Doug Naysmith, Mr. Edward O'Hara, Ms Linda Perham and Mr. Ieuan Wyn Jones.

HEALTH CARE STANDARDS FOR ELDERLY PERSONS

Mr. Paul Marsden accordingly presented a Bill to amend the National Health Service (Primary Care) Act 1997 to prohibit the refusal or delay of treatment or the provision of an inferior standard of care on the basis of age and to establish an inquiry into the extent of age discrimination in the provision of health services: And the same was read the First time; and ordered to be read a Second time on Friday 21 July, and to be printed [Bill 103].

Orders of the Day

Freedom of Information Bill

As amended in the Standing Committee, considered.

Ordered,

That the Freedom of Information Bill, as amended, be considered in the following order, namely, amendments relating to Clauses 1 and 2, Schedule 1, Clauses 3 to 16, Schedule 2, Clauses 17 to 54, Schedule 3, Clauses 55 to 60, Schedule 4, Clauses 61 to 66, Schedule 5, Clauses 67 to 72, Schedule 6, Clauses 73 to 84, Schedule 7, Clauses 85 and 86, new Clauses and new Schedules.—*[Mr. McNulty.]*

Clause 1

GENERAL RIGHT OF ACCESS TO INFORMATION HELD BY PUBLIC AUTHORITIES

4.37 pm

Mr. David Lidington (Aylesbury): I beg to move amendment No. 100, in page 1, line 7, at end insert—

'.—(A1) The purpose of this Act is to facilitate public access to information held by public authorities.'.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss new clause 1—*Purposes—*

'.—(1) The purposes of this Act are to extend progressively the right of the public to information held by public authorities to the maximum extent possible, consistent with the need to protect interests specified in exemptions, so as to promote—

(a) the accountability of public authorities;

(b) informed public debate on public affairs;

(c) public participation in the making of decisions; and

(d) public understanding of the powers, duties and operation of public authorities.

(2) This Act shall be interpreted so as to further the purposes specified in subsection (1) and to encourage the disclosure of information, promptly and at the lowest reasonable cost.'.

Mr. Lidington: It gives me real pleasure, and almost a sense of nostalgia, to participate for the first time in the House's deliberations on the Freedom of Information Bill. I recall that one of the very first Standing Committees on which I served as a newly elected Member, in 1992 or 1993, considered the Right to Know Bill, which was a private Member's Bill promoted by the hon. Member for Stoke-on-Trent, Central (Mr. Fisher). At various times in his parliamentary career—under Governments of red, of blue and of palish pink—he has been a doughty champion of the public's right to know and of greater access to information.

I think that there is a growing consensus both across the country and across the party political divide that a characteristic of a mature democracy is that we trust the people, and that that trust includes trusting people with access to information that previously might have been kept within the charmed circle of Whitehall and of parts of Westminster.

Amendment No. 100 seeks to establish a clear purpose to the Bill, by including in it a statement of aims that should govern the decisions of those who, when the Bill is enacted, will be charged with its interpretation and implementation. We believe that that is important because

the Bill includes a considerable number of tests that have to be applied to categories of information that, either wholly or partially, are exempt from the presumption that they should be disclosed. There should be a clear statutory direction from Parliament to those who will have to assess individual applications for disclosure that the overriding purpose of the legislation is to enlarge and enhance public access to official information.

The Conservative Government introduced the code of practice on access to Government information in 1994 and strengthened it in 1997. Although it was not a statutory document, it required public authorities to make information available, subject to a limited number of exceptions. The purpose clause was a significant element of the code. It was located at the beginning of the document and set out clearly that the approach of public authorities must

in all cases be based on the assumption that information should be released except where disclosure would not be in the public interest.

The Bill is deficient in having no clear statement of its purpose. Our amendment would ensure that its principal objective was to give the public the right of access to information held by the Government. New clause 1 approaches that deficiency in the legislation from a different angle, using different language. It is a matter of fine judgment as to which form of words one prefers. We see no harm in the new clause. Those who have tabled it are approaching the issue in the same spirit as the Opposition Front Bench.

The debate is not simply about the Conservative Opposition pointing to deficiencies in a Labour Government's Bill. The Public Administration Committee report in July 1999 said:

We recommend that the Bill should contain a clear statement indicating what it is intended to achieve and indicating a presumption in favour of disclosure.

That view was also expressed by the Data Protection Registrar, Mrs. Elizabeth France, who is due to become the first Information Commissioner under the Bill. In her response to the consultation document on the draft legislation, she argued that a straightforward purpose statement in the Bill would be helpful to all, especially those making decisions about disclosure in relation to any exemption.

The Government responded to the Select Committee report with two minor amendments that changed the title of the draft Bill and made the clause on the right of access to information the first clause. The Select Committee, with its Labour majority, was not satisfied with those minor concessions. In a further report, the Committee concluded that there was still no presumption in favour of disclosure.

A purpose clause was included in the non-statutory code of practice on access to information. Purpose clauses are common in overseas Freedom of Information Acts, including those of New Zealand and Australia, and they have been used in United Kingdom legislation, including the Arbitration Act 1996 and the present Government's Crime and Disorder Act 1998. I can see no persuasive reason why the Government should resist the introduction of a purpose clause. Even at this late stage of proceedings in this House, I hope that Home Office Ministers will listen to the united call from Members of all parties and from distinguished people outside the House with an interest in these matters and will conclude that the Bill should be amended.

4.45 pm

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): The hon. Member for Aylesbury (Mr. Lidington) is entirely right to say that the issues adumbrated in amendment No. 100 are also central to new clause 1, which has been tabled in the names of hon. Members of all parties. We are seeking the same objective, which I should have thought would conform with the Government's stated wish to ensure that the enactment of the Bill will effect a climatic change in the business of administration. There should not be an adversarial procedure between those who seek information and want to open matters up, and those who hold that information and want to keep it back.

The Government's objective—enunciated in the White Paper preceding the Bill and in the statements by the Home Secretary and other Ministers—is to ensure that the public right to know is recognised in the code of practice and in law. In order to change the climate, it is very important that the Bill's purposes be set out clearly. That should not be done in narrow terms, or with a picky, legalistic approach to language. It should be done broadly, with the aim of carrying forward the right to know.

The hon. Member for Aylesbury described how the issue had been treated in other countries. The legislation in New Zealand and Australia has been established for quite a long time and contains provisions similar to those proposed in new clause 1. It has proved to be helpful in those countries, and I draw particular attention to the experience in New Zealand, which I think was in the mind of the right hon. Member for South Shields (Dr. Clark), the former Chancellor of the Duchy of Lancaster who originally brought forward the Government's policy on this matter. The provision has been invoked by the New Zealand courts in seeking to interpret the law, and that seems to be a very practical use of a declaratory principle in legislation.

The language of new clause 1 closely follows the Australian legislation, which has been tried and has not been found wanting. The new clause goes slightly further than amendment No. 100, in that it spells out in some detail the purposes of the Bill under four headings. Those purposes are to promote

the accountability of public authorities . . . informed public debate on public affairs . . . public participation in the making of decisions, and . . . public understanding of the powers, duties and operation of public authorities.

Those objectives are all consonant with an open democracy.

Mr. Tam Dalyell (Linlithgow): Has the provision often been invoked by the courts in New Zealand? I simply do not know, but it is an interesting point.

Mr. Maclennan: I do not know how often "often" is, but it has been invoked on a number of occasions. It has achieved its purpose, in that it has indicated where the balance of the legislation lies. If there is a discretion to be exercised, the authorities should lean in the direction of recognising the public's right to know. In a sense, even if this had been cited only once—and I know that it has been cited more than once—it would have established, or helped to establish, as a matter of jurisprudence, that the Bill was leaning in that direction.

New clause 1 also seeks to underline that the process is perceived as dynamic. We are not passing a law that will always be precisely reflected in the behaviour of

[Mr. Maclennan]

officials without change and without the benefit of experience. In cases in which discretions must be exercised, it can be used progressively, and perhaps more openly, once initial concerns about the consequences for administration of openness of government are mitigated by the evidence that it achieves the purposes set out in the new clause.

I hope that the Minister will be strongly sympathetic to the purposes of the new clause, and will embrace it, for there is no mischief in it. The Minister may argue—as it was argued in Committee when similar attempts to introduce such a provision were made—that this is not necessary. I put it to him that it is necessary to remove doubt as to how the Bill is to be interpreted when issues come up for decision, and against what general rubrics such decisions should be taken.

New clause 1 has perfectly good precedents in other British legislation. I will not repeat what the hon. Member for Aylesbury has said, but I will refer again to the evidence given to the Select Committee on Public Administration by Elizabeth France, who is to be the commissioner. Her evidence must be given the greatest possible weight, as she will have the task of policing the legislation and ensuring that it is effective. She has straightforwardly said, about the idea of having a purpose clause:

> I think it would be very helpful in making judgments about discretionary decisions . . .

She said in her oral evidence given in June 1999, question 187:

> I would agree with Lord Burns that officials will look in detail at what is written in the statute unless a very clear lead is given from the top of the public bodies as to what action is appropriate. If there is nothing there that tells them to weigh in the balance a general interest in disclosure then they will not do so.

It is for that reason, above all, that we would do well to follow the precedents established overseas and incorporate them into the Bill.

Mr. Mark Fisher (Stoke-on-Trent, Central): It is a pleasure to follow the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) who contributed so much to the scrutiny of the Bill in Committee.

I urge the Government to be sympathetic to new clause 1 and amendment No. 100, both of which, as the hon. Member for Aylesbury (Mr. Lidington) said, seek to insert a general purposes clause in the Bill. I believe that to do so would set the tone of the whole Bill. That is what such clauses do in the legislation of New Zealand and in that of the other countries that we looked at for comparators.

I believe that the tone that I seek is the tone that the Government want to set. That tone would emphasise that the Bill aims to empower and liberate and to give people rights to be informed. It should give people the right to know what is going on in our society. Surely there can be no better way to frame such legislation than to include a simple purpose clause setting out its aims and objectives, establishing a presumption in favour of the right to know.

The Minister may say that the Bill is more complicated than that, which is true of such legislation in every country in which it has been introduced. There is a difficult balance between the rights of good government and people's right to know, a point understood on both sides of the Chamber and by anyone who has studied freedom of information legislation. The principles are simple and clear, but achievement of freedom of information is difficult. To get the balance right while maintaining as the spine of legislation a presumption in favour of a right to know is the problem that a purpose clause would be valuable in tackling.

Sadly, I fear that that is precisely why the Government will resist the amendment, as they did in Committee. I remind the Minister of what he said then:

> We must assume that such a clause would be given legislative effect by the commissioner, the tribunal and courts, and that it would therefore change the balance of rights and put a gloss on the Bill as a whole. That may be unpredictable and uncontrollable.—[*Official Report, Standing Committee B*, 11 January 2000; c. 29.]

Of course, a purpose clause would set a tone, but I think that it would put a constructive gloss on the Bill. I do not agree that it would be unpredictable and uncontrollable; plenty of controls are built into the Bill, and the commissioner will have plenty of powers.

The Bill is understandably and, in most instances correctly, hedged about with caveats. Over the next two days, we shall deal with many difficult matters on which the balance is fine. If we are to do right, however, we must hold in our minds a general presumption in favour of freedom of information and the right to know. A purpose clause at the beginning of the Bill would help us to do so.

The Minister may well be right to say that such a clause would change the Bill's balance, but I believe that it would do so constructively, ensuring that the Bill's thrust was positive and liberating, rather than reluctant. At present, I fear, the Bill has a grudging tone. That should not be so. The Government should be proud of it, and the people of the country should be liberated by it and proud of a Government who introduce it. However, wherever a balance must be struck between the rights of the public authority to withhold intellectual property—the information that it holds—and the rights of an applicant to have access to that information, the Bill comes down time and again in favour of the authority.

Sometimes, that is right. We shall hear of instances in which that is an understandable and justifiable position. However, it rings through the Bill like a tocsin that the balance falls in favour of the owner of information rather than the applicant. A purpose clause would be an attempt to correct that balance. If the Minister is correct to say that such a clause would add a gloss, I have to say that the Bill needs one.

5 pm

There is much good sense in the Bill, and we want to get it into statute as soon as possible and in the best possible state, but if it is to be the liberating legislation that it ought to be, it needs a framework that states clearly that it is on the side of the applicant and of people's right to know. For that reason, I hope that the Government will think again about this issue and find a way to draft a purpose clause that will declare their interest, and the public's interest, in information at the very start of the Bill.

Mr. Quentin Davies (Grantham and Stamford): I support the amendment moved by my hon. Friend the Member for Aylesbury (Mr. Lidington). I agree with him that new clause 1 would give us the same protection, so

it is right to discuss it with the amendment. Although it is not enormously important which one is passed, it is important that one or the other be included in the Bill.

Freedom of information represents the most strikingly unpredicted disappointment with the new Labour Government. There are lots of predictable disappointments, such as the fact that they have raised taxes even when they said that they would not and the fact that they have run the health service into an even worse crisis. I remember predicting those outcomes myself at the last election, but some disappointments were not predicted by anyone.

Perhaps naively, I took seriously the new Labour Government's commitment to freedom of information. I was struck by the strong language of personal commitment used by the Prime Minister in that connection. The year before the election, he said that freedom of information was absolutely fundamental to how Labour saw politics developing in this country over the next few years. He said that it would signal a new relationship between Government and the people. I did not realise that that was nothing more than political hyperbole and eyewash.

In many ways the Bill represents a retreat from the status quo and the previous Conservative Government's non-statutory code—which in my view was entirely inadequate—in important respects such as the obligation to state reasons for refusing information and the obligation that manuals issued by Departments of State should be made available to the public.

The Bill is a substantial retreat also from the White Paper drafted by the right hon. Member for South Shields (Dr. Clark). Although I understand Labour Members' reticence about being too offensive to Ministers, I have no doubt that many of them, and millions of people across the country, share my enormous disappointment that the new Labour Government did not live up to their undertakings. To give him his due, the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) has a long and honourable record on this matter, and I am sure that he is one of those disappointed Labour Members.

The right hon. Member for South Shields sacrificed his career for this issue. He probably does not want to say that this afternoon, but he may do. I have no doubt that he genuinely stood behind his White Paper and, when he was in the Government, said, "The new Labour Government must live up to our undertakings and the expectations that we have aroused. We must introduce radical freedom of information legislation to make real change, as the Prime Minister promised we would. We must therefore be prepared to take risks, if necessary, to change the inward-looking culture of the public service and bureaucracy in general, which is suspicious of the public." I have no doubt that he went on saying that and battling up to the point at which the new Labour Government got rid of him because that point of view was extremely unwelcome.

The White Paper was buried and the right hon. Gentleman was fired, which is a pretty remarkable and memorable state of affairs. I do not think that anybody in this country who follows this matter, whether or not they are a supporter of a political party, can fail to have been struck by that and to share our serious disappointment.

Nothing is more important than how a Bill starts. How it starts, its title and, in this case, an introductory clause or statement of intention not only alert the public to its aim, but could give guidance to the courts, the commissioner and, indeed, the bureaucracy—to the executive government machine—about the Bill's real purpose. If the Government fail at that first fence and are not prepared even to take on board the reasonably worded amendment or new clause, those of us who have already suffered great disappointment will find that it has been thoroughly confirmed.

That is particularly so because the argument for having words along the lines of the amendment and new clause has been pressed on the Government not from any party political point of view, but, as the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) said, by many people with a dispassionate, entirely non-party political interest in the matter, including Elizabeth France, the person who will be responsible for implementing the Bill.

The Government will have to find incredibly good reasons to resist the amendment and new clause. Until we hear those reasons, many of us, in all parties, will continue to feel great disappointment and scepticism.

I fear that the Government are planning to rip up their promise, not explicitly—as they have on taxation, tuition fees for students, the referendum on electoral reform and all the other matters—but subtly. They have introduced legislation that has been so emasculated that it is merely a facade with no substance, structure or reality behind it.

I fear that that is a sign that, within the Government, where there are two tendencies—on the one side, the right hon. Member for South Shields, who has seriously argued for the opportunity for real change to be made, and on the other Alastair Campbell and the No. 10 media manipulation machine. The cause of manipulation of the media, being too clever by half and trying to fox and bamboozle the public by sophisticated modern spin-doctoring and public relations techniques, has won: in the Faustian conflict for the soul and character of the Government, the devil has won the day.

Dr. Tony Wright (Cannock Chase): Following the previous contribution, perhaps we can agree to get it all out of our system to start with—we might then have a serious discussion about some of the issues. It is tiresome to have to repeat the argument, but we are here because the previous Government did not introduce a freedom of information Bill. We are here because, even after the Scott report, they refused to introduce such a Bill. We are here because, even though a Select Committee with a Government majority in the previous Parliament recommended such a Bill, they still refused to introduce one, so let us get that out of the way to start with.

Mr. Quentin Davies: I much resent the hon. Gentleman saying that my remarks should be put out of the way and then referring to the previous Government's record. I was one of those who lobbied hard during their time in office for a freedom of information Bill. We got the very inadequate compromise of the non-statutory code. He may remember that I and my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) were among those who refused to support the previous Government. Indeed, we voted against them on the Scott report, so the hon. Gentleman's remarks about several of us on the Conservative Benches are distinctly offside.

Dr. Wright: I pay warm and singular—or perhaps plural—tribute to the hon. Members who behaved in the

[Dr. Wright]

way that the hon. Gentleman describes in the previous Parliament. I have mentioned that on many occasions in the House. Unfortunately, there were not enough of them to persuade their colleagues to do the decent thing. The record is clear. I was prompted to mention it only because of the way he introduced his remarks, but it would be helpful to put all that to one side and concentrate on the matters at hand.

There is a genuine mystery about why the Government have been so reluctant to proceed on purpose clauses. Had I been able to pick out an example on which I would have thought them most happy to move, it would have been that. A form of words—a declaration—at the beginning of the Bill would have indicated a direction and an intention, and the cost to them would not have been much beyond that. Why have we not made more progress? A Committee of this House and a Committee of the House of Lords have considered the matter, and the overwhelming evidence from all directions is that purpose clauses would be useful. Overseas examples showed that, and we were able to give examples of domestic legislation in which they have been used, although they are not common.

We took devastating evidence from a number of sources. Perhaps the most devastating came from Lord Woolf, who is quoted in the Public Administration Committee report:

> As I understand it, one of the things that the Government is seeking to do, and on which they should be complimented, is they are seeking to change the culture with regard to freedom of information and I think that in that sort of situation a signpost at the beginning as to the general intent of the legislation can be very important.

Quite simply, that is the point. A signpost at the beginning, as described by Lord Woolf, can be immensely important—my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher) got close to getting this just right—because so much depends on discretion and on judgment.

The Bill, in all kinds of examples, requires people to exercise discretion in respect of weighing whether there is a public interest in disclosure. The purpose clause has been discussed in relation to the Information Commissioner or the tribunal or a possible court, but it would have most impact in changing the culture of public bodies and departments and the way in which officials think. The one universal opinion from around the world on the introduction of legislation of this kind is that the change of culture has been the most important consequence. That was said to me in Australia and New Zealand. If one wants to change a culture, one has to say that one is engaged in a cultural change. That is profoundly important.

The culture of secrecy in this country has become a dreadful cliché, but it goes deep and wide in the public service because that is what it has been brought up on. With respect to the Minister, if a Government are saying, "We genuinely want to change all that", that is not a gloss but a profound and intended change of direction. We are asking public officials to balance withholding against disclosure in a way that they are not accustomed to, and stating at the beginning of the Bill where that balance is to be struck, wherever possible, would represent not simply a form of words but the animation of the exercise's intention. That would send out a signal to people in every department in every public body as to what the Bill is about, what the Government intend and how the balancing exercise has to be carried out.

A purposes clause would not be a gloss. It would set a genuine tone and represent a culture, and our proceedings would get off to a splendid start if the Minister set the right tone by saying that he was persuaded of some of those arguments.

5.15 pm

Mr. Richard Shepherd (Aldridge-Brownhills): I am happy to follow the distinguished Chairman of the Public Administration Committee—the hon. Member for Cannock Chase (Dr. Wright)—and I shall not bicker with him too much about what happened to a White Paper that never came into existence. However, my hon. Friend the Member for Grantham and Stamford (Mr. Davies) was right to point out that the expectations as expressed in that White Paper were held by many Labour Members of Parliament. That is important; it was not just the extraordinary work of the right hon. Member for South Shields (Dr. Clark). We must remember that the White Paper was signed by the Prime Minister and approved by the Cabinet. The world and his wife would like to know what happened between that great expression—sought by many for a long time—and the Bill.

A purpose clause was one of the central reforms called for in Committee. Amendment No. 100 and new clause 1 are important for the reasons adduced by other right hon. and hon. Members. If I had to choose between the two provisions, I would argue for the new clause, because it sets out the key principles behind the reasons why we need and want freedom of information in this country.

The new clause states:

> The purposes of this Act are to extend progressively the right of the public to information held by public authorities.

It lists four reasons why that right is needed. The first is the accountability of public authorities, which is one of the most important justifications for freedom of information.

In that context, I have often quoted Pope to the House:

> What can we reason, but from what we know?

How can we reason if we do not know the substance or the essence of the issues that confront our public policy? As the Prime Minister pointed out, the Bill is about the stakeholder—about the relationship between the Government and the governed. That is an extraordinarily important proposition.

There is an innate secrecy—no doubt, a culture formed by two world wars—and a climate formed by the fact that sections of the Official Secrets Acts marched through the life of our nation for most of the 20th century. We want to reverse those principles. Why are we the most backward of the advanced democracies—ancient and considerate of liberties and so on—in continuing to want secrecy in the conduct of public business? That has consequences for us all.

The accountability of public authorities and those who hold office in them is an important interest. It certainly informed the White Paper, the Prime Minister's speeches before the election and much of the passion in the House.

The second reason for the right to information under the new clause is

informed public debate on public affairs.

I might almost call that an Alastair Campbell provision, because he constantly calls for informed public debate. Unfortunately, few of us live up to his standards of what is constituted by such debate. By and large, it is true that Governments do not fear ill-informed, uninformed or off-the-issue public debate, because they are the masters of information. What they find more difficult is equality of argument—where people are apprised of information available to the Government and there is thus reasoned, intelligent questioning and proper argument as to the best course for public affairs. That is why the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) supported the new clause: it will enable certain purposes.

The new clause would have the benefit, which the Government claim to want, of making the public more generally educated as to what government is about. Why do we have a Government? What are the difficulties that confront them? What is the purpose of public society in general? As previously set out, the aims for the Bill were consonant with the Government's arguments of not so long ago, with the White Paper and, I think, with what every freedom of information Act strives for. The White Paper was such that it inspired the commissioner in Canada to say that the Government's proposals left Canada trailing in Britain's dust. Now that claim is simply risible and the Bill, as an end product, appears to be a deceit. It is designed to defeat the very purposes that we understood were the Government's intent when they introduced such an important Bill.

All the arguments that I heard in the Select Committee on Public Administration, under the distinguished chairmanship of the hon. Member for Cannock Chase, were for a purpose clause. We heard from Elizabeth France, whose views are not to be put lightly to one side because she is commissioned with the job of data protection, not freedom of information. How do we weigh this matter? Should it be completely consumed in the protection and privacy provisions? We need a public interest provision, but we need a foundation that helps to guide people in their interpretation of the Bill and assists them in understanding the purpose that lies behind it.

Many of the phrases in the new clause derive from New Zealand's experience of freedom of information and from its Act. Eagles, Taggart and Liddell have written an important book, "Freedom of Information in New Zealand", in which they observe that the purpose provision

ensured that the number, tenor and the generality of the exemptions would not overshadow the raison d'etre of the Act.

The truth is that the Bill contains a strikingly huge number of exemptions, which eat away at the very principle of making available the information that is in the Government's gift. It is therefore important that we signal the tenor and the purpose of the Bill, so that those who interpret it do so in the understanding that the House of Commons sought to make available information and that the public interest lies in the availability of information rather than in its concealment.

Mr. Dalyell: The hon. Member for Aldridge-Brownhills (Mr. Shepherd)—I am tempted to call him my hon. Friend on this matter—may recollect that, on a lovely spring morning in March 1998, he and I went to the office of the then Chancellor of the Duchy of Lancaster, my right hon. Friend the Member for South Shields (Dr. Clark). We were in the company of Maurice Frankel, who has contributed so much to this issue. It is not a distortion to say that we came away from the meeting, if not elated, at least extremely pleased at what we had heard. We thought that, at long last, we would get a meaningful and significant—although perhaps not perfect—freedom of information Bill of the kind that had been promised to the electorate in 1997. We thought that that contract with the electorate was about to be fulfilled through the hard work of my right hon. Friend.

I was not able to be on the Committee that considered the Bill, but that was not for the want of trying. By some alchemy, as has happened before, I was not selected. [*Laughter.*] My hon. Friend the Member for Workington (Mr. Campbell-Savours) laughs knowingly. We shall not go into the reasons for that decision.

I should like to ask two questions. The first follows on straightforwardly from the arguments of the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan). What is Ministers' assessment of how the proposed amendment could be used by the courts? If it is important in terms of legal interpretation, it is a significant and important amendment.

My second question is of a slightly different nature. By what alchemy—by what magic—did responsibility for these matters ever fall into the clutches of the Home Office? That is an important question. It was one thing to have the matter in the charge of the Chancellor of the Duchy of Lancaster, but it is quite another to put it into the clutches of that Department, which has, over the years, done more than any other to suffocate freedom of information. Now is the right moment to ask that question, and I am curious to hear the answer.

Mr. Andrew Mackinlay (Thurrock): If the Government are to resist new clause 1, which I believe should be inserted into the legislation, the Minister faces a considerable burden—the need to overcome the arguments and to persuade people that the Bill will not be improved by its inclusion. It will not be sufficient to say that the new clause is not necessary: he will need to explain both why it is unnecessary and why it would cause mischief if it were included.

My hon. Friend the Member for Linlithgow (Mr. Dalyell) posed a question that I had rehearsed in my mind before rising. The new clause would greatly assist the courts in determining Parliament's intention when they have to consider some challenge to the legislation—as sure as night turns to day, such a challenge will arise. Even if one reads the new clause again and again, it is hard to discover any purpose that could be served by resisting its inclusion, other than the desire to leave matters vague in the hope that, as a result, there will in future be some judgments in favour of deep conservatism in respect of disclosure of information.

I hope that the Government will reflect, both now and if the matter arises in the other place, on how the Bill would be improved by the amendment. My hon. Friend the Minister has a hurdle to overcome, in that the provision appears in comparable statutes of countries around the world, and that the commissioner-elect has

[Mr. Andrew Mackinlay]

indicated that it would be useful. I hope that my hon. Friend will not rely merely on winning the vote, but will either win the argument and persuade us that the provision is unnecessary, or make a name for himself by indicating the Government's willingness to accept the new clause.

Mr. Simon Hughes (Southwark, North and Bermondsey): I shall be brief. I was not a member of the Standing Committee and, unlike the hon. Member for Linlithgow (Mr. Dalyell), I did not have a claim and seek to exercise it. However, I pay tribute to colleagues on both sides of the House who have combined to ensure that the important arguments are advanced in unison. We owe a duty to Parliament and to citizens outside this place to recognise that, on freedom of information above all other issues, if there is a choice to be made between the view of Back Benchers and that of the Government—regardless of which party is in government—one should trust the Back Benchers. Furthermore, if a case is backed by a coalition of senior and respected members of all three great parties of this country, the argument must be extremely strong.

5.30 pm

The second argument is legalistic. Legislation, even under new rules of interpretation, sometimes goes to the courts and is interpreted on the basis not of what we say in Parliament—although that can be taken into account more than it used to be—but of what is written on the page. Therefore, when it is necessary to establish what is behind the words, what is intended by the phrase, and what is meant by the clause or the Act, unless there is a purposes clause, there may be a legalistic interpretation, not an explained, intended interpretation.

That is a good reason for including a purposes clause, especially in this sort of legislation. A judge or an information commissioner will be in no doubt about the intention of Parliament. Although the formulation may not be perfect, better a formulation that points him in the direction of the intention than no formulation, which leaves him to guess and gives the courts the power to make a restrictive interpretation.

The third reason reflects the pertinent, though mischievously put, point made by the senior and persistent hon. Member for Linlithgow (Mr. Dalyell). The Bill has ended up with the Home Office as its captain, steering it through this place. We must be suspicious of government by Home Office on such an issue—as will be reflected in the debates on amendments today and tomorrow—because the Home Office is above all the Department of the security services, the Department of the police, the Department of the prisons, the Department of some of the courts, and the Department of the electoral system.

If ever we ought to be suspicious that a Government Department will want to find ways of not opening up government, that Department is the Home Office. However enlightened are the people in it, the combination of civil servants, advisers and Ministers will in the end say, "We must be careful here. We are the Department that is looked to to preserve the interests of the state." The move from Minister who is free-standing and much more accountable to Parliament to Minister in the Home Office, whoever the holder of that office is, is bound to take with it some suspicion that we are confusing the duties of government with the proper assessment of Government.

I hope that we will heed the voices from the three parties that have argued coherently and effectively, and experiences elsewhere. I have not seen the Minister's brief, but whatever it contains, I hope that he will be brave, as I once saw a colleague of his, now the Deputy Prime Minister, be. He ripped it up and threw away his brief, saying "I am not reading this rubbish. I am going to say what I think." I hope that the Minister will make a great a name for himself by liberating himself from the brief, and liberating Parliament from the Home Office.

Dr. David Clark (South Shields): I shall be brief. I did not intend to speak on the amendment, but I have been provoked so to do. When I introduced the White Paper to the House way back in December 1997, I felt that it was the right vehicle, and that it contained the right tone to create a new relationship between the citizens of this country and the Government.

I did so in the knowledge that, just six months previously, the citizens had indicated, by the representatives whom they sent to this legislature, that they wanted change. I was conscious also that we were entering a new millennium and that we were one of the worst countries among western democracies for giving access and information to our citizens.

That was the philosophy behind my intent. The purpose of the White Paper, in essence, was to change the culture of our political elite. I had no illusions about how difficult that would be, not only in central Government, but in all public administrations. However, I thought that it was the right thing to do.

We devised a system that was set out in the White Paper. There has been talk this afternoon about lawyers and legal interpretation. They are important matters and good reasons why we may need a purpose clause. More important, however, is the need to get the message across from the House that with this legislation, we want to change the political culture of our society. We want to renegotiate the relationship between our citizens and our Government, and that can be done only by ensuring that the interpretation of the Bill is that the presumption must be in favour of openness and not of secrecy.

I believe that new clause 1 is very much better than amendment No. 100. However, whether the new clause is accepted or not, it is important that the message emanate from this legislature loud and clear that we want a change of culture.

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): I thank all colleagues who served on the Committee that considered the Bill and those who have contributed to this debate. These are important issues, and in many ways they are difficult to get right. The Government have been listening with a great deal of care throughout the debates.

Mr. Jon Owen Jones (Cardiff, Central): Will my hon. Friend give way?

Mr. O'Brien: Perhaps I might make a little more progress before I give way to my hon. Friend. I thought that I had been fairly uncontroversial. Actually, I am fascinated by how controversial I can be, so I shall give way to him.

Mr. Jones: I thank my hon. Friend for his patience in allowing me to intervene so early in his reply.

I have been in the Chamber since the beginning of the debate and I have not heard a contribution to it that supports the Government's line in opposing the new clause and the amendment. Will my hon. Friend comment on why the Government do not appear to have any support that will be vocalised in the Chamber?

Mr. O'Brien: I thank my hon. Friend for making what he will know is a helpful intervention. He was about to hear the arguments that are deployed against the new clause and the amendment. If there is a Division, he will find that my right hon. and hon. Friends will feel able to support the Government. That is how they will express their views.

I was in the process of saying that we have listened carefully, particularly to the contributions that have been made by my hon. Friends and by Liberal Democrat Members, who made a number of constructive suggestions. As we continue to consider the Bill, I think that we shall find areas where the Government have listened to the Liberal Democrats and, on some occasions, even to Conservatives. It is all about getting the balance right and it is appropriate to debate how we do so. It is about balancing the needs for individual privacy, confidentiality and efficiency in government with the right of a citizen to have a statutory right to know what is going on. That applies not only to the Government but to other public authorities too.

I am asked, "Why the Home Office?" by my hon. Friend the Member for Linlithgow (Mr. Dalyell). He may well have joined the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) in setting out a list of various reasons why he thinks that the Home Office is not the appropriate Department. They will know that the Home Office is the relevant Department in terms of the Human Rights Act 1998, the Data Protection Act 1998, the Race Relations (Amendment) Bill and the electoral procedures Bill, which has now become the Representation of the People Act 2000. It is the Department that introduced the Political Parties, Elections and Referendums Bill to clean up the sleaze in politics in Britain. The Home Office, which has strongly improved our citizens' rights, is the right Department to make the constitutional change that we are considering.

I always pay great attention to the comments of my right hon. Friend the Member for South Shields (Dr. Clark). I usually agree strongly with them. He is right that we need to change the culture of our political elite. We must get the message across, through the debate and the Bill, that we want to change that culture and renegotiate the relationship not only between the citizen and the Government but between the citizen and all public authorities. However, that requires not a purpose clause, but a Bill.

Mr. Mackinlay: Will my hon. Friend give way?

Mr. O'Brien: I shall give way shortly, but I want to proceed with the argument.

I have described the alchemy whereby the matter was appropriately referred to the Home Office. The Bill will ensure that we can renegotiate the relationship between the citizen and the state on freedom of information.

The hon. Member for Shrewsbury and Atcham, who opened for the Conservative party—

Mr. Lidington: Aylesbury.

Mr. O'Brien: The hon. Member for Aylesbury (Mr. Lidington) said that we should trust the people. For 18 years, the previous Conservative Government had no such wish to trust the people or to create a statutory right to know. That had to wait for a Labour Government. Conservative Members did not want a Bill; their amendment on Second Reading would have denied the measure a Second Reading. Some Conservative amendments, which we will consider later, try to restrict parts of the Bill. I shall therefore take no lectures from the hon. Member for Aylesbury about trusting the people.

I want to deal separately with amendment No. 100 and new clause 1, which is a more serious proposal that I would like to consider at length. Amendment No. 100 is a purpose clause, which adds nothing to the Bill. The long title already explains more comprehensively than the amendment the purpose of the Bill, which is to

> Make provision for the disclosure of information held by public authorities or by persons providing services for them and to amend the Data Protection Act 1998 and the Public Records Act 1958; and for connected purposes.

The amendment is therefore unnecessary. It achieves nothing and I oppose it mainly because it is pointless. The Bill's purpose is already stated in the long title.

New clause 1 proposes a different, more ambitious purpose clause. Its supporters have argued for it in a different way.

Mr. Dalyell: My hon. Friend believes that the amendment is pointless and adds nothing to the Bill. Does he believe that the courts would share his opinion?

Mr. O'Brien: I suspect that the courts would take that view. They would probably say that such an amendment merely created a confusing approach to the Bill. They would ask why we had a long title and a purpose clause that replicated each other. They would have to work out Parliament's purpose in including such a duplication. It would confuse interpretation of the statute.

New clause 1 has a more ambitious purpose.

Mr. Shepherd: On the long title, the Government weighed up representations for a purpose clause. They heroically changed the original formula, which read:

> Make provision about the disclosure of information

to "make provision for". Intellectually, if they can change such a big word as "about" to "for", why can they not embrace an amendment that sets out clearly and indisputably the purpose of the Bill?

5.45 pm

Mr. O'Brien: I thought that I had just explained that to the hon. Gentleman. I listen with great care to his views on this subject, because unlike most Conservatives he has a long and strong record of supporting freedom of information, and I pay tribute to him for that. We want the Bill to express our view that the citizen should have a right to know, and I do not think that we need a purpose clause to make the Bill do what we want it to do.

[Mr. O'Brien]

I want to make some progress, but I shall take some interventions after I have set out the main body of my argument. I have heard the arguments, including the recommendation of the Select Committee on Public Administration, that a purpose clause can be used to show clearly which of two or more competing values should be uppermost when a decision is made. However, I do not think that a purpose clause along the lines of new clause 1 is appropriate, and I shall set out precisely why.

One must assume that such a clause would be given legislative effect by the commissioner, the tribunal and the courts, so it would change the balance of rights that the Bill seeks to achieve. It is not possible to say that in every case one right should trump another. The right of access to information must be balanced against the right to privacy and confidentiality. Too strong a presumption in favour of disclosure for certain purposes, however worthy, over other competing rights to privacy or confidentiality could lead us into conflict, perhaps with the Human Rights Act.

Mr. Maclennan *rose—*

Mr. O'Brien: I shall give way to the right hon. Gentleman later, but I want to make some progress.

The Bill must be set in the broader context of the Government's wider agenda for reform, including the Data Protection Act and the Human Rights Act. It must be considered as a whole. We do not want to create provisions through a purpose clause that disturb the balance in the Bill and that may—we know not—bring us into conflict with the Human Rights Act.

Openness does not have a monopoly on righteousness. Privacy and confidentiality have their proper place, and the right of the public to know must not place an unnecessary burden on business or undermine the proper and efficient running of government in the public interest.

We know that a weak confidentiality clause in the United States legislation allows companies to use the freedom of information regime to obtain information about competitors. Up to 60 per cent. of requests under the US freedom of information legislation are from companies trying to find out what the Government know about their competitors. We must have a balanced approach to these provisions.

Dr. Tony Wright: Will my hon. Friend give way?

Mr. O'Brien: Not at the moment. I want to go through my argument, and then I will happily give way to hon. Members.

Such an emphasis on certain purposes could backfire. If business were inhibited from giving the Government commercially sensitive information, on the basis that it might be released under freedom of information legislation, it would affect the effective regulation of the financial sector, trade and commerce, which could be undermined. The public interest in freedom of information could conflict with the public interest in regulating business.

The right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) rightly referred to Elizabeth France's comments on this issue. We want her to be the Information Commissioner. I am familiar with the arguments that Mrs. France put to the Select Committee on Public Administration when she gave evidence on the draft Bill in June last year. She argued for a purpose clause on the basis that

> it would be very helpful in making judgments about discretionary decisions,

and went on to say that a purpose clause

> fits also with my view that discretionary decisions should be reviewable in substance, the two are a package, if you like.

It is important to remember that, when Mrs. France gave evidence, the draft Bill only permitted the Information Commissioner to specify the circumstances that an authority could take into account when determining the public interest. The draft Bill gave the commissioner no power to order or even recommend disclosure in the public interest. Moreover, it did not explicitly require authorities to comply with a requirement to balance the public interest in disclosure against the public interest in maintaining an exemption. Mrs. France's arguments were therefore based on the understanding that a purpose clause would indirectly strengthen the provisions relating to discretionary disclosure, and underpin the commissioner's power to specify to authorities the matters that they should take into account.

The discretion has gone, or will, I hope, have gone very shortly, when the Bill is amended. The Information Commissioner will have sweeping powers under our new provisions. The Government, however, accepted many of the criticisms made during the Bill's earlier stages. As a consequence, right of access was made the subject of clause 1, and the then discretionary disclosure provision in clause 13 was amended to give an express balancing of the public interest in disclosure against the public interest in maintaining an exemption. The discretion to which Mrs. France referred, and for which she required a purpose clause, has been replaced by an entirely different statutory duty that will not, in my view, require that purpose clause. The long title of the Bill was also amended in response to what was said by the Committee in the Lords.

The Government intend to strengthen further the provisions dealing with disclosure in the public interest. The Government amendments tabled at this stage remove the discretionary element from decisions under clause 13, and oblige authorities to communicate requested information to applicants when the public interest in disclosure outweighs the public interest in maintaining the exemption. That is a new statutory duty. The commissioner will also have power to issue decision and enforcement notices in respect of decisions under clause 13.

Dr. Tony Wright: Will my hon. Friend give way?

Mr. O'Brien: I will in due course. Perhaps my hon. Friend will wait until I deal with what he said earlier.

I believe that our amendments remove the difficulties that Mrs. France experienced with the draft Bill, and also remove the need for a compensatory purpose clause.

Mr. Fisher *rose—*

Mr. Maclennan *rose—*

Mr. O'Brien: I am facing a number of demands. I shall give way to the right hon. Member for Caithness,

Sutherland and Easter Ross first. I shall then give way to my hon. Friend the Member for Cannock Chase (Dr. Wright), and after that I must make progress.

Mr. Maclennan: The Minister has tried to deal with some of the points that I have raised, but he has seriously misrepresented the views expressed by Elizabeth France to the Committee. She was not speaking about the discretion that she was exercising in the discharge of her duty, which has perhaps been affected by the Government's redrafting of the Bill—although I beg to suggest that the Government's own retained power to veto her suggestions vitiates the Minister's point. She was clearly referring to the discretions being exercised by others. She said that when, as the potential authority, she examined the Bill it would be helpful to know

what I could use to hang a view that a discretionary decision had been improperly taken.

Throughout his speech, the Minister has changed the whole emphasis of the Government's approach as set out in their White Paper "Your Right to Know". The presumption of openness—that was the language used by the Government in the White Paper—has become a balance that must be struck. There is no presumption of openness in anything that the Minister has said.

Mr. Deputy Speaker: Order. That was quite a long intervention, albeit one on a technical matter.

Mr. O'Brien: I have certainly not sought to misrepresent Mrs. France's views. Mrs. France was explicit about them, and the right hon. Gentleman must take it from me that I have done my best to reflect them. She was speaking of decisions made by others, particularly public authorities and Ministers.

The right hon. Gentleman appears not to realise that we are not just changing the balance, but creating a new statutory duty of openness. When there is a public interest in a matter's being open, and when an exemption applies, the public authority will be obliged to make the information public, if it is outside the remit of proper secrecy in the public interest.

We all agree that, in some circumstances, an element of secrecy may be necessary: I do not think any hon. Member would dispute that. Such secrecy may sometimes be in the public interest; but the balancing decision must be made, and when the balance comes down in favour of the public interest in terms of the right to know, no public authority will retain any discretion. There will be no discretion for Ministers either: they, and public authorities, will have to disclose the information. We have made a radical change in the law, and our amendments are, in substance, entirely different from what was in the Bill when Mrs. France spoke to the Committee.

Dr. Tony Wright: I am interested by what my hon. Friend is saying, but I am not sure that he has got to the heart of what some of us were arguing.

Clause 33 deals with the formulation of Government policy, an area in which there is no harm test. We have been told that the Bill is about changing the culture of Whitehall. Whitehall is here being asked to consider the public interest in relation to the formulation of Government policy. How are those in Whitehall to understand what the public interest is? How are they to decide what can properly be withheld on a discretionary basis? How can they decide what is to be disclosed? What reference point is available to them?

One of the aims of a purpose clause is to give those people the necessary information. It is there to tell them the purpose of the Bill, so that, when engaged in the balancing exercise, they can operate within a framework of intention; otherwise, the clause is vacuous.

Mr. O'Brien: My hon. Friend is wrong. We shall come to this later, and I shall heed any strictures from you, Mr. Deputy Speaker; but clause 13 draws attention to the need to create a balance. It establishes a statutory duty to give the public information when the public interest in that information being made public outweighs the public interest in its remaining confidential. Precisely what my hon. Friend wants is being done, not in a purpose clause but in clause 13.

We introduced the provision in clause 13 because we feared that, in its operation throughout the realm of the Bill, the purpose clause might disturb a careful balance that we have sought to create between the various issues that I mentioned at the outset. I am not sure that there is a great deal of difference between my hon. Friend and me on this point. We want to bring about circumstances in which information is disclosed when that is in the public interest. When the public seek such information, they should have a right to request it, and the public authority will have a statutory duty to disclose it, provided that it judges that the public interest in disclosure outweighs the public interest in not disclosing.

That is being done in clause 13. My hon. Friend wants it to be done in a purpose clause, but I hope he will see that, because a purpose clause could well apply to the whole Bill, there is an unpredictability about the way in which it would affect the other clauses. That is why we are reluctant to adopt his suggestion. I am not sure that we want different things, in practice: I suspect that we seek much the same end, but in different ways.

6 pm

Fiona Mactaggart (Slough): Perhaps the Minister would recall that, in discussing this type of issue on Second Reading, he advocated the approach that he said had been taken in New Zealand, which he believed had

concentrated less on the wording of the legislation than on the cultural changes and . . . achieved a greater degree of openness. Legislation is only part of the process. It provides the essential legal base, but creating a new culture of openness is in many ways the real test.—[*Official Report*, 7 December 1999; Vol. 340, c. 789.]

My view is that the people who are pressing new clause 1 are concerned that, in the four months since the Minister made that statement, that new culture of openness has not been seen. Perhaps he could tell us what the Home Office has done in those four months to create a culture of openness, and why we should not request a legislative framework that forces it to create such a culture?

Mr. O'Brien: I am very happy to tell my hon. Friend how we have set about doing that. We published—at the beginning of February—the report of the working party on freedom of information in the public sector, which demands that public authorities begin now, before the Bill is passed, to open up their procedures to the public and to

[Mr. O'Brien]

ensure that they comply with a statutory right to know. If they wait until the Bill is passed, many of them will be caught out.

The Government want to do precisely what I said in Committee, and precisely what my hon. Friend the Member for Cannock Chase is seeking to do: to change not only the culture in which Whitehall operates—it is a culture of much too much secrecy—but the types of culture that operate in far too many public authorities in the United Kingdom. Changing that culture is not only about passing laws, but about getting inside the organisations and changing them, as Canada has tried to do.

The Canadian information commissioner has said that, after Canada's 15 years of freedom of information legislation, although it had strong laws, it had not achieved the cultural change. We want to achieve that cultural change not only in institutions of government, but beyond government. We are aware, however, that simply passing laws is not good enough: we have to change the culture as well.

Mr. Mackinlay: Will the Minister give way?

Mr. O'Brien: I should like to make some progress, as I have been speaking for quite some time.

Mr. Mackinlay: The Minister promised.

Mr. O'Brien: I did. I shall give way, one last time, to my hon. Friend, and then I want to finish.

Mr. Mackinlay: The Minister talked about unpredictability. However, unpredictability will be precisely the product of our failure to include a purpose clause in the Bill. The effect of omitting such a clause would be similar to throwing things up in the air and hoping that they fall in the right place. We could have enormous good luck and see the first freedom of information case being decided by a very radical judge—in which case there could well be weeping and gnashing of teeth in Government and in some public bodies. Conversely, a deeply Conservative judge could decide the first case. Hon. Members have a duty, when we can, to be precise in our legislation, and that is precisely what we are being invited to do in this debate.

As for the Government always knowing best about legislation, on some occasions, are not the authors of legislation perhaps the legislators themselves? There is overwhelming support for some precision in this matter, and that support is buttressed by what has happened successfully elsewhere.

Mr. O'Brien: The reason we are not prepared to go along with the new clause is that we are concerned that its very vagueness—my hon. Friend expressed his concern about vagueness—will affect the Bill in a manner that we cannot predict. Neither he nor I know how this purposes clause might be interpreted, but we do know how clause 13 could be amended.

Mr. Fisher: Will the Minister give way?

Mr. O'Brien: I have said that I shall not give way.

Mr. Fisher: The Minister has not given way to me.

Mr. O'Brien: I shall give way to my hon. Friend, but it is the last time.

Mr. Fisher: Does the Minister understand that it is very clear how the purposes clause will be interpreted? It will be interpreted precisely as the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) explained when moving it—in favour of a presumption for openness—and it is precisely for that reason that we wish the Government to consider it. The Minister pays tribute to himself for his amendments to clause 13—*[Interruption.]* I concur with the tribute to those changes. Although, unfortunately, the changes are undermined by Government new clause 6 and the veto, they are in themselves admirable.

The Minister said that there was no difference between those who support new clause 1 and the Minister's position—but there is. He said that the new clause might apply to the whole Bill, and that is precisely right. Those of us who support new clause 1 want the presumption to run seamlessly through the Bill, so that it operates in the whole Bill. If the Minister cannot understand that, we have not prosecuted our case in the debate. However, he should be able to listen to his own words. Although he said that he wants a cultural change, almost everything that he has said in replying to the debate has been apprehensive about freedom of information and fearful of what will happen. He has been reluctant—

Mr. Deputy Speaker: Order. I understand that this is a closely reasoned debate, but the art of an intervention is that it be succinct. We have had some very long interventions, which I really am no longer prepared to countenance.

Mr. O'Brien: I tell my hon. Friend that the Government's amendments to clause 13 will change the entire basis on which the Bill operates, and that they will do so in a manner that is careful, calculated and predictable. Good law needs to be careful, calculated and predictable. What is not predictable is to have a purposes clause that, with all its worthy ambitions, is somewhat vague. I simply do not know what the impact would be if we were to allow new clause 1 to become part the Bill, and I would rather not take that risk. It may not have the effect that either my hon. Friend or I wish it to have.

There are places for purposes clauses, but I suggest that this particular Bill—which is carefully balanced—for all the reasons that we discussed in Committee, is not the place for one. That is our view. As I said, I do not think that there is a great issue of principle in the matter, because I do not think that the legislation's eventual outcome is much in dispute between most hon. Members and me. We should ensure that we create a Bill that works and starts to change the culture.

I should like to deal with some of the points made by other speakers in the debate. The right hon. Member for Caithness, Sutherland and Easter Ross asked whether I have any sympathy for the principles of the new clause.

The answer is yes. I have much sympathy for his objective, but I do not think that there is a great difference between his objective and ours. I also think that we achieve the objective, but in a different way, in clause 13.

My hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher) said that the Bill's aim was to empower the citizen to obtain information. He is right. Although I understand his views on the Bill, I believe that we can achieve his objectives by passing the Bill with the Government amendments.

In a speech that amounted to little more than party political badinage, the hon. Member for Grantham and Stamford (Mr. Davies)—the sage of Grantham and Stamford, who seems to have left the Chamber—said that he had predicted all the faults of the new Labour Government. Although he seemed to criticise us for not going far enough, undoubtedly he also supported Conservative Front Benchers when they suggested that the Bill should not be given a Second Reading. The fact is that most Conservative Members do not want a Freedom of Information Bill at all.

In the 1997 Conservative campaign guide for candidates, as a possible reply to those who ask for a Freedom of Information Bill, Conservative Members advised:

> The only group in Britain who are seriously interested in a Freedom of Information Act are inquisitive left-wing busy bodies.

That tells us the extent to which Conservative Members believe the Bill necessary.

The Freedom of Information Bill is an important Bill. Although I have enormous respect for the very strong views represented by the right hon. Member for Caithness, Sutherland and Easter Ross and by many of my hon. Friends, I do not think that there is a great deal of difference between us. Clause 13 will achieve most of what hon. Members want from the new clause and will do so with predictability, which is very important.

Mr. Maclennan: With the leave of the House, I should like to respond to the Minister.

Mr. Deputy Speaker: Does the right hon. Gentleman have the leave of the House?

Hon. Members: Aye.

Mr. Maclennan: I am most grateful.

I found the Minister's answers wholly unsatisfactory. We shall wish to divide separately on new clause 1 at the appropriate stage if there is an opportunity to do so.

The hon. Member for Linlithgow (Mr. Dalyell) spoke about an alchemical process. Alchemy was the search to transmute lead into gold. We have witnessed the reverse process. The gold was in the White Paper produced by the right hon. Member for South Shields (Dr. Clark), who was entirely clear about the process. It was not a difficult balancing process in which every possible exercise of discretion was measured against particular tests of public interest. The idea was to change the balance and introduce a new presumption of openness—not just a presumption set out in a code, but a presumption of law.

The Minister's central argument was about the balancing act. He used the word "balance" about 10 times. Because balance, rather than the presumption of openness, has become the underlying principle of the Bill, we are right to be very suspicious about what the Government are minded to do.

Mr. Lidington: The unanimity of the views expressed on both sides has been the remarkable feature of the debate—or perhaps I should say the near unanimity. The one discordant note has come from the Minister, who had to make his case without any support from his hon. Friends or from any other quarter of the House. That fact more than any other shows the weakness of the ground on which the Government are standing.

As the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) has reminded us, the Minister said many times that it was all a question of getting the balance right. That is hardly the most controversial statement. He then repeatedly asserted that accepting the amendment or the new clause would impinge in some way on other rights and liberties of British citizens. However, he was far less forthcoming when it came to any detailed explanation of how that might come about.

Mr. Mike O'Brien: I did not suggest that inserting the hon. Gentleman's amendment would impinge on the rights of citizens. If he is suggesting that I said that, he is wrong. I merely said that it would do nothing.

Mr. Lidington: The thrust of the Minister's remarks was that inserting any purpose clause would put difficulties in the way of those charged with interpreting and implementing the legislation, because they would have to give priority to the duty of openness over their other duties on personal privacy or other forms of confidentiality.

6.15 pm

The right hon. Member for South Shields (Dr. Clark) made the powerful point that the purpose of the reforms of which he was the author was to change the institutional culture of Whitehall. No one who has supported the amendment or the new clause is criticising the professional civil service in Whitehall by agreeing that the institutional culture needs to be changed. Any Member of Parliament who has sought to craft a series of parliamentary questions to extract information that an unwilling Department did not wish to divulge is aware of the problem. The only people who are even more aware of the culture that needs to be changed are those of us who have ever been on the other side of the fence, sitting in Whitehall and having a share in drafting the answers to parliamentary questions.

The case for a purpose clause remains strong. The Government have not provided an adequate explanation of their reluctance to accept such an amendment. I hope that when the Bill goes to another place, the members there will note the near unanimity of support for a change in this House from the Back Benches and from all Opposition parties. In the light of the Government's refusal to take seriously the concerns that have been expressed this evening, I intend to press the amendment to a vote.

Question put, That the amendment be made:—

The House divided: Ayes 167, Noes 339.

Division No. 141] **[6.16 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
George, Andrew *(St Ives)*
Gibb, Nick
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Stephen Day and
Mr. Peter Atkinson.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blair, Rt Hon Tony
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cranston, Ross
Crausby, David
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galbraith, Sam
Galloway, George

Gardiner, Barry
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Jamieson and
Mr. David Clelland.

Question accordingly negatived.

The Parliamentary Secretary, Lord Chancellor's Department (Mr. David Lock): I beg to move amendment No. 44, in page 1, line 15, leave out subsection (3) and insert—

'(3) Where a public authority—

(a) reasonably requires further information in order to identify and locate the information requested, and

(b) has informed the applicant of that requirement,

the authority is not obliged to comply with subsection (1) unless it is supplied with that further information.'.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Government amendments Nos. 45, 54, 89 and 90.

New clause 3—*Duty to assist*—

'.—(1) A public authority shall take all reasonable steps to assist any person in seeking to exercise any right under this Act.

(2) For the purpose of subsection (1) a public authority shall have regard to any relevant guidance contained in the code of practice issued under section 44.'.

Mr. Lock: This group of amendments deals with various procedural matters relating to requests for information. The first amendments to which I shall speak impose duties in various ways on authorities dealing with requests.

[Mr. Lock]

Amendment No. 44 clarifies the situation where authorities require further information from the applicant in order to identify and locate the requested information. In such a situation, the Bill does not require the authority to comply with clause 1(1) unless such further information is supplied. It was already implicit in the Bill that authorities had to inform applicants of what further information they required. However, the amendment makes it explicit in the Bill that in such circumstances, authorities are obliged to ask the applicant for such further information. If they do not inform the applicant of their requirement for further information, their obligation to comply with clause 1(1) still stands.

6.30 pm

The Government have tabled amendment No. 44 in response to an earlier amendment to clause 1, moved in Committee by my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher), and I am happy to clarify the effect of the Bill in this regard. This is related to the Data Protection Act 1998, under which data controllers receive requests from members of the public for data that they hold. Amendment No. 89, therefore, inserts a new paragraph into schedule 6, which deals with further amendments to the 1998 Act, to make similar provision in that Act in respect of requests for personal information that fall within the scope of that Act.

Amendment No. 90 is designed simply to tidy up the drafting of paragraph 1 of schedule 6 as a consequence of amendment No. 89. Because amendment No. 89 inserts a new first paragraph into schedule 6, it is no longer necessary for the existing paragraph 1 to refer to the Data Protection Act 1998 in full.

Amendment No. 54 concerns the obligations that authorities have when refusing a request for information. The amendment will oblige authorities, when refusing an application for information, to inform the applicant of any internal review procedure the authority may have—or, indeed, to inform the applicant that the authority does not have such a procedure—and also to inform the applicant of their further right to apply for a decision by the Information Commissioner under clause 50.

The amendment makes explicit in the Bill what was already implicit. The Government have brought it forward in response to one moved by the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan), while taking into account any internal review procedure that an authority may have. It is, of course, important that any internal review procedure be first exhausted before the application is made to the commissioner. The amendment therefore addresses all relevant aspects of the issue, and clarifies applicants' appeal rights in the Bill.

Amendment No. 45 deals with the time for compliance. It places an upper limit on the Secretary of State's power by regulation to extend the statutory time limit for responses to applications beyond the 20 working days set out in clause 9(1). That upper limit—the longstop—is 60 working days from the day following the date of receipt of the application.

The 20 working day time limit for responses set out in subsection (1) was introduced following the Government's acceptance of a recommendation of the Select Committee on Public Administration. Let me be clear from the outset that the Government believe that 20 working days is the right period within which a response should normally be given to an application. I will go further—subsection (1) provides specifically that a public authority must comply promptly with a request for information. We consider that 20 working days is the maximum that it should take, but we shall look to public authorities to respond earlier than the 20th day when an application is straightforward.

At present, the Government have no intention of extending the statutory time limit under regulations, but there should be provision in the Bill to do so if, at some future time, there is a genuine case for it. The power in subsection (3) is in reserve, and I repeat that the Government have no intention that it should be used except in exceptional circumstances. Regulations made under this subsection would not be appropriate, or indeed necessary, in respect of isolated cases, in which the Information Commissioner already has discretion to agree a different date. What is, however, needed is a power to prescribe a different day in the sort of situation in which, because of unforeseen circumstances, it would be unreasonable or impossible to deal with applications within the existing statutory deadlines.

I can understand why right hon. and hon. Members have tabled new clause 3. It would place public authorities under a statutory duty to assist applicants and to have regard to the guidance contained in the Secretary of State's code of practice in so doing. The Government sympathise fully with the desire behind the new clause to ensure that applicants are helped to exercise their rights rather than obstructed or hindered. That is an important part of the change of culture to which the Under-Secretary of State for the Home Department, my hon. Friend the Member for North Warwickshire (Mr. O'Brien), referred to before the Division.

When we replied to the report of the Select Committee on Public Administration on the White Paper, the Government accepted the need for authorities to give such assistance. I hope that the amendments that I have outlined have convinced those who tabled the new clause that, where appropriate, the Government are prepared to impose statutory duties on authorities to give reasonable help to applicants. However, after reflection we concluded that the best way to do that was not through the creation of a general, and somewhat vague, statutory duty along the lines proposed. Statutory duties must be clear, definite and enforceable if they are to have legal meaning, which they must if they are included in the Bill. In that way, not only will authorities be sure how to follow them, but the enforcement body can be sure when duties have been breached and has a route to provide a remedy. When a specific action can be identified, a duty may properly arise. That is why the Government have brought forward amendments to impose duties on authorities in the specific instances that I have just outlined—for example, the duty to request further information, or the duty to inform the applicant of their rights of appeal.

The new clause goes considerably further, and seeks to place a general, but insubstantial, duty on authorities that would be difficult to monitor and is so vague as to be difficult, if not downright impossible, to enforce. The content of the obligation is also so unclear as to leave authorities in an invidious position. What are reasonable steps in one situation may be different in another, depending on the type of request, the type of authority,

and the type of questioner. The sort of assistance that a large local authority or police service might reasonably give to an individual requester is different from the sort of assistance that a school governing body might reasonably be expected to give a parent-teacher association, and rightly so. Clearly, any duty in the Bill will apply to every public authority, however small, in whatever circumstances.

It is good practice for authorities to give help where appropriate, in ways that are appropriate. That is why we have drafted the Bill to include a requirement that the Secretary of State's code of practice made under clause 44 includes guidance on

the provision of advice by public authorities to persons who propose to make, or have made, requests for information to them.

This means that the sort of assistance that authorities should give can be described more broadly than is possible in a statutory provision. It also means that the commissioner, when issuing practice recommendations to authorities which have failed to comply with the code, can have regard to current best practice in making decisions, and not just to the strict letter of a statutory provision.

In the light of the contents of the code and of the other amendments, I cannot invite the House to accept the new clause.

Mr. Nick Hawkins (Surrey Heath): Apart from the new clause, this is a group of Government amendments. Many of them are technical matters which the Government are using to amend their own legislation. We frequently find, with the pressure of time that the Government have imposed on themselves, that, at various stages during a Bill's proceedings, they say that they have got something wrong and have to tidy it up in response to pressure in Committee. My hon. Friend the Member for Ryedale (Mr. Greenway) raised a number of issues in Committee, not least in relation to data protection, as did many other members of the Committee.

I know that there are many lawyers in the House, but I may be unique in having conducted data protection cases in the courts. I do not know whether the Minister has. He shakes his head. Having dealt professionally with data protection issues before I came to the House—and afterwards, when I was still on the Back Benches—I know how complex they are. On this occasion, perhaps we should accept that the Government have been sensible to realise that certain changes needed to be made to the Bill as it overlaps with data protection issues. There was much discussion in Committee about the views of the Data Protection Registrar.

I do not want to detain the House on this group of amendments, among which are none from the Opposition Front-Bench team. However, I look forward with great interest to the speeches of those in the cross-party group which tabled new clause 3.

There has been some concern. I have tabled written questions to Home Office Ministers asking when we might see the final code. The cross-party group is undoubtedly right to ask about the code. A draft code was placed before Committee members, but—by no fault of the Minister—even at this late stage, we have not seen the final code, which is of concern to the cross-party group, the Opposition, the Campaign for Freedom of Information, business, commerce, industry and representative organisations such as the Confederation of British Industry. I hope that we shall hear about the code, but it is perhaps an issue best left to the cross-party group which tabled new clause 3.

We do not propose to raise any further questions on these amendments, but shall have much to say later about other data protection issues.

Mr. Simon Hughes: I shall speak to the Government amendments as a surrogate member of the so-called cross-party group, as my right hon. Friend the Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) has temporarily gone elsewhere and will return shortly.

Government amendment No. 44 groups logically with new clause 3, and I shall deal with those provisions last. I heard what the Minister said about amendment No. 45, and I accept that it is intended to set wide parameters although the Government intend a 20-working-day compliance period. The amendment provides an outer limit—a welcome fall-back position, which we understand and do not oppose.

Amendment No. 54 effectively requires that public authorities who refuse to furnish an applicant with details must explain the appeal procedure. That is clearly welcome, and provides the citizen with access to pursue his or her rights where applicable.

Amendment Nos. 89 and 90 amend schedule 6, and will, in opening the compliance procedure on personal information, have an effect similar to that of amendment No. 44 on general information. It is logical to amend the Data Protection Acts in addition to making provision in the Bill. The Data Protection Registrar, who will perform the balancing act on the public's behalf, should also have a duty not simply to say that information cannot be provided, but to put a case on the record. We accept that logical clarification.

All three amendments benefited from debate in Committee, which is exactly how the Bill has been improved in small ways. I pay tribute to the Government for responding in that way.

I shall leave it to other hon. Members, particularly the hon. Member for Stoke-on-Trent, Central (Mr. Fisher), who is part of the leading and drafting team, to speak to new clause 3, but I have one point to make which links it to amendment No. 44. I understand the logic of the Minister's argument that specific obligations, such as providing that simply to say no to a request should be inadequate, must be clarified. Specific duties are better where possible. Amendment No. 44 is welcome for that reason, but the Minister implied that there was a difference of scale between small amendments in the right direction, such as amendments Nos. 44 and 54, and new clause 3.

The hon. Member for Surrey Heath (Mr. Hawkins) made one point about new clause 3; I shall make two. Today's Order Paper contains a written question for answer today about the code of practice. The answer has not yet reached me, but I understand that more information may be available as a result.

6.45 pm

Mr. Lock: May I draw the hon. Gentleman's attention to clause 44(4), which provides that

Before issuing or revising any code under this section, the Secretary of State shall consult the Commissioner?

[Mr. Lock]

Does the hon. Gentleman agree that it would be impossible to finalise a form of the code before Royal Assent, and, therefore, before the formal appointment of the commissioner, because the required consultation could not have taken place?

Mr. Hughes: I understand that point, but the Government have been helpful to Parliament in establishing the practice of publishing draft Bills and codes where possible. *[Interruption.]* If I read the Minister's lips correctly, he is saying, "We have." Certainly, today's written question implies that that is so. The hon. Member for Hove (Mr. Caplin) asked

the Secretary of State for the Home Department when he will publish the draft code of practice to be made under Clause 44.

Miracle of miracles, the draft code has doubtless been published this afternoon, just in time for our debate.

Mr. John Bercow (Buckingham): The strength of the parliamentary question.

Mr. Hughes: Indeed it is, although this one happens to be a planted parliamentary question, which is never quite so good, even if it is a convenient hook.

Our slight difficulty is that, as parliamentary questions are answered from 3.30 pm and our debate began at about 4.30 pm, not many hon. Members can have found, read, marked, learned and inwardly digested the draft code in time to tell the Minister whether it is just as we like it. I accept that there has been progress, and I take the technical point that we cannot have a code of practice until the commissioner has been appointed, and that requires enactment of the Bill. However, I am not entirely comfortable about being asked to accept an argument that counters new clause 3, which was tabled several days ago, by use of a draft code that we have not yet seen. I am not being over-aggressive about that point, but it is unfortunate that we could not have seen the code earlier in order to decide how far it addressed the concerns in new clause 3. The other place can of course deal with these things, but we should have the maximum information available to us.

My second point about new clause 3 is that it obliges hundreds of public authorities listed in the schedules to ensure that people are assisted rather than having difficulties put in their way. I have been in the House long enough to recall various Bills to open up local government or give access to medical and local government records. They are all about giving people rights to go to the town hall, ask for a photocopier, have copies made, and so on.

All that is fine, and the small print is important. However, the new clause proposes that steps should be taken. I do not think that it is necessarily bad law or flawed to make a general proposition simply because, say, a patent agency will clearly act differently from, say, a water authority. The point is similar to one made during our debates on the purpose clause. The new clause would establish—much less controversially or complicatedly than the purposes clause would have done—an obligation across public authorities to help the citizen. We would be using statute to remind public bodies that they are agencies of the public, not authorities over the public. "Public authority" is sometimes an unhelpful term for agencies intended to be systems that support the public.

Mr. David Davis (Haltemprice and Howden): They are public servants.

Mr. Hughes: Indeed, they are public servants, funded by public money and answerable to the public. In this age, when the Government divest themselves of functions, that often makes it more difficult to get access to information. We must all be aware of that problem and I am sure that we all come across it regularly in our constituency work.

I understand, but do not accept, the proposition that we cannot, in the Bill, assert the duty on the public authority to provide information. It is not impossible to take public authorities to court and to arbitrate, either internally through a commissioner or externally through a court. This country has come a long way in administrative law in the past 30 years, and courts are used to dealing with it.

We hope that the Bill will reduce litigation; one of its purposes is to ensure that people do not have to hunt for information through the courts because they will automatically have access to it. I fear that there may be a series of legal battles ahead to establish those rights. Around the world, access to information from the state has not been achieved without such battles. However, it is not sufficient for Ministers to say that a general proposition and duty cannot be added to the Bill or that such a proposition and duty could not, when coupled with guidance, be adapted to different public authorities, large or small, or broad or narrow in their remit.

Mr. Hawkins: Does the hon. Gentleman recognise that we share his concern that the Government's alteration of their stance and, in particular, their approach to the matter that he has raised, will not only increase complexity, which was discussed at great length in Committee, but lead to more litigation, at least in the first few years after the Bill becomes an Act?

Mr. Hughes: The hon. Gentleman helpfully takes me to my next point. One of the problems is that, following the history of the parliamentary drafting mechanism, we still legislate in a complicated way. As somebody who, like others, has trained as a lawyer but who tries to make sure that the law is accessible, I have to say that it is still difficult for citizens to find out what rights they have. One of the best ways to ensure that they know their rights is to have a proposition and an explanation of how they can avail themselves of their rights.

That argument holds water for the reason that most countries in the world have a written constitution: such constitutions do not include every minutiae of right and entitlement against every agency of the state; they assert a proposition to which people respond. That proposition is a statement of the balance of power.

I entirely accept the hon. Gentleman's point that, despite having tabled amendments that we welcome, the fact that the Government are not yet willing to accept new clause 3 means that we will none the less end up with legislation that is more specific and particular. To assert different rights, one has to follow different procedures with different remedies and different appeals processes.

We are trying to make sure that we have a better educated and informed public who take more cognisance of the public debate, and that is not the way to go about it.

This will be the first United Kingdom-wide Freedom of Information Act, so it should clearly tell people what their rights are without them having to go round the houses finding clues about how to exercise those rights, and it should not require a degree in law or parliamentary draftsmanship to understand the legislation. The hon. Gentleman makes a good point. I hope that, on reflection, even if we and the Government have to do more drafting work—which we are happy to do—by the time that the Bill gets to the other place, the Government will have included not only a purposes clause, such as the one that we debated earlier, but a clause similar to new clause 3.

Mr. Fisher: I am grateful for the opportunity to speak to new clause 3, which stands in my name and those of my colleagues. I was emboldened to table the new clause, which is similar to an amendment that I moved in Committee, because, at that stage, the Under-Secretary, my hon. Friend the Member for North Warwickshire (Mr. O'Brien), said that he thought that the amendment was a good idea and he was sympathetic to its concept. However, he rejected it because he thought that, in spite of being a good idea, it would make bad law. I invited my hon. Friend to find out whether he could turn what he agreed was a good concept into decent law, and I am not sure whether he has been able to take up that challenge. When my hon. Friend the Parliamentary Secretary replies to the debate, we will find out whether he agrees with his ministerial colleague that the idea would make bad law.

There is an important concept behind the new clause, which follows from our previous debate about a purposes clause. The duty to assist in the new clause is aimed to help with the Bill's implementation. In our previous debate, hon. Members on both sides of the House agreed that the Bill was breaking new legislative ground and would require a new culture to be engendered throughout government and public authorities, and that it would try to promote a new culture of confidence, curiosity and self-empowerment among people. The new clause is particularly directed at individuals.

The Bill addresses different problems; it empowers individuals to gain control of their lives by finding out what information about them is held by public authorities. At the moment, they do not have the right of access to that information, and the lack of information often leads to enormous problems in their lives. The inhibition of not knowing the state of one's health and what is on one's medical records can curdle one's whole life.

When I introduced the Right to Know Bill nine years ago, people throughout the country wrote to me with specific, tragic stories of having been denied access to their medical records. A woman had been under a misapprehension about her health because of a conspiracy between her general practitioner and her husband. They had the well-intentioned aim of protecting her from knowing about the state of her health but, for 10 years, she had been denied the knowledge of her medical condition and how she could deal with it. When she gained access to that information, her whole life changed, and she was able to view her condition and her life in a different context.

The help that this Bill can give to individuals is very important, but it will be realised only if people genuinely have access to information and can make the legislation work. All hon. Members know how complicated is the wording of Acts of Parliament, and the lawyers who advise companies, Departments and public authorities have difficulty enough interpreting the law, but individuals will find the Bill particularly unfriendly and difficult to understand. That is in the nature of legislation, so we should be doing everything that we can to make the Bill user-friendly and open.

Even if the Minister is not able to accept the new clause, I hope that he will today announce a commitment by the Government to put new resources into promoting it. Whatever form the Bill takes when it finally gets into statute, we should be proud of many aspects of it, and we need to promote it and make sure that people understand its aims and what it can do to change their lives and their grasp of their future. We must make it as easy as we can for them to realise the goods that could flow from the Bill.

I hope that the Minister will announce a programme similar to the one with which the previous Government backed their charter mark. They were very proud of that and put resources into advertising it. We need exactly that commitment from our Government to promote the Bill.

Mr. Hawkins: On behalf of my right hon. Friend the Member for Huntingdon (Mr. Major), the former Prime Minister, I greatly appreciate the hon. Gentleman's genuine tribute to my right hon. Friend's citizens charter. I recognise the importance of the hon. Gentleman's points.

I read carefully what the hon. Gentleman said in Committee, and he will know that my hon. Friend the Member for Ryedale (Mr. Greenway), who was the Front-Bench spokesman in Committee, was sympathetic to the hon. Gentleman's points on these issues. However, when I was reading the report of the proceedings, it seemed to me that the Under-Secretary appeared to give pretty clear indications that the Government were sympathetic to those points. Does the hon. Gentleman not find it somewhat disappointing that the Government have not yet, despite those indications—they were not firm undertakings—accepted his arguments?

7 pm

Mr. Fisher: I live in hope that, when the Minister replies, there will have been a Pauline conversion on the road to the Report stage, but I am not holding my breath.

The Government have both a duty and an opportunity to promote the Bill. Placing a duty on the large number of public authorities, Government Departments and local government departments that are covered in the Bill to assist the applicant, is the least that we can do. It is the most sensible thing that we can do to ensure that the good things in the Bill are available to individuals. Throughout the Committee stage, the Minister was at great pains to say that we must make the Bill practicable. He is right, but one of the ways to make the Bill practicable for individuals is to include a duty to assist. It is partly a matter of the attitude of those authorities, but it also has to do with some specific problems in the Bill. There are many hoops to be gone through and barriers to be climbed before we give people the information that they want.

Mr. Bercow: Despite the hon. Gentleman's persistence and the eloquence of his advocacy over a long period, does he agree that a relatively small proportion of people

[Mr. Bercow]

are, as yet, aware of the Bill? Would he care to hazard a guess as to the proportion of the good burghers of Stoke-on-Trent, Central who are aware of its imminent passage?

Mr. Fisher: I agree. The subject has not yet grabbed the imagination of people. We do not have a curious, demanding culture in this country. Colleagues on both sides of the House who travel to the United States will know that the attitude of individuals there is to ask, "Why not?" They ask questions and are aggressive towards the state and authority. They demand their rights. There is no such attitude here. It is something in the water supply or, perhaps, in our culture—our zeitgeist. We do not have such an aggressive attitude towards life.

By being much more passive and quiescent about the problems of the state, our citizens are denied their rights. The Bill seeks to address that, but the hon. Gentleman is right. I have had hardly a letter on the subject in 10 years. In fact, in 17 years in the House, I have hardly had a letter on it. It has not caught the public imagination, which is not to say that it is not important.

To look at the matter in a different way, many specific pieces of legislation on information in local government and medical records were passed under the last Conservative Government. They have not been grasped and taken up by individuals. That does not mean that they are not important. It just puts greater onus on us to make the Freedom of Information Bill, which is the parent of all those Acts and brings them together, work; to learn the lessons at last of why the other Acts have not been taken up by people, as they should have been; and to ensure that the Bill is taken up.

As I said in my previous contribution, the general tone of the Bill is grudging and reluctant. That is not just rhetoric. It contains specific barriers. Clause 1(3) entitles a public authority legally to turn down an inadequately identified request.

Many requests for information are by people who are learning how to use legislation. They will not be adequately identified. People will not always know how to be clever enough to phrase their request in the right terms, but that does not mean that the request is not valid. The information might be available to them, but the clause allows authorities to turn the request down. Far from being given a duty to assist, they have an opportunity to refuse.

Clause 7(1)(a) and (b) allow requests to be rejected if they are made orally, or if a correspondence address is not given. Those seem nitpicking reasons to turn down an otherwise valid application. The whole tone is against the applicant, rather than for him.

Clause 11 deals with cost. No cost is given or defined, yet if an applicant makes a request that will cost more than the Bill eventually determines, that will allow the authority to turn it down.

Under clause 15, a body from which information is sought is under no obligation to inform applicants of their right to appeal. Clause 50 allows requests to be rejected if an applicant is slow to complain, or suffered because of undue delay. Those are all specific things in the Bill that make it more difficult, rather than easier, for applicants to access information.

Given that those things remain in the Bill, surely they need to be balanced—I return to the Minister's earlier statement—by a duty to assist, so that, when authorities are presented with an application for information, they must be positive. They must go with the spirit of the application and help the applicant to get the application in order, if they possibly can.

The code of practice, which is mentioned later in the Bill, is a welcome development, but it is not statutory, so it will not be enforceable. The new clause would put a statutory duty on public authorities to be positive and to help an applicant to get information. Surely, that is what is behind the Bill—what we all want to be behind it.

I hope that the Minister will think again and give us some indication, if he cannot accept the proposal today, that between now and a later stage in the parliamentary proceedings on the Bill, the Government will see that it is a small gesture towards individuals who use the Bill. A statutory duty to assist would, however, send a big message that we were serious about getting the benefits of the Bill to all people.

Mr. Shepherd: The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) uttered a great truth: this is, indeed, about the balance of power. That is why it is a particularly important occasion for the Commons itself. The Bill tries to draw a line between the responsibilities and rights of Government but, ultimately, these decisions are ours.

The hon. Member for Stoke-on-Trent, Central (Mr. Fisher) reprised some elements of a powerful debate that took place in the Standing Committee. There is a reason to commend it. Having read the Bill, the man or woman in the street would come away bewildered and in a state of incomprehension. It is not easy to read. People cannot read it casually and understand what information they can get hold of, what they may not get hold of, what their rights are or what routes are open to them. New Clause 6 adds greatly to the confusion.

I experienced a brief moment of ecstatic delight when I saw the Home Secretary come into the Chamber to speak to the Minister. I wondered whether he was inquiring about the meaning of some of the clauses. I do not say that glibly.

The hon. Member for Southwark, North and Bermondsey referred to the balance of power. The hon. Member for Stoke-on-Trent, Central then talked about the climate in the United States and the view of citizens there about their relationship to Government. It made me reflect, but, in truth, in Aldridge-Brownhills the citizens' view of Government is not very different from that in America. It just so happens that the House of Commons is the last repository of deference in this country.

The Bill would not stand serious examination for more than two minutes by those who believe in freedom of information. It has great swathes of exclusions and all the rest of it, which make it very difficult to understand the Bill's purpose—hence, we wanted a purposes clause, clear and undiluted—or to find one's way through it. The grouping of amendments under the title "Procedural matters relating to requests for information" gives an intimation of how difficult it is to pursue a consistent theme.

The Government are rightly amending clauses 1, 9 and 15 and, through Government amendments Nos. 89 and 90, schedule 6. Changes are being made throughout the Bill

and a swathe of amendments has been tabled to deal with access to information, although I do not disagree that some of them are more or less useful. New clause 3 would create a binding duty on public authorities to assist people in exercising their rights. That is all. What is the big deal about that? In view of how extraordinarily difficult it is to understand the Bill, why would anyone oppose such a noble measure? It would assist the Government in the change of culture that they claim to seek.

In truth, I do not know why I bother to talk to Ministers as if they had any role to play. Somehow, the Bill has been removed from them and from the House of Commons to suit the demands of an unstated body, whether that be bureaucracy or Whitehall in general. As has been said in previous discussions, we have undertaken an extraordinary journey during our consideration, which started with sunshine and light and no one dissenting. A White Paper was proposed, we had a debate in Parliament and everyone congratulated the right hon. Member for South Shields (Dr. Clark) and commended the Public Administration Committee for the worthy and deliberative report that was produced under the chairmanship of the hon. Member for Cardiff, West (Mr. Morgan)—that splendid Member of the House who is now the leader in Wales, God bless him—but here we are, in reduced circumstances.

So many compliments were heaped on the Government that they were embarrassed, but somehow, after a consultative process in which no one seemed to raise any substantial objections to the outline of the White Paper, we have ended up with this miserable little Bill. As well as being miserable, it is almost unintelligible to the people to whom it is meant to mean something.

Mr. Deputy Speaker (Mr. Michael Lord): Order. I hesitate to interrupt the hon. Gentleman, but his remarks are rather general. He would do well to be a bit more specific with regard to the amendment.

Mr. Shepherd: Gladly, Sir, and I accept that rebuke.

I was referring to clauses 1, 9 and 15, schedule 6, Government amendments Nos. 89 and 90 and new clause 3. The need for assistance—a guide through the difficulties of the Bill—is implicit; indeed, it is self-evident. I would have thought that the Minister could have said, "We do not need to delay progress on Report. We gladly accept that our intention was to make such assistance available and we shall provide all the help we can to the citizens of the United Kingdom with what we think of as a flagship Bill." However, we have a mouse of a Bill before us. I recommend that the Minister read new clause 3, overthrow the view expressed in Committee by my good friend the Under-Secretary of State for the Home Department and accept our proposal.

Mr. Lock: I thank the hon. Member for Aldridge-Brownhills (Mr. Shepherd). How could I resist such an invitation?

The issue is not and never has been whether public authorities should

take all reasonable steps to assist

people who want to exercise their rights under the Bill. My hon. Friend the Under-Secretary of State for the Home Department, my right hon. Friend the Home Secretary and I have said repeatedly that the Bill is being passed to create a culture of openness, to give people a right to know and in order that it shall be used, not to set up barriers to prevent its use. We are not going through the motions without establishing a proper system for allowing freedom of information.

The issue between the Government and my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher) and the hon. Member for Aldridge-Brownhills—both of whom have worked for many years, and for much longer than I have been a Member of the House, to promote freedom of information—is whether that is best achieved through either a statutory duty of the sort described in new clause 3 or the operation of a code of practice, as described in clause 44.

7.15 pm

There are a number of simple and, I am afraid, technical reasons why the drafting of new clause 3 leads to one of two conclusions: either it is so vague that it would not achieve the laudable aim that we all share, or its vagueness would result in a duty being imposed that may be appropriate for some public authorities but disproportionate for others. What does "all reasonable steps" mean for a primary school that has to respond to a parent's request for information? The duty on that public authority, or on a single-handed general practice, would clearly be different from that on a Department dealing with a complex request. A code of practice issued by the Information Commissioner under clause 46 would set out, cope with and reflect the assistance and the degree of flexibility required better than would a statutory duty.

I heard what my hon. Friend the Member for Stoke-on-Trent, Central had to say. I have some sympathy for the way in which he put his case and I shall certainly reflect on it. I shall also ensure that my hon. Friend the Under-Secretary and I consider whether the duty to co-operate and to promote the underlying purpose is sufficiently reflected in the current drafting, whether the right way forward might be to strengthen the code of practice and whether there might be a way to introduce the issues that he raised, although not in that form due to the inflexibility that I mentioned.

Dr. Tony Wright: When my hon. Friend reflects on those matters, will he also reflect on why it is possible for many other, if not most, freedom of information systems around the world to include some kind of duty to assist? Usually, a commitment to reasonable assistance is expressed. If everyone else can do that, why cannot we?

Mr. Lock: We must operate within our own legal system, which is a common law system.

One purpose of the amendments, inasmuch as they point to specific occasions on which there is a need to respond—for example, when inadequate information is given—is to ensure that the way in which a public authority responds to a particular situation is defined and is adequate to provide assistance.

Mr. Fisher: Can my hon. Friend not see the irony in the fact that we are discussing the new clause because we found the code of practice introduced by the previous Government insufficient to address the problem, although it was well intentioned and had many laudable elements?

[Mr. Fisher]

On the crucial matter of accessibility for the public, he is saying that he prefers a code of practice to providing a statutory duty. There seems to be an inconsistency.

Mr. Lock: My hon. Friend sums up the defects of the previous code of practice. What lies between us is not the end, but purely the means. Clause 44 already contains the requirement to include in the code of practice guidance on assisting applicants. We must consider whether that is the right place to direct a public authority to assist applicants, or whether that requirement should be taken from the code of practice and included in the Bill.

I have explained why a general duty in the Bill would not go any further than the code of practice and would cause problems for all types of public authority, whereas the code of practice itself is a more appropriate mechanism: it offers greater flexibility and can reflect the different types of public authority to which the Bill applies—a much wider category than that in the code.

My hon. Friend suggested that there was a defect in the system in that, to date, few people knew of their rights to apply under the code; we should thus do more to ensure that freedom of information was publicised; and that should be a duty on the commissioner. However, I point out that it is already a duty on the commissioner under clause 46(2).

My hon. Friend suggested that perhaps there was something in the water in Britain that prevented the public from knowing their rights. His constituents and mine are served by Severn Trent Water plc. However, although I certainly blame the company for overcharging and probably for making excessive profits, even I—as a critic of Severn Trent—could not go so far as to claim that it was dulling the inquiring minds of the populace.

I agree with my hon. Friend that we need to do much work over the coming years, but he should not minimise how radical the measure is. One way of ensuring that people will not know of, or exercise, their rights would be to undersell the measure—to minimise the rights that it will grant by talking it down. I urge him not to do that.

Mr. Bercow: I am grateful to the hon. Gentleman for giving way. However, it is pitiful to observe him being obliged—as I suppose he is—to spout such transparent nonsense in opposition to the new clause. Does he not agree that the fact that the interpretation of

all reasonable steps to assist

will vary from case to case does not invalidate the notion that the Bill should include an obligation to take all reasonable steps? Is not the hon. Gentleman arguing that he is in favour of public authorities taking all reasonable steps to assist so long as they are not statutorily obliged to do so?

Mr. Lock: I am astonished that the hon. Gentleman calls for a burden of regulation to be imposed on small authorities. We argued that the burden of regulation should be flexible and appropriate to the individual authority, not that it should apply uniformly to all authorities. If the hon. Gentleman understood the nature of the imposition of statutory duties, he would realise that it is far more effective to ensure that the right amount of regulation is applied to authorities—an amount appropriate to their size and resources. That can be undertaken properly and flexibly only through a code of practice, not through a uniform statutory duty applying to all authorities in any circumstances.

Mr. Fisher: Will my hon. Friend clarify this matter for the House? Is he saying that the code of practice will specify the reasonable steps in each case—for a general practice, a primary school or the Health and Safety Commission? That would be a most voluminous and impossible document. Surely all we need is a duty to assist. We can argue about whether it is a code of practice or a statutory obligation—by now, my hon. Friend will have a clear idea of which direction the House wants the Government to take—but he cannot seriously be telling us that the code of practice will specify the degree of duty to assist for every authority of the 200-plus listed in schedule 1. That cannot be true. Before he digs a deeper pit for himself, I beg him to reconsider.

Mr. Lock: The code of practice will give broad guidance on what public authorities of different sizes and with different resources and obligations are required to do to give practical effect to the rights afforded in the Bill. That is a more flexible, appropriate and balanced way to ensure that those rights are enforced. I urge my hon. Friend to accept that that is better than imposing an all-embracing duty such as that set out in new clause 3.

Mr. Simon Hughes: Will the Minister imagine that he is a first-year A-level student who is asked to state the rights and duties that flow from the Bill? If we consider clause 1(4), for example, we see that an answer cannot be given without huge complexity. Clause 1 includes a statement of rights, but there is no statement of duty. Will he reflect on the fact that the new clause offers a statement of the duty on public authorities? That could then be illustrated in the lovely code of practice, which everyone could have as an extra Christmas present.

Mr. Lock: I appreciate what the hon. Gentleman is saying. However, the important point is that there are duties on authorities to comply with requirements and requests and that the authorities should ensure that they open themselves up. There is a statutory right to know and a duty on local authorities, schools and health authorities—all public authorities—to comply.

The narrow question between us is whether the duty to assist in all circumstances for all the authorities covered by the Bill is better expressed flexibly through a code of practice or through an all-embracing, one-size-fits-all statutory duty in the Bill. We may disagree on that point. However, even though the hon. Gentleman may not agree with the route, I hope that he will accept that the outcome—by virtue of the commitments made by my right hon. Friend the Home Secretary, my hon. Friend the Under-Secretary and me—will be the same, and that it might be in a form that is slightly better for all types of authority to handle.

Amendment agreed to.

Clause 6

PUBLIC AUTHORITIES TO WHICH ACT HAS LIMITED APPLICATION.

Mr. David Heath (Somerton and Frome): I beg to move amendment No. 33, in page 4, leave out lines 12 and 13.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: amendment No. 34, in page 4, line 14, leave out "or amending".

Amendment No. 35, in page 23, line 7, leave out clause 43.

Government amendment No. 63.

New clause 5—*Power to remove exemptions by order—*

'.—(1) The Secretary of State may by order provide that—

(a) information of such description as may be specified in the order is not exempt by virtue of any provision of this Act as may be specified in the order;

(b) any provision of this Act specified in the order by virtue of which information is exempt shall be repealed or shall apply only in relation to information of the description specified in the order;

(c) any provision of this Act specified in the order by virtue of which the duty to confirm or deny does not arise shall be repealed or shall apply only in relation to such information, or in such circumstances, as may be specified in the order.

(2) An order under this section may make different provision for different cases.

(3) No order shall be made under this section unless a draft of the order has been laid before, and approved by a resolution of, each House of Parliament.'.

Mr. Heath: This group is extremely important. The amendments and the new clause deal with a provision that crept into the Bill rather late; it gave the Minister extraordinary powers retrospectively to exempt information from the Bill.

The House might think that the Bill was carefully considered in Committee; that is certainly the view of those hon. Members who served on the Standing Committee. We may hope that the Bill will be given proper consideration on Report and during its subsequent stages; that its checks and balances will be carefully examined and that there will be a consideration of what information should and should not be exempt.

However, if the Bill's current provisions remain, all that scrutiny will have little long-term effect, because it will be open to a Minister—to the Executive—to say, "We heard what Parliament said; we know what was included and omitted from the schedule, but we have changed our minds and we want to amend the measure by order." That might occur not only if circumstances change since the measure's inception, but as a response to a specific request for information. A Minister could say, "I don't want that information to be made available, so we shall now make it exempt". Amendment No. 33 would remove the power, in effect, to exclude any information from any organisation listed in schedule 1 by order.

Amendment No. 34 deals with a similar point. A Minister might want to ameliorate the Bill, not by removing a current exemption but by amending the measure. Again, the capacity exists to invent a whole new protocol for a specific area of information, and to do it by order rather than to take what I believe is the right view—that, if a certain category of information is no longer appropriate to be exempt, it should simply not be exempt. The exemption should be removed.

7.30 pm

In Committee, the Minister came up with no convincing argument as to why the Government should have the power to amend. He seemed to imply that the provisions were simply a matter of good housekeeping and that they would keep Bill's operation tidy. He said that, in any case, a benign Government and a benign Minister would judge what it was appropriate to amend, and asked why anyone should be concerned. I have real concerns, because I do not believe that every future Government and every future Minister are necessarily benign in their intent.

More importantly, I believe that the Bill is constitutionally important. We do not have a written constitution, so we must rely on legislation such as the Bill to provide our citizens with what rights they have. Those rights should not be fiddled around with at a later stage by a diktat from Government that would receive scant parliamentary attention if it ever came to the Floor of the House at all.

I want a one-way process of amendment. I accept that there will be occasions when information which it seemed right to exempt from the Bill will no longer appear as though it should be exempt. That is fair enough, so let us have a provision that allows a Minister to remove categories of information from the Bill. Let us have a semi-permeable membrane and a process of osmosis in one direction. Let us not have the capacity to tighten up a Bill whose provisions for genuine freedom of information are already far too unhelpful. If such a provision were available to a Minister, it could make the situation that pertains at the moment worse.

Amendment No. 35 deals with clause 43. We debated the clause in Committee and the tenor of the argument was, "We are all good chaps. We know how to operate these things. We can have substantial powers to amend legislation retrospectively because we will do the right thing, won't we? You will certainly know about it if we don't." I am sorry, but I think that clause 43 is bad. It will be slightly improved by Government amendment No. 63, which is a response to a point that I made in Committee.

Mr. Mike O'Brien *indicated assent.*

Mr. Heath: The Minister has been generous in acknowledging that, and I appreciate that the Government listened to one point that was made. However, the change is such a minuscule movement in the right direction in the context of the enormity of clause 43 that it does not satisfy me. The House should not accept that the retrospective powers available under the Bill should stand.

I will not go into detail on new clause 5, because I imagine that the hon. Member for Cannock Chase (Dr. Wright) will wish to say something about it. However, everyone agrees that this is an important Bill. We must get it right and ensure that retrospective capacities are not built into it for no apparent reason. They have appeared since the draft Bill was published and they could be the avenue by which a wholesale rewriting of the Bill takes place at a later stage.

[Mr. Heath]

As I said in Committee, if I were a civil servant or worked for a public body and saw that a Minister had the capacity retrospectively to exempt information in my possession, I would beat a path to his door and tell him why all the information in my possession should, of necessity, be exempt. I would find any number of legal and other arguments to make that case. I do not think that it is necessary to have such a capacity in the Bill. It would be better without it. I urge the House to support my amendment.

Dr. Tony Wright: Clause 43 has been a cause of difficulty for a long time. It had a previous incarnation in the draft Bill as clause 36, where it caused no less difficulty.

The clause allows the Secretary of State to exempt information at short notice simply by order. That provision can be used to trump any request that the Government have received, but that they cannot refuse under existing exemptions. The Bill explicitly permits an order to apply to information that is the subject of an existing request—a request that has already come in. On any test, that is an unacceptable provision. Given the huge number of exemptions in the Bill, it is hardly necessary. It is not as though the Government lack protection. The restrictions are not so loose that they have to put a cover-all in the Bill. As many hon. Members have said, the Bill is narrowly drawn, so such a sweeping clause presents a difficulty.

When the Select Committee on Public Administration considered what was then clause 36, it found it unacceptable. It said:

> We believe that it is altogether inappropriate to insert such a provision into a Freedom of Information Act. There is no such provision in any other Freedom of Information Act of which we are aware. We recommend that clause 36 is removed from the Bill.

The House of Lords Select Committee spoke in similar terms. It said:

> We do not understand why, in a Bill with wide exemptions based on the class of information or the harm which its disclosure might cause, there needs to be a reserve power for a Minister to create a new exemption to deal with an unwelcome request for information, or why the new exemption should have retrospective effect to justify a refusal. In our opinion clause 36 should be deleted completely. If, despite this recommendation, the Government continues to believe that such a power is necessary, then it should be exercised in a specific situation only if the Information Commissioner agrees. At the very least the power should not be made retrospective.

The Government have ignored those recommendations and, in so doing, have sought to explain that the provision is necessary to give them what they describe as the flexibility to deal with particular circumstances and problems that may come to light.

My hon. Friend the Parliamentary Secretary, Lord Chancellor's Department, told the Committee considering the Bill that the Government needed clause 43 in its present form because

> there may be some areas of information that have not yet been considered, but would legitimately need protection. The Government should also ensure that they are able to protect, in the future as well as now, all information that it would not be in the public interest to disclose.

One cannot accuse the Government of being dishonest. In rejecting an amendment that was designed to restrict the scope of the powers, he said that

> it would limit unacceptably the operation of clause 43. The Government would not have sufficient flexibility to respond to changes in circumstances.—[*Official Report, Standing Committee B*, 1 February 2000; c. 386.]

New clause 5 would introduce flexibility in another sense. One can proceed in two directions. One can remove the offending clause, which is the preferable solution as offered by an amendment. If the Government are not minded to do that, they should at least accept new clause 5, which simply provides the flexibility to remove restrictions. If flexibility is demanded, let everyone sign up to it.

Almost everyone who has spoken so far has argued that the Bill is laden with restrictions. If, in the fulness of time, Ministers discover that the sky does not fall in and realise that, in the new culture that develops, fewer restrictions and less onerous provisions are needed, it will be useful to have an order-making power that enables the gradual peeling away of some of the restrictions. New clause 5 allows the Secretary of State to provide that specified information is not covered by a specific exemption; it allows him to repeal a specific exemption, or to apply it more narrowly to specified information only; it enables him to replace a class exemption with a harm-test exemption; and it enables him to remove or restrict the right of authorities to refuse to confirm or deny the existence of information.

Were I in unworthy mode, I might say that what is sauce for the goose is sauce for the gander; however, in worthy mode, I say that the new clause is cast in the spirit of flexibility that the Government say they want to introduce. New clause 5 will enable the Government to live up to their pledges and to strip away unneeded restrictions, and I commend it to the House.

Mr. David Davis: As the House knows, I do not approach the Bill as one who has a history of fanaticism about freedom of information. Given my periods of office in the Foreign and Commonwealth Office, the Cabinet Office and the Whips Office—I would need only a period at the Home Office to have the full set of the most secretive Departments of State—my training has all been in the opposite direction.

I did not intend to speak on this group of amendments until I was provoked by the Minister of State's comments on the first group. He appeared to tell us that he disliked the idea of introducing uncertainty into the Bill—uncertainty in that context meaning allowing the courts to make decisions on the basis of the distinct purpose of the Bill. However, he is asking the House to accept precisely the same degree of uncertainty, except that it will be him or other Ministers making the decisions, not the courts.

Clause 43 is patently wrong and I shall not waste my time reiterating the powerful arguments that have already been made. Instead, I shall speak briefly about clause 6 and the amendments tabled by the Liberal Democrats that would remove certain parts of it. At first glance, the clause appears symmetrical, in that movement is possible in either direction; however, that is not how it would work. The first clue to that is that the power it contains is operated by order, not by affirmative resolution—not by a Minister coming to the House and asking whether we agree to changes, but by ministerial order.

That leads us back to one of the main forces that, in effect, gutted the legislation after the publication of the White Paper some time ago. That is the force toward secrecy prevalent in the Whitehall bureaucracy. I do not criticise individuals who work in Whitehall, because I believe that many talented, committed and public-spirited individuals work there, but I realise that the prevailing culture is such that it will lead clause 6 to become a one-way ratchet. I do not expect it to be used to extend freedom of information—quite the reverse. Let me give the House a brief example of such pressure.

Some years ago, my predecessor as Chairman of the Public Accounts Committee, the right hon. Member for Ashton–under–Lyne (Mr. Sheldon), attempted to bring into the public domain the massive overspends on the MI5 and MI6 headquarters. As the House will know, those matters were publicised only a couple of months ago; at that time, however, the right hon. Gentleman failed to persuade the Government of the day to allow those matters to be made public. I, too, tried and failed to persuade the Government of the day to do that. Eventually, the two of us, together with the Chairman of the Intelligence and Security Committee, my right hon. Friend the Member for Bridgwater (Mr. King), managed to persuade the Government to concede the right to publish National Audit Office reports on the matter.

7.45 pm

One might have presumed that the secrecy arose from serious security considerations. It fell to me to approve the excisions from the two NAO reports: I can tell the House that they amounted to about half a dozen lines. Why did it take 10 years, three Privy Councillors, two ex-Ministers and three Select Committee Chairmen to get the Government to make the matter public? The reason was not political—it had nothing to do with which party was in power; it had to do with the interests of Whitehall. Those reports revealed that the Cabinet Secretary of the day, the permanent secretary to the Treasury of the day, the permanent secretary to the Property Services Agency of the day and the heads of the two secret agencies involved had all agreed, for two years, not to tell the Prime Minister what was happening. On that basis, they managed to resist publicity for 10 years.

I tell that story to illustrate my concern about this apparently symmetrical clause. The sort of pressures that, in the face of all our reasonable requests, combined to keep that matter under wraps for a decade by playing on the presumption made by most reasonable people on the other side of the argument that the reason was a security reason, whereas, in fact, it was an avoidance-of-embarrassment reason, will act to ensure that the effect of the clause is not uncertainty, but a one-way ratchet. For that reason, I commend the Liberal Democrat amendments.

Mr. Hawkins: I shall be brief. I entirely understand the concerns expressed by the hon. Members for Somerton and Frome (Mr. Heath) and for Cannock Chase (Dr. Wright). Their amendments would remove the clause that gives the Secretary of State power to confer additional exemptions by order and to limit the legislation's application in respect of certain public authorities, and new clause 5 would give the Secretary of State the power to remove exemptions by order.

The Opposition have great sympathy with the amendments, because it would be wrong for the Secretary of State to have the wide-ranging powers conferred on him by the Bill to make information secret by order. We do not believe that the Government's concession is good enough: the Secretary of State should not enjoy such wide-ranging powers. I have no idea whether those who tabled the amendments intend to press them to a Division, but, should they choose to do so, the Opposition will support them.

Mr. Simon Hughes: I, too, shall be brief in voicing my support for my hon. Friend the Member for Somerton and Frome (Mr. Heath) and other hon. Members. I did not serve on the Standing Committee and, in that sense, I come fresh to the issue. I shall reflect on the importance of making the twin excisions to which the right hon. Member for Haltemprice and Howden (Mr. Davis) referred: getting rid of clause 6(3)(a) and clause 43.

It is troubling that the Government want clause 6(3)(a) to remain part of the Bill and that we are contemplating allowing it to remain. It is drafted extremely simply:

> The Secretary of State may by order amend Schedule 1 . . . by limiting to information of a specified description the entry relating to any public authority.

So the Secretary of State can say that freedom of information does not apply to certain types of information relating to any public authority.

Schedule 1 lists the bodies in England, Wales and Northern Ireland to which clause 6(3)(a) applies. It lists seven general public authorities: any Government Department, the House of Commons, the House of Lords, the Northern Ireland Assembly, the National Assembly for Wales, an Assembly subsidiary under the Government of Wales Act 1998, and the armed forces. Then the schedule lists 29 varieties of local government body in England and Wales and one in Northern Ireland, ranging from councils to fire authorities. There are eight health authority structures covering England and Wales, and six in Northern Ireland. There are 10 school authorities covering pupil referral units, nursery schools, colleges, schools and halls of universities, and five similar authorities in Northern Ireland. There are nine police agencies—the British Transport police, the Ministry of Defence police and so on.

Part VI contains the greatest list of all. In an idle moment, I added up all the bodies. There are 341 public authorities in England and Wales, and 81 in Northern Ireland.

To go from the sublime to the ridiculous, the Government could suddenly excise the duty in relation to the armed forces, for example, which would be a huge matter, but they also seek to take to themselves power to restrict information relating, for example, to the Advisory Committee on Borderline Substances, the Advisory Committee on Historic Wreck Sites, the Apple and Pear Research Council, the Covent Garden Market Authority, the Expert Group on Cryptosporidium in Water Supplies, the Government Hospitality Fund Advisory Committee for the Purchase of Wine—

Mr. Hawkins: Will the hon. Gentleman give way?

Mr. Hughes: Not yet—the Great Britain-China Centre, the Place Names Advisory Committee, Sir John Soane's Museum, and the Unlinked Anonymous Serosurveys Steering Group.

[Mr. Hughes]

To discover that those bodies exist is extraordinary. To discover that the Minister wants power to give such bodies, including the Wine Standards Board of the Vintners Company and the Zoos Forum, the power to be exempted from freedom of information legislation, borders on the ridiculous. We must not allow the Government the power to keep the business of those bodies secret.

Mr. Hawkins: Does the hon. Gentleman agree that one or two of the bodies that he discovered in his detailed research deal with matters of great significance? When he considers the amount of taxpayers' money spent on Government hospitality, he will recall that grave concerns about that have been expressed from his Front Bench and from ours. Any Government are reluctant to be placed under scrutiny, so powers to exempt are extremely worrying.

Mr. Hughes: The hon. Gentleman's point applies to both ends of Government. The Government may want to cover up how much is spent on the drinks cabinet at No. 10, and they may want to cover up the advice given on BSE, drugs or international agreements. At both ends, it is dangerous. Of course there is a risk to the establishment, but there is no risk to good government, which is what the argument is about.

Mr. Fisher: I am grateful to the hon. Gentleman for allowing me to intervene in his delightful speech. Rarely do we hear a speech that is almost like a poem—a poem written by e. e. cummings, it seems. The House needed the light relief.

I imagine that the hon. Gentleman is not suggesting that the bodies that he mentioned are likely to be subject to deletion, as they do not have sufficient weight or seriousness. He will agree, as probably the only hon. Member who has studied the list and counted all 341 bodies, that many are likely to have crucial information that may be embarrassing for themselves or for the Government. I refer to bodies such as the Defence Nuclear Safety Committee, the Committee on Medical Aspects of Radiation in the Environment, the Advisory Committee on NHS Drugs, and the Advisory Committee on Pesticides. Does he agree that those all deal with matters about which the Government may want to delete great swathes of information when it proves embarrassing?

Mr. Hughes: Both hon. Members who have intervened have made complementary points. We are asked to give the Government ridiculous powers to deal with information that is held by relatively unimportant bodies, but that may be embarrassing, and also powers to take away the citizen's right in relation to crucial issues, such as defence contracts, the Sellafield debate, genetically modified food, drugs labelling and food safety. Those are all issues on which the public send us cards and letters every day, telling us that they want to know what is going on. That is why I hope that having set off, as the hon. Member for Aldridge-Brownhills (Mr. Shepherd) said, down a road that promised transformation of the system, the Government do not suddenly get cold feet and behave in a way that will embarrass only themselves.

Mr. Tony McWalter (Hemel Hempstead): I am grateful to the hon. Gentleman. I have much sympathy with his argument, but with regard to a body such as the Meat and Livestock Commission, which is also on the list, there may be an experiment going on that the animal rights people want to target. We should be worried about possible danger, quite apart from embarrassment.

The very length of the list means that the Government do not have access to the detailed daily functions of each body. That is the reason for clause 6(3)(a). However, like the hon. Gentleman, I should like some assurance from my hon. Friend the Minister that this is a provisional power which the Government will review some time in the future.

Mr. Hughes: In his last words, the hon. Gentleman may have touched on the rift. I would be comfortable with a procedure that allowed a Select Committee or a body of the House, at the instigation of a Minister, to look at the list each year and see whether bodies should be added or removed. I am troubled that, as my hon. Friend the Member for Somerton and Frome argued at the beginning, the power would be given to one Minister, without Parliament's approval, and without any checking mechanism, to make a decision not just prospectively, but retrospectively, and possibly after someone has asked for the information. I hope the hon. Gentleman will agree that that is several powers too far.

Of course there may be concerns that certain matters need to be kept secret. There are national interests and national security considerations. Let us provide for that in a way that makes clear the guidelines and the parameters. Let us not allow a Minister, prompted by an over-cautious civil servant or a rumour in a newspaper, to say that information will not be available in relation to any organisation defined in the Bill as a public authority.

Mr. Brian White (Milton Keynes, North-East): In making his valid criticisms, has not the hon. Gentleman demonstrated one of the strengths of the Bill—the range of bodies to which it will apply, for the first time?

Mr. Hughes: Yes, if I felt securely that those were organisations about which I would have information, but no, if having given ourselves the right to get the information, we give the Minister the ability to take it all away—so yes if the information is secure, but no if it is insecure.

I did think that some light relief was needed. We have been here for four and a half hours, and we will probably be here for another four and a half hours tonight and again tomorrow. We are discussing serious business. The public should know the score. They need to know that the rights that they are getting in the Bill are not about to be taken away.

Mr. Dominic Grieve (Beaconsfield): I did not intend to speak in the debate, but it has become riveting. What provoked me to do so—I do not mean that pejoratively—was the intervention of the hon. Member for Hemel Hempstead (Mr. McWalter), when he said that this was a provisional measure.

That glorifies the nature of Government and ministerial knowledge. It will never be possible for Ministers to know what is going on in the 341 authorities listed, either now or until doomsday. That is one of the reasons why I

believe, putting myself for a moment in the shoes of government, there is such a tremendous desire to retain the capacity for secrecy.

Over the past 25 years, when secrecy has been blown for one reason or another, 99 per cent. of the time it has been of no account whatever, except in the positive sense of revealing to the public something that they ought to have known anyway. The number of occasions when such a blow to secrecy has led to consequences that could legitimately be said to have been damaging to individuals and their lives can be counted on the fingers of one hand. It seldom happens. That is why the obsession with secrecy needs to be challenged throughout the Bill wherever it appears.

8 pm

We must accept that the nature of government in western society—not only in this country—has been built on the secrets of government. That goes back over generations and centuries. The Government have had the courage to say in one breath that they want to do away with that secrecy, but in the next, they cannot quite bring themselves to do it. I hope that the Minister will have the courage to reconsider the implications. I am convinced that once the provisions are in place, they will be invoked. Apart from anything else, when they are invoked there will be no mechanism to challenge them. They can be invoked at will. If we are conducting a sea change in the way we conduct our affairs, we are doing so in an odd way by pursuing this route.

It has been said that there will be certain categories that will always need to be exempt. I agree with that, and I do not suppose that there is anyone in this place who would disagree. However, if the view is taken that the Government do not know what is going on, so they must retain a secrecy clause in case something crops up that in their provisional assessment require them to impose secrecy, we shall never get anywhere. I hope that the Minister will reconsider. We are dealing with a serious flaw in the Bill.

Mr. Shepherd: I shall take up the spirited and encouraging speech of my hon. Friend the Member for Beaconsfield (Mr. Grieve). However, in view of your strictures, Mr. Deputy Speaker, I shall speak particularly to amendment No. 35, the purpose of which is essentially to delete clause 43. I give a cheer for "delete" because I think that it is one of the finest words in the legislative process. I commend those who have put their names to the amendment and I follow in their slipstream.

I want the House of Lords to read clause 43. I want the whole of Britain to be aware of what it provides. I also want the Labour party to read and inwardly digest what it says. The clause is a monument to imperial self-righteousness. We have not thought about how we can contain information in all its manifestations. We have not yet encountered the spheres in which the ingenuity and imagination of the British public may make inquiries. It is a dreadfully uncertain circumstance to be in, when somebody has the audacity to ask for a piece of information for which we have not made provision in the Bill.

We must take unto ourselves the ability to make an order. It is like Henry VIII, who had a clause that enabled him to say, "Whatever I say is law." The Government take clause 43—remember the House of Lords, Britain outside the House and the Labour party—that provides that the Minister may make an order. Furthermore, in case the wretch who has asked for a piece of information asked for it yesterday, it can be stated in the order that it pre-dates whatever is the date of the application for the information. That is clause 43 in all its magnificence.

We have joshed about the vigour and imagination of the Americans. I admire them for many things, but they have an obsession with psychology and psychologists. They have developed an expression that is deeply distasteful but that has moved into British public forms of expression: "This is anally retentive." Let us be clear, the entire Bill is anally retentive. If anyone wants an instance of that, it is in clause 43. The splendid amendment No. 35 that says "delete" should commend itself to the House, the House of Lords, the wider public and the Labour party. I cannot believe that we think so little of ourselves and our constituents that such a remarkable power should even have appeared in a Bill in a democratic country.

Mr. Mike O'Brien: I have seldom heard such great fear expressed about what seem to be fairly benign and sensible clauses. I shall give some examples, as I did in Committee. Let us take the Stephen Lawrence inquiry. We needed to create it, and if it had been a public authority, it would have been subject to the provisions of freedom of information if the Bill had been in place. We need provisions to enable public authorities to be created, to alter in terms some of their functions and for the Bill to apply. When they cease to exist, or parts of them, we need to be able to remove those public authorities from the Bill's provisions. If we do not have these provisions, we shall be in some difficulty.

I shall give another example that I gave in Committee. The BBC will be a public authority subject to the Bill's provisions. The BBC is particularly relevant here because its journalists will be able to claim an exemption from the provisions of freedom of information in respect of material held for the purposes of journalism, art or literature.

What if a court decision were to conclude that for particular purposes of definition areas that we might feel should remain the confidential prerogative of the journalists should be subject to freedom of information, and the journalists had to disclose their sources? I suspect that the BBC journalists would not be too happy about it and would want the Government to be able to act to deal with the situation. I suspect also that they would be mighty displeased if fears that the Government might misuse such powers had prevented the powers being in the Bill in the first place. That is my concern.

Mr. Simon Hughes: Will the Minister give way?

Mr. Mackinlay: Will my hon. Friend give way?

Mr. O'Brien: I shall give way when I have gone through some of the arguments. I recall that I promised in an earlier debate to give way to my hon. Friend, and I eventually did so. I shall do so again in due course. I shall run through the arguments so that we can properly debate the issue.

The effect of amendments Nos. 33 and 34 would be to deny the Secretary of State the power to make an order to limit information of a specified description in the entry in

[Mr. O'Brien]

schedule 1 relating to any public authority and the power to amend any such limitation. I understand some concerns. Some right hon. and hon. Members suggested in Committee that they were concerned that in future perhaps a less responsible Government, without our commitment to freedom of information, might abuse the order-making powers that are proposed in clause 6. The thrust of that concern was that large tracts of information might be removed at a stroke from the Bill by order, amending the entry in relation to a Government Department, for example, in part 1 of the schedule, or to any other entry or entries. The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) had a good time listing the possible changes. Some bodies may, in all innocence, be created, change, move on or be renamed. We should ensure that the Bill grants us the ability to do something about that. I understand hon. Members' anxieties.

Mr. David Heath: Will the Minister give way?

Mr. O'Brien: If the hon. Gentleman will bear with me, I shall first set out my argument and then I shall happily give way to him and deal with his points.

I understand the anxieties but the fears on which some of them are based do not seem real. Amendments Nos. 33 and 34 would remove the power to limit or vary a limit in an entry in schedule 1. However, amendments Nos. 33 and 34 would go further than tackling hon. Members' anxieties. They would result in an all or nothing situation, with no scope for simple housekeeping changes to the small number of bodies listed in schedule 1 that are currently within the Bill's remit only because of the information that they hold. The amendments would also prevent future changes to existing entries in the schedule even when they were justified by a change in the circumstances of the public authority.

I shall give another example of the power's ability to vary or limit the description of information caught by the Bill. The Bank of England might decide to expand its financial activities to include insurance. The bank is already included in schedule 1 because of some of its functions. A decision would need to be made about whether to include the new business. Without the provisions, we could not make such a decision.

The hon. Member for Somerton and Frome (Mr. Heath) said that orders under clause 6 to remove information from the scope of the Bill were retrospective. That is not the case. The order-making power should not be confused with that under clause 43, which I shall consider shortly.

The right hon. Member for Haltemprice and Howden (Mr. Davis) claimed that clause 6 provided for orders but not affirmative orders. Amendment No. 77 tackles that. I therefore hope that I have satisfied the right hon. Gentleman at least on that point.

The hon. Member for Somerton and Frome also suggested that the Government could retrospectively allow a public authority that wanted to keep a secret to do that. That is possible, but only by an affirmative order after consulting the commissioner, whose view will be published. An order to create an exemption can be made only when specified prejudice applies or when the public interest requires an exemption to be made. An order cannot therefore be made on the quiet. The clause does not provide for a ministerial power but for affirmative order procedure. Members of Parliament will be able to maintain a clear check on the Executive.

We have tackled many anxieties about clause 6. Many of those anxieties are unrealistic. We believe that the restrictions for which amendments Nos. 33 and 34 would provide are too severe. The amendments go too far and are therefore unacceptable. The lack of a power to amend an entry by order to reflect changes in the functions of the authorities that schedule 1 lists would mean that the entries in that schedule would be fixed for all time. That would lead to inflexibility and undermine the basis of the Bill.

We have listened to the views expressed in Committee, especially by the hon. Member for Somerton and Frome and we have tabled amendments Nos. 77 and 81, which deal with parliamentary procedures for orders under clause 6. We shall have an opportunity to debate them later. We hope that they will allay some anxieties.

I shall deal with amendments Nos. 63 and 35 and then I shall take interventions. Amendment No. 63 was inspired by an amendment that the hon. Member for Somerton and Frome tabled in Committee. The Government agreed to consider the wording of that amendment and gave an undertaking to table an amendment on Report.

Clause 43(6) required the Secretary of State to consult the commissioner before making an order under clause 43 to create a new exemption. Amendment No. 63 would require the Secretary of State to publish any written representations to him by the Information Commissioner about the consultation before laying an order before Parliament unless the representations contained exempt information or information that would be exempt if the order were made. The Government accept that requiring the publication of the commissioner's representations would increase openness. The hon. Member for Somerton and Frome asked for such a provision and the Government have listened and acted.

However, there may be circumstances in which such publication would result in the disclosure of exempt information or information that would be exempt if the order were made. We believe that it is necessary to provide protection against such an eventuality. Amendment No. 63 would therefore achieve that.

Amendment No. 35 would delete clause 43. The clause enables the Secretary of State to create additional exemptions by order. The clause includes two distinct order-making powers, which relate to two distinct circumstances. First, the Secretary of State can make an order about specific information, but only if the public interest in creating a new exemption outweighs the public interest in its disclosure. Achieving that balance shifts the argument and tackles the anxieties. We must consider the public interest when creating a new exemption.

The Secretary of State can create a general exemption that does not relate to a specific item of information. In that case, the order must be so expressed that it provides exemption only if disclosure would be likely to have adverse effects on the public interest. In such circumstances, the adverse effects must be specified in the order.

The Government believe that it is necessary to retain a mechanism for creating new exemptions. There may well be information that has not yet been considered due to the number of authorities—up to 50,000—that the Bill covers—

8.15 pm

Mr. White: Will my hon. Friend give way?

Mr. O'Brien: I shall give way in due course.

The nature of information that will fall within the scope of the provision will be wide ranging and may legitimately require protection. The Government must ensure that they can protect that information in future as well as now.

Let us consider the sort of information that we are discussing. The commissioner will know the information that will be subject to an order under clause 43. Her representations may include references to the information when she determines her view. It is right for that information to be outlined. The power to confer additional exemptions can be exercised only if the Information Commissioner is first consulted. When amendment No. 63 is accepted, the Secretary of State will be required to publish any written representation that the Information Commissioner makes to him.

Mr. Simon Hughes: The Government have considered their powers relative to those of the commissioner in other clauses. Is not there an overwhelming case that the commissioner should have the right not only to be consulted, but to have the final say? If the commissioner had the final say, everybody would be more reassured. However, the Government, backed by their party in Parliament, have the final say. The commissioner is simply an adviser.

Mr. O'Brien: We either have some respect for the House or we do not. The hon. Gentleman is trying to shift power away from those, like him and me, who are democratically elected to do our job in this place to those who are not democratically elected. There is a danger of enhancing an unfortunate democratic deficit. Enough already exists in this country. I am reluctant to accompany the hon. Gentleman down that road.

Mr. Mackinlay: I want to raise two police matters that relate to schedule 1. The Minister referred to the Stephen Lawrence case. I invite him to pause and consider that we passed the Greater London Authority Act 1999, which will remove from hon. Members the opportunity to probe what are deemed to be police authority matters. The Stephen Lawrence case is especially relevant in that respect. In the early stages, when hon. Members were arguing that something was wrong, they were able to table questions in the House by virtue of the fact that the Home Secretary is the police authority. If the incident had happened in Essex or Kent, they would not have been able to do that. We are losing that power under the GLA Act, and this Bill lists certain police authorities.

If the Stephen Lawrence case had occurred after the GLA Act and this Bill had come into force, we probably would not have heard of Stephen Lawrence, because we would not have been able to get some of those questions past the stewardship of the Table Office.

That is my first point. My second point is this.

Mr. Deputy Speaker: Order. This is an extremely long intervention. The hon. Gentleman must be very brief on his second point.

Mr. Mackinlay: During both the Conservative Administration and this Labour Administration, I have expressed concern about the privatisation of some police forces. Some important police authorities, such as the Northern Ireland airport police, cannot be included in the schedule—it is neither in nor out. If it is good for police authorities to be included in the Bill, why has the Minister excluded some important police authorities that do not fall within the ambit of a public body?

Mr. Mike O'Brien: On my hon. Friend's second point, we need the power to extend the provision if we consider that to be appropriate. The Bill contains a power to extend and include provisions. I refer him to clause 74.

Dr. Tony Wright: Will my hon. Friend give way?

Mr. O'Brien: No. I am just about to come to my hon. Friend's point.

Dr. Wright: On this point.

Mr. O'Brien: With respect, I have not answered the point made by my hon. Friend the Member for Thurrock (Mr. Mackinlay), so perhaps my hon. Friend will let me answer it before I give way to him. I was about to deal with the issues he raised on new clause 5. I shall be happy to give way if he wants to intervene later.

On the Lawrence inquiry, questions could be asked under the GLA Act. My hon. Friend the Member for Thurrock is wrong about hon. Members not being able to be ask questions about the Stephen Lawrence case. Our view is that the Bill would have substantially assisted the Lawrence family in dealing with that case.

New clause 5 will give the Secretary of State the power by order to remove or limit the application of any exemption in part II, or to remove or limit the exemption in respect of the duty to confirm or deny that that information is held. An order made under the new clause would require the affirmative resolution procedure.

I understand why my hon. Friend the Member for Cannock Chase (Dr. Wright) has felt it necessary to table this new clause, which could be seen as complementing the power under clause 43 of the Secretary of State by order to confer additional exemptions. However, I cannot support it for the simple reason that it is not necessary.

If a public authority wishes to release information to the general public or to any individual, nothing in the Bill prevents that. Clause 76 contains a specific provision that nothing in the Bill will prevent a public authority from disclosing information that it wishes to disclose. Nothing in the Bill requires secrecy. There may well be provisions in other legislation that prevent disclosure, but not in this Bill. I should point out to my hon. Friend the Member for Thurrock that clause 74 provides an order-making power by which those other provisions may be repealed or amended. We are committed to considering such statutory bars and to introducing orders as appropriate.

[Mr. O'Brien]

The Bill provides the right of access to information, and specifies some circumstances in which the right will not apply. It does not serve to keep anything secret.

Dr. Wright: I do not want to cross swords on this point. My hon. Friend is confusing the issue of removing structural restrictions with a more general point.

My hon. Friend began to give us a treatise on the nature of democracy, and I am sure that we shall hear more of that later. Democracy has something to do with the wishes of the people. If people were offered a choice between the creation of additional exemptions by ministerial order and the creation of exemptions by ministerial order with the agreement of an independent information commissioner, which does my hon. Friend think the people would choose?

Mr. O'Brien: The people of this country want to ensure that those who are directly accountable to them are able to do the job that they are elected to do. I am personally very uncomfortable with some of the arguments that have been voiced about the need to give unequivocal power to the Information Commissioner. It worries me that hon. Members are anxious to convince the electorate so as to get elected to the House in order to do something, but are then desperate to hand over the power to do things to unelected people.

I accept that we give judges a particular role. As a result of clause 13, judges will have a strengthened role. That provides the right checks and balances in relation to freedom of information, and enables both those who are unelected but have an official role and those who are elected to do their job.

The order-making power proposed in new clause 5 is unnecessary. I ask the House not to support the amendments, but to support the Government amendment, which deals with the concerns of the hon. Member for Somerton and Frome (Mr. Heath). We have listened to his concerns, and have responded to them in so far as we are reasonably able to do so. However, I cannot promise that some future Parliament will not abuse or misuse the legislation. We cannot bind future Parliaments: that is part of the price of our constitution and our democracy.

The Government believe that the safeguards in the Bill provide constraints, and we would not seek to abuse them. The provisions that we are including in clause 43 and clause 6 are relatively benign. They are housekeeping measures, and we should not get overly worried about them. We should ensure that we have good laws that work, and that can accommodate changing circumstances as a result of the creation of new public authorities, or when bodies cease to exist or change their internal functions.

Mr. David Heath: The Minister ended by saying that he would not be able to prevent a future Government from misusing or abusing powers. I agree, but it does not seem entirely sensible to give a future Government the instruments that would enable them to misuse or abuse the very legislation that we seek to introduce.

We have had an extremely interesting debate. Most speakers have prefaced their remarks with the phrase "I did not intend to speak, but . . . ". It seems that they were moved either by a sudden burst of enthusiasm for the subject under discussion, or by the realisation of exactly what the Minister proposed. It is also instructive to note that not one felt moved to support the Minister's view, and the powers that he chooses to take.

I agree that amendment No. 63 is a move in the right direction, and I am grateful to the Minister for listening to the arguments, but the amendment represents the most minimal move that he could make. I thank the Lord that I have secured some movement from the Government on the Bill, which has been improved slightly by our proposals in Committee and by what the Government have brought back today, but the minimum has been done to give a veneer of respectability to a power that would otherwise have no respectability. I do not accept for a moment that the Government have gone far enough.

If I inadvertently suggested that retrospective powers applied to clause 6, I apologise. That was not my intention: when I referred to such powers, I was speaking to the whole group of amendments and the new clause.

What I considered to be one of the most interesting contributions was that of the hon. Member for Hemel Hempstead (Mr. McWalter), who suggested that this might be a provisional power. I would love it to be a provisional power. We would have no reason to table amendments if we could believe that the power would expire in a little while so that the Government could check that they had got the legislation right and bring it back to Parliament, but that is not the case.

Mr. McWalter: As my name has been taken in vain a couple of times, let me point out that—as I am sure the hon. Gentleman agrees—the powers in clause 43 could easily wither on the vine.

8.30 pm

Mr. Heath: I would love to see a piece of legislation with a self-destruct gene built into it, allowing elements to disappear if they were not used after a while. Unfortunately, that is not the way in which legislation tends to work. Once the power is in place—once the hon. Gentleman has voted to support it, if he chooses to do so—it is there for Ministers to use until Parliament decides otherwise.

The Minister's defence was similar to his defence in Committee. It was that these were benign provisions, enabling him to ensure good housekeeping. He suggested that they were necessary because some of the bodies listed by my hon. Friend the Member for Southwark, North and Bermondsey (Mr. Hughes) might need to be added or removed. In fact, that is done by clause 3; this section deals not with bodies but with the information that they hold, and with whether it is exempt from the provisions in the Bill.

The Minister was unable to give examples of his concerns—concerns that we could consider, and either include in the Bill or not. He wants to have an undefined power to pass, with the help of a docile House of Commons, an order restricting the power of the citizen to gain access to information that he or she wants, and even to frustrate the will of the courts. Let us suppose that a court reached a decision with which a Minister did not agree. Where would we be if that Minister could not change the law immediately, in order to frustrate the will of the court?

I am not sure that that is acceptable. I could have accepted it if the Minister had proposed a review that would enable the Houses of Parliament to do their job properly in discussing amendments that must be made to allow a review of the classes of information that are exempt, but he has not done that; he wishes to persist with provisions that give him or his successors powers to make retrospective legislation. I cannot accept that, and I therefore wish to test the opinion of the House.

Question put, That the amendment be made:—

The House divided: Ayes 156, Noes 319.

Division No. 142] **[8.33 pm**

AYES

Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, Peter *(Hexham)*
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Butterfill, John
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jenkin, Bernard
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Opik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Wardle, Charles
Waterson, Nigel
Webb, Steve
Whitney, Sir Raymond
Whittingdale, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

Tellers for the Ayes:
Sir Robert Smith and
Mr. Tom Brake.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell-Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galbraith, Sam
Galloway, George
Gardiner, Barry
Gerrard, Neil
Gilroy, Mrs Linda

Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Grant, Bernie
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Rt Hon Geoffrey
Hope, Phil
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McLeish, Henry
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Martlew, Eric
Maxton, John
Merron, Gillian
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Mr. Jim Dowd and
Mr. Greg Pope.

Question accordingly negatived.

Clause 9

TIME FOR COMPLIANCE WITH REQUEST

8.45 pm

Mr. Hawkins: I beg to move amendment No. 102, in page 5, line 23, after 'subsection', insert '(1A) or'.

Mr. Deputy Speaker (Mr. Michael J. Martin): With this it will be convenient to discuss the following: Amendment No. 103, in page 5, line 25, at end insert—

'(1A) Where the authority has notified a third party in accordance with section (*Notification of third parties*) that it has received a request for information which relates to the third party's commercial interests, the third party shall have a period of 10 working days to make representations in accordance with section (*Notification of third parties*) (1)(a), and that period of 10 days shall be disregarded in calculating for the purposes of subsection (1) the twentieth working day following the date of receipt.'.

Government amendment No. 101.

Amendment No. 99, in clause 41, page 22, line 36, at end insert—

'(1A) Information is exempt information if it was supplied to a public authority by a company or other commercial organisation before the coming into force of this Act'.

Amendment No. 37, in page 22, line 37, leave out subsection (2) and insert—

'(2) Information is exempt information if it was supplied to the authority in confidence by any person and its disclosure under this Act would unreasonably prejudice the commercial interests of that person.

(2A) Information is exempt information if it has been consistently treated as confidential by the authority and its disclosure under this Act would unreasonably prejudice the commercial interests of the authority.'.

Amendment No. 31, in page 22, line 38, after "to", insert "substantially".

Amendment No. 38, in page 22, line 39, at end insert—

'(2A) Information is not exempt by virtue of subsection (2) if or to the extent that—

(a) it relates to the quality or safety of the goods or services produced or supplied by the person referred to in that subsection or the conditions under which those goods or services are produced or supplied; and

(b) the prejudice to that person's commercial interests would result from the exercise of more informed choice by persons seeking to acquire those goods or services,

unless the information is inaccurate.'.

Amendment No. 32, in page 22, line 41, after "to", insert "substantially".

Amendment No. 104, in clause 50, page 26, line 41, at end insert—

', or whether representations made by the complainant in accordance with section (*Notification of third parties*) have been dealt with in accordance with the requirements of that section.'.

Amendment No. 98, in clause 62, page 31, line 19, leave out ",40 or 41" and insert "or 40".

New clause 8—*Extension of meaning of "data subject"*—

'.—(1) Section 1 of the Data Protection Act 1998 (basic interpretative provisions) is amended in accordance with subsections (2) and (3).

(2) In the definition of "data subject", after the word "individual" there is inserted "or company".

(3) The definition of "personal data" is omitted and the following words are inserted—

""personal data" means data which relate to—

(a) a living individual, or

(b) a company (but only where those data are held by a public authority),

where the individual or the company can be identified from those data, or from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller, and includes any expression of opinion about the individual or company and any indication of the intentions of the data controller or any other person in respect of the individual.".'

New clause 9—*Notification of third parties*—

'.—(1) Where a request for information is received by a public authority and that information relates to a third party's commercial interests the public authority shall—

(a) without delay notify the third party of the request for information and the extent and nature of the information relating to the request and give the third party a reasonable opportunity to make representations regarding whether the information requested falls under an exemption as listed in Part II; and

(b) have due regard to any such representations before discharging the duty to confirm or deny and before communicating the information or giving a notice under section 15.

(2) For the purposes of subsection (1)—

(a) "third party" means anyone other than the person making the request of any public authority; and

(b) information shall be taken as relating to a third party's interests if that person provided the information to the public authority, is identified in the information and is reasonably likely to be affected (at any time) by disclosure of the information or of its existence.

(3) Where, after due regard has been given to any representation made in accordance with subsection (1), a public authority is to any extent not relying on a claim that information is exempt information in reaching its decision, the public authority must, without delay, give the third party a notice which—

(a) states that fact;

(b) specifies the exemption in question; and

(c) states why the exemption does not apply.'.

Mr. Hawkins: The Opposition consider this group of amendments and new clauses to have special importance. When the Under-Secretary dealt with this matter in Committee, he cited the interests of business—including small business—in his answer to my hon. Friend the Member for Ryedale (Mr. Greenway). It seems that the Under-Secretary may not respond to the debate, although he is in the Chamber. However, I wonder whether the Government may be embarrassed by the fact that they are flying in the face of the interests of business, both small and large.

When the hon. Member for Somerton and Frome (Mr. Heath) was winding up the debate on the previous group of amendments, he had an exchange with the hon. Member for Hemel Hempstead (Mr. McWalter) about the question of self-destruct mechanisms. It struck me that the idea of mechanisms self-destructing came from a television programme entitled "Mission Impossible". Given the lack of support enjoyed by Ministers this evening, it is clear that the Government are embarked on just such a mission with this Bill, so it is not surprising that they reject the idea of self-destruct clauses.

However, I shall begin with the matters covered by new clause 8, which is linked with amendments Nos. 102, 103, 99, 98 and 104. The Data Protection Act 1998 gives companies—small or large—no rights to ensure that information held on them by any public authority is correct.

The Bill would give the public wide powers of access to information on any company that works with any public authority. The amendments in this group would broaden the scope of the Data Protection Act 1998 to ensure that companies have the same rights as individuals to ensure that information held on them is correct.

That is simple justice. For example, information held on people by credit reference agencies causes great unease, but individuals have the right to ask the agency what information it holds about them. They can correct what they can prove to be wrong.

We believe that freedom of information demands a degree of reciprocity in this regard. Companies need to be able to ensure that the information held on them is correct. When he responds, I hope that the Parliamentary Secretary will say whether he can think of any good reason why companies should not have the right to check.

Mr. White: Is the hon. Gentleman aware that the original US freedom of information legislation contained no provision such as he proposes? After several court cases, that element became a key part of the US legislation.

Mr. Hawkins: I am grateful to the hon. Gentleman. I was aware of that aspect, and I was going to speak about

[Mr. Hawkins]

the history of what has happened in other jurisdictions. However, the hon. Gentleman and I have served on the parliamentary information technology committee, and I know that he shares my interest in matters such as data protection.

As I said earlier, I may be the only hon. Member to have conducted cases under the Data Protection Act 1998 in the courts. However, once again, the Opposition's argument has the support of a Labour Back Bencher, who I hope will join me in pressing Ministers on this matter. We have yet to hear a Back-Bench Labour Member supporting the Ministers on any of these matters. Once again, the Minister is under friendly fire from his own side. The hon. Member for Milton Keynes, North-East (Mr. White) is absolutely right, and I am glad to have his support. I hope that many other Labour Members will also support the idea of simple justice.

If business organisations do not have the right that we propose, incorrect or inaccurate information on companies, be they small or large, could be released into the public domain following a freedom of information request under this measure. We believe that any freedom of information legislation should mean that more information relating to the dealings between public authorities and business is released as long as, and only so long as, that information is accurate. Therefore, our welcome for the Government's proposals is subject to the exemption of information that could harm a commercial interest and to our concern that businesses must have a right to check on the accuracy of the information and correct it if there are mistakes. Because of accident or incompetence—not malice—records may, on many occasions, be incorrect. Things may be mistranslated. In many business fields, the accuracy of record keeping cannot be perfect. If more information is to be released, it must be checked for accuracy.

Under the Bill, a third party that may be affected by the disclosure of information has no right to be notified of any application for disclosure. Once again, we think that that is wrong. We believe that third parties should be given the right to be notified, in advance, of any application for disclosure that may affect them. It is also vital that third parties should then have the opportunity to make representations on whether that information is covered by an exemption. Can the Minister think of any good reason why that should not be the case? In no way would new clause 9 give commercial organisations a veto over whether information should be released. It simply means that no company, small or large, would have to rely on an action for breach or confidence or other legal remedy after the information was disclosed. We think it wrong for any company to seek to shut the stable door after the horse has well and truly bolted.

Mr. Lock: I am trying to follow the hon. Gentleman's argument. Will he let me know two things? First, where does new clause 8 provide that information shall be disclosed only if it is accurate? Secondly, how is a public authority to judge whether information that it holds is or is not accurate in a dispute about its accuracy? *[Interruption.]*

Mr. Hawkins: As my hon. Friend the Member for Buckingham (Mr. Bercow) said from a sedentary position, this is not a difficult argument to follow. If the Minister will be patient, I will, I hope, address the points that he has raised. However, it is for the hon. Gentleman to respond to our suggestions. If he is prepared to come back, tonight or at a later stage, or even in another place, and deal with our amendments and new clauses in a different way, addressing the issues, we will be very pleased. We are not suggesting that all our proposals are perfect. However, we have done our best, working with business organisations, to address the issues. If the Minister says that he is prepared to address these vital issues—as my hon. Friend the Member for Buckingham helpfully said, they are not difficult—we will consider carefully what the Government propose. So far, however, there has been no attempt by the Government to address our concerns over the Data Protection Act 1998, reciprocity, the notification of third parties and the rights of companies, small or large.

Business organisations are concerned about that matter. For example, the CBI, which the Government are keen to cultivate, said:

> Individuals are protected by the Data Protection Act. But what protections are there available to business? Under the Bill as it currently stands, business does not even have a statutory right to be notified when sensitive information about that business is to be disclosed. It has no right to object to its disclosure, no right to appeal the decision and no right to apply for compensation.

To return to the helpful point made by the hon. Member for Milton Keynes, North-East, all those guarantees are provided by the United States Freedom of Information Act, as they are in Australia.

The Minister must justify the Government's failure to learn from experience in other jurisdictions. The hon. Member for Milton Keynes, North-East said that that the same error was initially made in the United States, and had to be corrected after many battles. Why are the Government repeating such mistakes? The Government claim to be a friend to business, but the CBI certainly does not think so. Unless the Government change their mind and accept our amendments or something akin to them, they will upset business seriously.

Business must be certain that any Freedom of Information Act will contain safeguards to ensure that damaging or commercially sensitive information is not be released.

Mr. Bercow: The potency of my hon. Friend's argument should be clear to all hon. Members, with the possible exception of the Minister. Does my hon. Friend agree that protection is especially important for companies because, unlike individuals, they have no recourse to the ordinary laws of libel?

Mr. Hawkins: I entirely agree with my hon. Friend. Like me, he has worked with many business organisations, particularly the Small Business Bureau and the Federation of Small Businesses. Small businesses with limited financial and legal resources are particularly hard hit by the Bill. I do not doubt that the Minister, who has practised law for many years, will have represented many business organisations, and I wonder whether, if he thinks about it for a moment, he is terribly comfortable with what his ministerial superiors have asked him to put before us tonight. We shall wait to hear from him.

Amendments Nos. 102 and 103 are connected with the proposed new clauses, and insert a period of 10 working days. We are not proposing a massive change, or a lengthy period. The Minister will find it difficult to say that there is anything wrong with that.

Amendment No. 99 deals with a matter vital to any Member of Parliament. I do not exaggerate by saying that one of the first principles learned about Parliament by any schoolboy or schoolgirl is that there should be no retrospective legislation. Hon. Members on both sides—the hon. Member for Thurrock (Mr. Mackinlay) sits on the Labour Benches, for example—have frequently spoken of the serious problems raised by retrospective legislation, yet the Bill applies retrospectively. Information supplied by business to any public authority before the Bill is enacted would be covered.

9 pm

All hon. Members will understand from their dealings with any business, small or large, that businesses require stability, and an important part of that is ensuring that the laws that apply to a business's actions will be the same as those that applied when the business originally took those actions.

All the advocacy that my right hon. and hon. Friends and I can command leads us to say firmly that the Bill should not apply retrospectively to commercial information previously provided to the Government, voluntarily or as required by statute, on the basis of assurances of confidentiality, because that information was, by definition, provided under a different regulatory environment. It is wrong in principle for the Government to say that information provided 10 or 20 years before the Bill is introduced will be covered.

Mr. Bercow: I am sorry to trouble my hon. Friend further, but does he agree that there is an analogy between the argument that he is advancing and the position on the disclosure of information provided to journalists in confidence? Earlier, it suited Ministers to say that it would be wrong to put journalists in a position of having to divulge information with which they were provided on a confidential basis. If that is so, surely the same principle applies, as my hon. Friend has eloquently argued, for businesses, which have divulged information on the basis of assurances of confidentiality.

Mr. Hawkins: Once again, I entirely agree with my hon. Friend. He is certainly not troubling me at all; I greatly welcome his intervention because he, like me, was carefully listening to an earlier debate. He is absolutely right to draw that parallel and point out that Ministers cannot put forward, on these amendments, an argument that is inconsistent with their earlier arguments. I hope that the Minister will comment on that.

It is important to say that, even if the Government were to accept our amendments and new clauses or something akin to them—now, at a later stage, or in another place—that would not totally veto any such information from the past being released because there would still be a provision or exception allowing the Information Commissioner to recommend that information given in the past should be released in the public interest. Our amendments would not mean that such information could never be released, so we are being moderate and reasonable in proposing this control and preventing retrospection.

It is important for the Bill to set a precedent so that businesses can carry on giving information to public authorities in the knowledge that the rules will not change again in the future. I recognise that the Government cannot bind their successors, but the point of the Bill is that the Government are encouraging the greater provision of information. If they make it more difficult for businesses to trust them, they will find that businesses are far more reluctant to provide information to public authorities or to the Government themselves. We strongly argue that the amendment is in everybody's interests.

The Campaign for Freedom of Information may not often share objectives with organisations such as the CBI, but it is unlikely that those who are arguing, as many hon. Members on both sides of the House have done for many years, for the provision of more information would want business, as a result of the Bill, to be much more reluctant to provide information to the Government or a public authority.

Amendment No. 98 deals with the availability of historical records, and is connected to the argument for the previous amendment. As I have said, the Opposition believe that more information should be released, but it is also important to recognise that business must be protected from provisions that could result in commercially sensitive information being placed in the public domain. That information could affect the very existence of small or even medium-sized businesses.

The Bill contains an exemption for information that would prejudice the commercial interests of a commercial organisation. We accept that. However, under part VI, any information covered by the exemption would be released after 30 years as an historical record. Amendment No. 98 would ensure that sensitive commercial information would not be released automatically after 30 years. It is a little like the rules in relation to Cabinet discussions and such matters.

We believe that the contents exemption to ensure that damaging information is not released is sufficient. If information is not damaging to a commercial organisation, it should be released. However, if it is judged that the information covered by the exemption and release is not in the public interest, it should not automatically be released after 30 years.

It is perhaps a double safeguard: a double negative. There is a danger that, if companies knew that, whatever information they supplied to public authorities would be released to the public, even after 30 years, it might yet again affect the frank and open relationships that the present, or any future, Government would wish to have with business.

I deal briefly with some of the amendments from what has been referred to as the cross-Bench group of hon. Members: Nos. 37, 31, 38 and 32. We want the Government to explain their amendment No. 101 in dealing with the cross-Bench group's amendments, which raise important issues. I do not want to deal with them in detail because others from the group will do so adequately, but the points are extremely serious.

I return to the point that the Minister made earlier. We do not claim that everything in our amendments or new clauses is perfect. There may be ways in which the

[Mr. Hawkins]

Government, parliamentary draftsmen and Government advisers can improve them. We want the principles underlying these four matters to be dealt with: the protection of companies under the Data Protection Act; what has been sometimes called reverse freedom of information, although I prefer to call it reciprocal freedom of information: notification of third parties; avoiding retrospective legislation; and historical records, where a public interest test should be added.

Mr. Allan Rogers (Rhondda): I have listened closely to what the hon. Gentleman has said about principles and about the information that is to be held, or not held, disclosed or not disclosed. Can he help me by giving an example of what information should be held for a longer period?

Mr. Hawkins: It is difficult to give specific examples, but I hope that the hon. Gentleman will understand. Under the Government proposals, something would normally be released after 30 years. I put the question back to him. Is it not sensible to have a public interest test, so that, if a company says, even after 30 years, that there is still a public interest in not disclosing that, it will not happen? It might severely embarrass someone's personal life.

As the hon. Gentleman and most hon. Members will be aware, family matters can be connected with the operation of family companies. Personalities are involved in such companies. Disclosure could be deeply embarrassing for that family, even after 35 or 40 years. A public interest test could be built in as an additional safeguard. We are talking about all companies, not just multinationals; that may be where the media focus, but it applies to all companies. I hope that I have given close enough to an example to satisfy the hon. Gentleman.

Mr. Rogers: It is not close enough. I cannot think of any information that needs to be withheld, for example, with regard to a private family company and that might be subject to a public interest test. I would be grateful if the hon. Gentleman could give a more substantial example of the information that could not be disclosed.

Mr. Hawkins: I am not sure that I can help the hon. Gentleman any further. I was trying to deal with something that could arise, but it is not just the Opposition Front-Bench team that thinks that it is important. Those matters have been raised with us by the CBI on behalf of its members. I hope that he will realise that it is not doing that for the fun of it. It thinks that there is a serious purpose here.

In summary, the amendments deal with important issues and we hope that the Government will take them on board.

Dr. Tony Wright: I come at the issue from a different angle, although I am trying to follow the arguments being made from across the way. To me, clause 41 looks like an extraordinary blanket exemption and, as a citizen and a consumer, I would like it to be tested more rigorously. Let me give a recent example so we realise that we are not talking about abstracts.

Before Christmas, I asked my right hon. Friend the Secretary of State for the Environment, Transport and the Regions a couple of questions: which MOT testing stations were on a final warning from the vehicle inspectorate and which garages had lost their licence to carry out MOT tests in each of the past five years? I shall compress the answer by reading the essential sentence:

> To publish the identities of Authorised Examiners withdrawn from the scheme could be prejudicial to any of their other business interests unconnected with the MOT testing scheme and therefore a list of those withdrawn from the scheme is not published.—[*Official Report*, 21 December 1999; Vol. 341, c. 530W.]

That is how commercial prejudice provisions operate in respect of something that might matter to us. Indeed, when I received the figures, I discovered that last year 143 of those establishments had their licence withdrawn and 1,058 were put on a final warning. Over the past five years, 767 had their testing licence withdrawn and some 6,701 had been warned. We are not having some arcane argument. We must consider whether an exemption for commercial interests should be extensive or blanket or whether that exemption should be tested.

The problem is that the exemption is wholly unable to be tested against public interest considerations. Clause 41 applies to any information from any source. There is no sense that what is protected is information that belongs even to a particular company. A public authority could withhold test results obtained from its own laboratories or from independent sources. The information need not even be confidential. Information previously released by the authority or by the company could be withheld. A company might have disclosed information for one purpose and yet want to withhold it under that provision for another. The exemption would permit that, and it puts the avoidance of commercial prejudice above all other considerations. That is the fundamental point.

Companies or authorities that behave badly should be prejudiced, which is the whole point. That is exactly what a public interest consideration is designed to do. The Bill allows information to be withheld to protect companies from facing the consequences of their own malpractice. It is not difficult to find examples of how that might work. The absence of a binding public interest test will deny the public the essential safeguard in that respect. Of course we know that we have to protect proper commercial interests, but that must be balanced against a workable public interest test.

9.15 pm

Of course, an authority could reveal exempt information if it chose to do so, but sometimes authorities fail to recognise that there is any public interest in telling the public what is going on, or they might have a direct incentive not to disclose because they could incur criticism as a result. The discretionary nature of the test opens the door to collaboration and collusion between regulatory authorities and companies.

The exemption is unsustainably broad when compared with similar provisions in other freedom of information legislation. Amendments No. 37 and 38 would simply insert a public interest test. Commercial interests are important and need protection, but they must be weighed against other matters. That is the sensible course to take.

Amendment No. 37 would raise the threshold—it would allow information to be exempted on grounds of commercial prejudice. To become exempt, information would have to be supplied in confidence and would have to prejudice unreasonably the commercial interest of the person who supplied it or of the public authority holding it.

Amendment No. 38—my preference—would ensure that information relating to the safety of goods and services or information that would lead to consumers making a more informed choice could not be exempted on commercial interest grounds. I am not one of those who thinks that commercial interests do not matter, but I do think that commercial interests and their protection need to be balanced against other interests—especially those that protect consumers or allow them to exercise proper choice based on full information. At present, the clause offers blanket exemption, but that needs to be balanced. The amendments offer that balance.

Mr. David Davis: I reiterate the points that I made earlier. Freedom of information is about better-informed debate, a strong democracy and a better-performing Government. The amendments bear an important relationship to that.

I do not want to talk at length about the Conservative amendments, tabled by my hon. Friend the Member for Surrey Heath (Mr. Hawkins). He raised some important issues of principle. I am glad that he told the Minister that he would accept other draftings of the amendments. Although the principles of accuracy and reciprocity in freedom of information are significant, I shall not dwell on them.

Like the hon. Member for Cannock Chase (Dr. Wright), I want to make some observations in support of amendments Nos. 37, 31, 38 and 32. Earlier, I referred to my ministerial experience, but I was in business for twice as long as I was a Minister. If it is true that between two thirds and three quarters of what is claimed as secret really is secret, a large fraction of the remainder—what is described as secret merely to prevent embarrassment—comes under the category covered by these provisions.

When I was a Minister in the Cabinet Office, the use of commercial confidentiality in government prevented me from answering parliamentary questions and debates as I wanted to do. That was because civil servants said, "You can't say that, Minister; it's commercially confidential." I came to the view that, in many cases, it was not so much commercial confidentiality as avoidance of embarrassment.

That view was reinforced rather than weakened by my business experience. The demands made of Government by many businesses were greater than any made of a large private sector customer. I am talking not only about Great Britain, but about north America. In both cases, businesses supplying a major customer under contracts similar in size to those for Governments would fully expect that, for example, pricing information would be in the public domain, because that customer would need to be able to say to a competitor, "You have to beat this price, or this quality or this service level." There has been much disingenuous argument by businesses and it has not served them, the British economy or the British taxpayer well. It has become a serious issue for reasons that I shall come to shortly.

My point about an inappropriate exercise is not undermined by the Minister's comment that 60 per cent. of American inquiries on freedom of information are raised by commercial companies. We should understand that America is a different economy; it is much more vigorous on competitive issues than the British economy. Apart from being highly competitive, the economy has different competition laws in which businesses are forbidden, on pain of prison sentence, to talk to each other. I operated in that environment and, in such an environment, any source of information on a competitor is chased vigorously. Therefore, the comparison does not apply here. It is clear that the freedom of information arrangements in America have not stopped it being the most vigorous economy in the world; the reverse is true. There are many massive contracts between business and government in the United States.

The principle behind the amendments is important. I hope that the Minister will respond constructively to the amendments tabled by my hon. Friends, but I do not wish to concentrate on them. I want to focus on the fact that the previous Government and this Government have taken on board the private finance initiative, contractualisation and a whole swathe of measures that put the delivery of public services very much more in the private sector than ever before. One danger of that is that it takes the delivery of public service out of the reach of Parliament and accountability to the House.

Partly because of that, delivery of the service is also taken out of the reach of the individual citizen. The brilliant example of the testing stations given by the hon. Member for Cannock Chase showed perfectly in a single parable how important the issue is. It will get more important over time as the Government bring the private sector into education, into health eventually—I am sure that it will happen—and into all the sectors that matter to both sides of the House. Therefore, it is crucial that the information that relates to the provision of services in those sectors is not hidden behind a commercial confidentiality barrier.

The issue comes up even before the Public Accounts Committee. When members of the Executive give evidence, we often hear them say, "We can't tell you that because it is commercially confidential." In most circumstances, the Committee does not tolerate that response. Of course information is sometimes commercially confidential but, when we press the point, more often than not the argument is used as an avoidance of embarrassment clause. For that reason, I strongly support amendments Nos. 38 and 31.

Mr. Jon Owen Jones: I am delighted to follow the right hon. Member for Haltemprice and Howden (Mr. Davis), who is Chairman of the Public Accounts Committee, and to support his point that commercial confidentiality is often cited as a means of avoiding embarrassment.

I support the amendments tabled by my hon. Friend the Member for Cannock Chase (Dr. Wright). The definitions of commercial confidentiality in the Bill are too widely drawn and do not take into account the wider public interest. It could be argued that the Bill draws the definition more widely than the one that is currently used. However, commercial confidentiality often provides an opportunity not to answer a question, especially if that question has the potential to embarrass.

I shall use an example that I first cited on Second Reading. On 8 November, I put a parliamentary question to the Secretary of State for Culture, Media and Sport seeking information about sales of tickets to the dome—a matter of some contention, especially just before Christmas. The information was not available at that time, and I received a holding answer stating that I would receive a proper answer as soon as possible.

[Mr. Jon Owen Jones]

On 21 December, in response to further parliamentary questions asking why it was proving so difficult to say how many tickets had been sold in various places, I received an answer stating that the Department had tried to answer my question in

as open a way as possible—[*Official Report*, 21 December 1999; Vol. 341, c. 562W.]

but that my questions could not now be answered because the matter was commercially confidential. It had apparently taken more than six weeks to determine that there was a problem of commercial confidentiality in answering questions about how many tickets to the dome had been sold in various parts of the country.

I received a letter, dated 26 January, that went into more detail about why the matter was commercially confidential. It stated that the New Millennium Experience Company

recognises its public remit and responsibility, but it is the professional judgment of its Board that . . . targets can only be met if the company operates in a commercial manner. NMEC is competing in the crowded and highly commercial market place of visitor attractions and its competitors do not publish detailed statistics of forward sales.

Taking that at face value, I wondered why the company later published a sales survey that illustrated where tickets had been sold and where they had not. I could not understand why the real figures were commercially confidential, but a survey illustrating where sales were most likely to be made was not.

Mr. Lock: May I refer my hon. Friend to a couple of provisions in clause 41 that illustrate how the structure works? Information that is commercially confidential under clause 41(2) would fall within the category of exempt information only if prejudice to commercial interests were also likely. Even if that were so, the ability to refuse to disclose would apply only if the company or the public authority overcame the second barrier set out in clause 13, of carrying out the balancing act between the public interest in disclosure and the public interest in confidentiality. The Bill, once enacted, will greatly enhance the chances of confidential information such as my hon. Friend describes—and to which, in my view, he is perfectly entitled—being disclosed.

Mr. Jones: I thank the Minister for that intervention, especially for saying that I am perfectly entitled to the information. I wonder why, in our joined-up Government, I am not getting it from the Department for Culture, Media and Sport.

I asked the Library for its opinion on whether the Bill would make my obtaining the information that I sought any more likely. The answer was that it was at least as unlikely that I would get the information, so long as the Minister concerned chose to agree that the information was commercially confidential. Nevertheless, I am encouraged by the Minister's intervention, which I will quickly quote to the Department for Culture, Media and Sport, in the hope that the answer for which I have been waiting for five months will eventually be delivered. I am glad that the intentions of open government have percolated to the Lord Chancellor's Department, if not to the Department for Culture, Media and Sport.

9.30 pm

Mr. Lock: I should not lead my hon. Friend to premature joy. Unfortunately, until the tests set out by the Bill are incumbent on Ministers, Ministers must operate under the present regime. That is more restrictive than the regime that we propose to introduce under the Bill. It is causing the blockage of which my hon. Friend complains, and I sympathise.

Mr. Jones: That is one interpretation of the difficulty in obtaining the information that I require.

My argument may be regarded as unduly cynical, but if the ticket sales for the millennium dome and the associated public expenditure—almost £1 billion, or possibly even more—*[Interruption.]* My hon. Friend the Member for Workington (Mr. Campbell-Savours) says from a sedentary position that that was lottery money, meaning that it is not public money. It is the public's money. If that is not a valid question to be raised in Parliament, I do not know what is.

If the figures showed an even distribution of ticket sales across the country, somehow I think that not only would I have got an answer, but it would have been published prominently. The real reason that I have not been supplied with the answer for such a long time is that it is publicly and politically embarrassing. The purpose of the Bill should be to ensure that Ministers cannot hide behind commercial confidentiality to conceal their embarrassment.

Mr. Simon Hughes: I shall be brief. I shall add one point to comments made by the right hon. Member for Haltemprice and Howden (Mr. Davis), and then say a word or two about amendments Nos. 31 and 32.

I refer to the protection that the Bill appears to give to the commercial interests of the private sector and to the public sector. The debate is about amendments to clause 41, which deals with commercial interests. The clause states:

Information is exempt information if it constitutes a trade secret

or

if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person.

That is the breadth of it.

Much more of what was the public realm is going out into private hands—for example, parts of the Prison Service are being run as private prisons. It is nonsense for the Government to promote policies such as naming and shaming—by announcing that school X is on special measures, school Y is not performing well enough, or the SATs tables for school Z are this, that or the other—but not to put into the public domain commercial information about a private organisation that may potentially run a school in the future or perform some other function in government.

The legislation is going in contradictory directions. Public policy is moving many more things into the private sector, yet we are giving the private sector greater protection than the public sector. That is fundamentally inconsistent. The examples given by the hon. Member for Cardiff, Central (Mr. Jones) and others are clear about the difficulties and the extremely subjective definition of what is in somebody's commercial interest and what the test is. I hazard a guess that the figures for the number of tickets

sold for the Dome in different parts of the country may not have been available when the hon. Gentleman asked for them in a parliamentary question because they had been managed by the promoters and owners of the New Millennium Experience Company on a monthly basis, so that they could package them in other information. To some extent they have revealed the information, but in their own time and on their own terms.

Mr. Jon Owen Jones: No.

Mr. Hughes: The hon. Gentleman says no, but certainly the promoters and owners have tried to manage the information. They did not go as far as he thought, but they have been trying to control the information so as not to allow it to come out when the hon. Gentleman was seeking it. He may wish to correct me.

Mr. Jones: The information that has been released relates to total ticket sales. I was seeking information on regional ticket sales. There may be a good or better story to tell for the one but not the other. That is why we have only one piece of information.

Mr. Hughes: I understand that. There are two sides of a coin. We have information only on total ticket sales, but even that has been managed. Had the hon. Gentleman asked questions about the general and the particular, he might have found that he did not receive information about the general when he wanted it because it was being managed for a time that was convenient to the commercial interests of the company.

Mr. Hawkins: I must apologise to the hon. Member for Cardiff, Central (Mr. Jones) for not hearing what he said. I was briefly absent from the Chamber. However, a fascinating example has been given.

Does the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) agree that another form of packaging in this instance—it is often wise to stick to the same example—may be the difference between ticket sales that were at no cost and ticket sales that raised money? I suspect that, with school trips being brought forward and schools being offered free trips, the Government, in this context of managing information, are treating as ticket sales tickets that were offered free of charge, and that that will emerge later when the Dome accounts come to be examined. I suspect that information has been packaged in a way that is not really proper.

Mr. Hughes: That is certainly a possibility.

Four of the amendments before us are in two groups. Interestingly, they were described by the hon. Member for Surrey Heath (Mr. Hawkins) as cross-Bench amendments. It is an interesting concept that once we have a coalition in this place, we shall become cross-Benchers and depoliticised.

Mr. Hawkins: Cross-party groups.

Mr. Hughes: I accept that the hon. Gentleman meant that.

Mr. Rogers: It is not so difficult for Liberals.

Mr. Hughes: No, it is not so difficult for Liberals.

Amendments Nos. 31 and 32 seek once again to ratchet up the threshold. They are simple because they seek to insert "substantially" as the prejudice test. We shall come later to what the prejudice test should be generally in relation to the public sector. The amendments seek to ensure that we get that test in the private sector. Potentially—I refer to clause 41—there would be prejudice to

the commercial interests of any person

if almost any information were revealed. So far, both on Second Reading and in Committee, we have heard nothing from the Minister to suggest that the test does not effectively allow the maximum concealment of information and the minimum threshold possibly available for people who have to pass it.

This issue may not be put to the vote tonight, but I urge colleagues to say that, if we are to have the ability to get information about the public sector elsewhere in the Bill, we must ensure that clause 41 has parallel provisions. In the interests of a traditional or old-fashioned view about commercial interest, we should not lack awareness of the modern world in which people regularly seek and obtain information and act accordingly on the basis of other people's commercial practices. We must not give protection to the commercial sector that is not given elsewhere.

Mr. Bercow: I understand the point that the hon. Gentleman is making about the alleged disparity of treatment between the public and private sectors. To approach the issue from a slightly different vantage point, does he agree that commercial organisations should have rights that are equal to those of private individuals to know exactly what information is held about them at a given time by a public authority?

Mr. Hughes: I agree with that proposition. I do not want to get distracted, but there are different tests for individuals' rights to information and protection of privacy, and the rights of corporate organisations. The same harm is not caused to a corporate organisation as can be caused to an individual. However, the hon. Gentleman is right to say that the right to know what information is held should be guaranteed.

We are considering yet another example of the Bill failing to get it right. The Government bizarrely resist change and defend interests that are not theirs, or are not usually those of the state. I hope that they heed the widespread all-party view, which, for the fourth consecutive debate, shows that it is them against the rest. It would be surprising if all the rest were wrong.

Mr. White: I shall not support the amendment that the hon. Member for Surrey Heath (Mr. Hawkins) tabled, no matter how often he prays me in aid, because, in the words of my hon. Friend the Member for Cannock Chase (Dr. Wright), I am a serial loyalist. That is why I am grieved about amendment No. 7 and new clause 6, which we shall consider later.

We have not learned the lessons of what happened in the United States. The points that my hon. Friend the Member for Cannock Chase made about commercial confidentiality are correct; we have not got the balance right. Evidence to the House of Lords said that there would be a code of practice, which would set out a duty to consult with commercial interests.

[Mr. White]

The Bill will lead to much litigation about breaches of confidence. I suspect that those on the Front Bench are happy about that because they are lawyers. However, that is the wrong way for the Bill to develop. There is a problem in achieving the right balance between commercial confidentiality and the release of commercial information. The Minister should reconsider that balance.

Mr. Rogers: I am confused about what is in hon. Members' minds when they present their arguments. The easy method of separating public interest and commercial confidentiality and the interests of private companies has been blurred substantially in recent years. I was a spokesman for defence procurement for a time. Trying to get to the heart of enormous defence contracts and finding out what was happening to billions of pounds of public money was impossible. The right hon. Member for Haltemprice and Howden (Mr. Davis), who is Chairman of the Public Accounts Committee, knows that even members of that Select Committee cannot gain information on specific aspects of public procurement.

Private finance initiatives have been extended. Huge projects are being introduced. The right hon. Gentleman knows about them. Where is public accountability and consideration for the public interest in those matters? The Government have got it almost right. They are trying hard to bring all the secrets and conspiracies out of the closet. They are trying to expose the cosy relationship that existed between the previous Government, of which the right hon. Member for Haltemprice and Howden was a distinguished member, and private industry.

Under the previous Government, we witnessed the revolving door syndrome whereby civil servants and military defence people left government only to appear the following day on the boards of big companies that had just been awarded contracts. I should hate to make even a rough calculation of the number of Conservative Members who shifted out of Government posts and landed on the boards of big companies. There is a lot of hypocrisy—*[Interruption.]* I am not pointing the finger at anyone. A lot of hypocrisy has been shown in the debate. I have still to hear any concrete reasons for why companies should have a 40-year exemption from having to divulge information when there is a lower limit for highly sensitive aspects of national security.

I do not claim that the Bill is perfect. It may well have to be amended and tested in the courts. However, most legislation evolves in that way, especially on subjects such as that which we are discussing.

I shall support the Government on this issue, and I hope that most of my hon. Friends will do the same. I am not sure what these cross-party alliances are about. We have seen them in action in the Welsh Assembly, so we know what a disaster they are. I can tell my hon. Friends that inclusive politics has run its course. With all due respect to the Liberal Democrats, these days they are merely on the side.

9.45 pm

Mr. Lock: This has been an interesting and good debate. I am grateful to right hon. and hon. Members who have spoken. We are dealing with amendments that confront the complex issue of how to deal with commercially sensitive information and information provided in confidence.

Before I address the amendments in detail, I refer hon. Members to the structure of clauses 39, 40 and 41. Clause 39 deals with information that is exempt if it has been provided under a legal duty of confidence. If at the time that the information was provided—or subsequently, because of the circumstances—there was a legal obligation of confidence, that information is exempt and is excluded from the balancing act under clause 13.

By definition, information under clause 41 is information that has not been provided by the public authority under a legal duty of confidence to respect the confidentiality of that information and not to disclose it to third parties.

Clause 41(1) refers to information that constitutes a trade secret. A trade secret is a well known term of art in-law. Clause 41(2) refers to information being exempt

> if its disclosure under this Act . . . would be likely to . . . prejudice the commercial interests of any person.

I draw hon. Members' attention to the fact that the Bill includes a prejudice test—a harm test. The Confederation of British Industry asked for a harm test, as opposed to a substantial harm test:

> We believe the test for disclosing information should be one of simple harm and not substantial harm. Any attempt to limit the ability to withhold information to that which may cause substantial harm to a business may prevent the voluntary disclosure of information to Government. Without proper assurances, we do not consider that the Government's approach will achieve the objective of two-way openness and trust.

We have listened to the CBI, which is why the harm test in clause 41(2) is not a substantial harm test, as has been suggested.

Even if the information would prejudice a company's commercial interest, clause 41 comes within the balancing public interest test under clause 13, as I mentioned in an intervention on my hon. Friend the Member for Cardiff, Central (Mr. Jones). The relevant provisions are in clause 13(3) and(4), which deal with the balancing act to decide whether the public interest in disclosure is greater than the public interest in confidentiality. That can be judged only according to the circumstances of the individual case.

I shall now deal with amendments Nos. 37, 38, 98 and 99. We are faced with two conflicting sets of amendments. Amendments Nos. 37 and 38 would restrict the amount of information to which clause 41 applies, whereas amendments Nos. 98 and 99 would increase the amount of such information. The Government are in the middle, and all I can say with confidence is that these two sets of amendments cannot both be right.

I shall take the four amendments in turn, and then explain why the Government have taken the middle path between them. I hope that my hon. Friend the Member for Cannock Chase (Dr. Wright) and the right hon. Member for Haltemprice and Howden (Mr. Davis), who made a thoughtful contribution, will accept that we are addressing the problems that they have raised but by a slightly different route.

Amendment No. 37 is a complex amendment which would restrict the exemption either to information that had been supplied in confidence and whose disclosure would unreasonably prejudice the supplier's commercial

interests, or to information that had been treated as confidential by the authority and whose disclosure would unreasonably prejudice the authority's commercial interests.

That represents a change from the Bill as drafted, in two respects. First, there is the introduction of the concept of unreasonableness to the prejudice test; secondly, there is the question of the status of the information—whether it has been supplied or held in confidence. The amendment would restrict the commercial interests that could be taken into account to those of the supplier of the information or the authority itself, which is highly limited.

I consider the amendment unnecessary, inappropriate and too restrictive. It is unnecessary because information provided in confidence is already covered by clause 39, and therefore does not need to be covered again by an amendment to clause 41. It is inappropriate because it introduces the concept of unreasonable prejudice. The distinction would be difficult to make in practice. We agree that some such concept is required, and that the mere fact that information might prejudice a commercial interest is not enough to justify the restriction of the information per se. The public interest test arises not in the context of unreasonable prejudice, but through the application of clause 13 and the balancing act required therein.

In that respect, amendment No. 37 is unnecessary, but it is also too restrictive. It seeks to limit the exemption to information whose disclosure would unreasonably prejudice the commercial interests of the supplier of the information, or the authority itself. That ignores the issue of information that is supplied in confidence by one person, but whose disclosure would prejudice the commercial interests of a third party. For example, a trade association might supply a public authority with commercial information about a firm. The disclosure of that information would have no effect on the trade association, but it could have a devastating prejudicial effect on the commercial interest of the firm. We must recognise the need to protect third parties' commercial interests when it is in the public interest to do so, but not otherwise—hence the requirement for clause 13 to apply.

The amendment is over-restrictive, in that it requires a public authority to have consistently treated the information as confidential before being able to invoke the commercial interest exemption where it would be the authority itself whose commercial interests were prejudiced. That would provide a very narrow exception, and would place an undue burden on public authorities in the managing of dealings with suppliers, private finance initiative contracts and so on. A range of information might in particular circumstances, at a particular time, prejudice an authority's negotiating position or the public interest in regard to value for money; but at other times, when it would not do that, it might be disclosed perfectly properly. Information that authorities have at one time will not necessarily be inappropriate for disclosure at another time. Again, that is a requirement of the balance provided by clause 13.

The amendment also fails to take account of circumstances in which an authority itself has generated information, but its disclosure would prejudice the commercial interests of another party. Such information could include, for example, expert forecasts of whether a business were likely to succeed, or opinions on whether it were properly managed. The amendment would remove protection from such material, which it is necessary from time to time for public authorities to generate, especially when considering whether to enter into a PFI contract.

We must remember that there is no locus—no standing provision—for the seeking of information. We should bear in mind the experience of the United States. I accept what was said by the right hon. Member for Haltemprice and Howden, but I am sure that some commercial entities will seek the information. Not to allow the disclosure of such information when it is prepared with a view to analysing the commercial competence of a company would be prejudicial, and would not constitute the proper exercise of a freedom of information regime.

Amendment No. 38 seeks to limit the exemption further by disapplying it when information relates to

> the quality or safety of the goods or services produced or supplied by the person

who supplied the information in confidence,

> or the conditions under which those goods or services are produced or supplied;

and when

> the prejudice to that person's commercial interests would result from the exercise of more informed choice by persons seeking to acquire those goods or services.

Information that relates to the quality or safety of goods or services, however, may include, for example, manufacturing processes by which the quality or safety of a particular product is assured or a firm's plans for promoting or marketing a particular product when the quality or safety are to figure in the promotion. Such information would be of interest primarily to a firm's competitors rather than to the general public. The Government's view is that a freedom of information regime should not allow one company to steal a march on its competitors merely because, for one reason or another, information had to be passed over for the operation of a proper regulatory regime.

Amendment No. 38 is unacceptable also because the phrase

> conditions under which those goods or services are produced or supplied

is capable of over-wide interpretation. It could range from manufacturing processes to conditions in supply contracts and marketing plans. Again, it could include information that would be not only of great interest to a firm's competitors, but not in the interest of the general public to know.

The second limb of the amendment seeks to set out the purpose of the disapplication—the exercise of more informed choice. However, that is also capable of very wide interpretation. Factors affecting consumer choice include price, quality, the product's environmental impact, origin, and location at the point of sale, how it is marketed and many other factors. The effect of the second limb would be to remove the protection of exemption from any commercially sensitive information that touched on those or other factors.

We think that that range of information is too wide, and that the better route is through the public interest balancing test, in clause 13—in which those factors can

[Mr. Lock]

be taken into account, although the existence of any one of those factors does not preclude considering the overall balance in determining whether it is in the public interest to disclose that information.

Amendment No. 38 also requires the public authority to make a judgment on whether the information is accurate. However, the authority may not know whether the information is accurate, and the cost ceiling for charges made under the freedom of information regime is designed only to cover finding and retrieving the information. The public authority should not have to go to further unlimited lengths in verifying the accuracy of information. If information is disclosed by a public authority under the duty and is subsequently found to be inaccurate, the manufacturer could subject the decision to legal proceedings, thereby placing severe burdens on a range of public authorities on whom the duty was placed. I remind hon. Members that the provisions of clause 13 apply, and that those are the better route.

By contrast with those two amendments, the amendments tabled by Conservative Members, amendments Nos. 98 and 99, seek to restrict the scope of the exemption. I shall be able to consider those amendments with greater brevity.

Amendment No. 98 would have the effect of allowing the exemption in clause 41 in relation to commercial interest to apply in perpetuity. That is unnecessary. The circumstances of commercial life change so rapidly that the Government are simply unable to foresee any circumstance in which a company's commercial interests would still require protection after 30 years. I am grateful to my hon. Friend the Member for Rhondda (Mr. Rogers) for raising that issue with the hon. Member for Surrey Heath (Mr. Hawkins), who could not think of a single example to justify the amendment. That fact alone should persuade hon. Members that the amendment should not be supported.

Amendment No. 99 would effectively introduce a new exemption that would apply to information that was supplied to a public authority by a company or other commercial organisation before the Freedom of Information Act came into force. That formula is capable of extremely wide interpretation. The amendment would cut swathes through the Bill and would in part reverse the policy of retrospection in relation to commercial information alone, although of course clause 13 would still apply. That would be nonsensical, as information should already be available under the non-statutory code of practice on access to Government information that was introduced by the previous, Conservative, Government.

The fact that the hon. Member for Surrey Heath is making that proposal demonstrates his own view on the strength of the code that the previous Government introduced. His view seems to be that any obligations to provide information under the code are not to be relied on; that companies that have not sought to rely on those obligations can be ignored; and that we should start at year zero with the Freedom of Information Bill. We do not take that view. It is not a workable system. There will be a reasonable lead time before the legislation takes effect. Companies know what the regime is and should have known since 1994, when the code was introduced.

BUSINESS OF THE HOUSE

It being Ten o'clock, the debate stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),

That at this day's sitting, the Freedom of Information Bill may be proceeded with, though opposed, until any hour.—*[Mr. Mike Hall.]*

Question agreed to.

As amended in the Standing Committee, again considered.

Question again proposed, That the amendment be made.

Mr. Lock: Hon. Members might be interested to know that when the code was introduced there was no such ban against retrospective action. The Conservatives are asking for a measure that they did not consider sufficiently important to include in the code that they introduced.

The amendments pull in opposite directions. Some of them would reduce the scope of the exemption to increase the rights of consumers at the expense of the rights of business. Those amendments would deter firms from sharing commercial information voluntarily with public authorities. The other amendments place prime importance on the rights of business at the expense of the citizen's right to know, which would disadvantage the general public.

That shows how difficult it is to balance the right to know with legitimate rights to privacy and confidentiality. The Government are taking a mediating role between those two opposing sides and ensuring that the public interest is properly taken into account through the operation of clause 13. As a result, particularly after the amendments to the provisions governing disclosure in the public interest, the Government have ensured that freedom of information will make a difference to consumers while ensuring that it will not unduly damage the commercial position of private companies or individuals.

The Bill will for the first time give consumers a right of access to a wide range of information. It will ensure that information is released when that is in the public interest. Freedom of information will lead to better informed and more involved citizens, while giving the commercial sector certainty in conducting its business, confident that the Government will not attempt to know its innermost workings.

I was going to deal with the matters raised by my hon. Friend the Member for Cardiff, Central but he is not in his seat, so I shall pass on. Amendments Nos. 31 and 32 would introduce the word "substantial" to the exemption. It is difficult to place a specific meaning on the term "substantial" or to quantify the amendments' practical effects, but as I said earlier, that is not what the CBI wanted. If the word means a lot or a great deal, information that was damaging to a lesser extent would have to be disclosed with no need to show that the public interest required such damage to be caused. That is unacceptable. It would clearly be irresponsible and would not provide a proper balance between the public interest in disclosure and the maintenance of the exemption. The qualification of the term is unnecessary. The Government have consistently said that "prejudice" means prejudice that is actual, real and of substance. It is an ordinary word

used without qualification in many Acts. The word is also familiar to the courts and those involved in the day-to-day interpreting of legislation.

We must not forget that the judgment of whether the disclosure of commercial information would be prejudicial to a given interest will not rest with the authorities. The commissioner and the tribunal will be required to consider individual cases to determine whether there is prejudice. If the commission reaches the view that there is no prejudice, the public interest test does not apply and the information must be disclosed.

Under amendments Nos. 102, 103 and 104, companies would have to be given information in advance if their rights were to be affected. Public authorities will consult third parties, where such rights exist, to protect themselves from the threat of legal action. At present such rights must be enforced by the third party at its own risk. The Government do not consider that it would be right or necessary to create a new route for the enforcement of private legal rights, the costs of which would fall on the public purse. Where there are no legal rights at present, the Bill does not create new ones. It would be good practice for public authorities to consult third parties if they might be affected by a disclosure, but a statutory duty to do so would be cumbersome and onerous.

For those reasons, we cannot accept the amendments and I hope that they will not be pressed.

Mr. Hawkins: I shall be extremely brief—unlike the Minister, who solemnly read out his advisers' note.

The Minister said that the Government have listened to the CBI. We say that they have clearly not listened hard enough, as they are rejecting proposals that are vital to the interests of business.

The Minister claimed that he was steering a middle course between the amendments tabled by the cross-party group and those tabled by the official Opposition. However, that is disingenuous, as the Bill came before any amendments were tabled by anyone. To paraphrase Tennyson's "The Charge of the Light Brigade", there are cannon to right of the Minister, and cannon to left of him, but he charges on—on to perdition and destruction.

The Minister said that the code instituted by the previous Conservative Government did not deal with retrospection, and claimed that as some sort of justification for what he is doing. However, does he not understand that the Bill amounts to retrospective legislation? There is all the difference in the world between dealing with retrospection by means of a code, and dealing, by means of an Act of Parliament, with retrospective effect.

Mr. Lock: Does the hon. Gentleman accept that the code is fundamentally weak and that it has no effect? Is he worried about this matter because the legal rights contained in the Bill have legal value, while the code does not?

Mr. Hawkins: No, of course that is not what I am worried about. I am saying that business is right to be worried when any Government—and this Government in particular—introduce legislation with retrospective effect. The Minister knows the arguments put forward by the Opposition, the CBI and other business organisations.

The Government are plainly wrong. They are flying in the face of all the views expressed by business and the Opposition. I invite Conservative Members, and members of the cross-party group as well, to support the amendments, which we intend to press to a vote.

Question put, That the amendment be made:—

The House divided: Ayes 165, Noes 347.

Division No. 143] **[10.7 pm**

AYES

Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jenkin, Bernard
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Morgan, Alasdair *(Galloway)*
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robertson, Laurence

Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Stephen Day and
Mr. Peter Atkinson.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cranston, Ross
Crausby, David
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galbraith, Sam
Galloway, George
Gardiner, Barry
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Grant, Bernie
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'd Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris

Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Robert Ainsworth and Mr. Clive Betts.

Question accordingly negatived.

Amendment made: No. 45, in page 5, line 34, after "day", insert—

', not later than the sixtieth working day following the date of receipt,'.—*[Mr. Mike Hall.]*

Clause 13

DISCRETIONARY DISCLOSURES

Dr. Tony Wright: I beg to move amendment No. 1, in page 7, line 13, leave out from "authority" to end of line 34 and insert—

'which is to any extent exempt or whose disclosure is not required by virtue of section 11.'.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Government amendments Nos. 46 and 47.

Amendment No. 2, in page 7, line 36, leave out from "whether" to "to" in line 37.

Amendment No. 3, in page 7, line 42, leave out from "whether" to first "to" in line 43.

Amendment No. 4, in page 8, line 2, leave out from "shall" to end of line 5 and insert—

'(a) inform the applicant whether it holds information, and

(b) communicate the information to him,'.

Government amendments Nos. 49 to 51, 53, 72 and 73.

Amendment No. 41, in clause 75, page 37, line 21, at end insert—

', or the information is information which could be communicated to the applicant in accordance with section 13'.

Amendment No. 42, in page 37, line 26, at end insert—

'or which could have been communicated to him in accordance with section 13'.

Government amendments Nos. 74 and 75.

Dr. Wright: Several times in our proceedings, the relevant Minister has said, "I am sure that there is not very much between us. We disagree only about the means; we are all together on the ends." It is pleasing to come to a part of the Bill about which there is genuine agreement. The Government have vastly improved clause 13. Indeed, by changing the clause, they have fundamentally rebalanced the Bill—not, unfortunately, entirely satisfactorily, but the changes to clause 13 are a good start.

I had intended to speak at some length, but I shall be brief because I suspect that the Home Secretary, who is now with us, will say something to us shortly about the connection between clause 13 revisions and new clause 6, which we shall discuss later. However, couple of points must be made. I have already welcomed the Government's amendment to the clause. They are moving from a discretion to a power for the Information Commissioner, and that is wholly positive.

We have tabled amendment No. 1 because clause 13 still exempts whole areas from the public interest test. Originally, the public interest test did not apply to six areas, and two more have been added to that list. Clause 19 exempts information that is already reasonably accessible to the public. Clause 21 exempts information supplied by bodies dealing with security matters and clause 30 exempts information supplied to a public authority by a court, tribunal or inquiry. Clause 32 exempts information that would infringe parliamentary privilege. Subsections (1) and 2) of clause 38 exempt personal data about the applicant and clause 39 exempts confidential information. Clause 42 exempts disclosures prohibited by statute, and clause 43(2) deals with information exempted by order.

It may seem necessary to exclude each of those areas from the Bill, but that is wrong for two reasons. It is wrong in principle because the public interest test should be universal. It is proper to have exemptions but it is also proper to have the public interest test apply across the board.

As I say, it is wrong in principle to take another category of material and to say that it is outside the public interest test altogether. It may seem an unexceptionable area, but it is not. If I had the time and inclination, I would bore the House with an explanation of why some of these things are more interesting than they seem.

[Dr. Wright]

I give simply a couple of examples. It might seem entirely sensible to remove the category of bodies dealing with security matters from any public interest consideration. The bodies that are listed include those with some security functions and other functions. For example, one of the bodies, the National Criminal Intelligence Service, has some security functions, but deals also with football hooliganism, credit card fraud and counterfeiting.

To make the point, I hope graphically, in the run-up to Christmas 1998, NCIS issued a press release warning shoppers about counterfeit toys, including fake Furbys. With the best will in the world, it is difficult to see why a whole spread of its activities should not be subject to a public interest test.

Similar considerations apply to clause 39. The legal obligation to confidentiality is said to be the reason for the exemption from a public interest test. That obligation has been thoroughly breached by the Government in relation to the Food Standards Act 1999, which gives the Food Standards Agency wide powers to obtain information about

food premises, food businesses or commercial operations being carried out with respect to food.

In pursuit of its functions, which include providing information to the public to assist them making "informed decisions about food" it is free to publish

any information in its possession (whatever its source).

In doing so, the agency must

consider whether the public interest in the publication of the advice or information in question is outweighed by any considerations of confidentiality attaching to it.

Therefore, the legal obligation to confidentiality is expressly over-ridden in the Food Standards Act. I could go through—happily for everyone here, I shall not do so—the other provisions, which would demonstrate something similar.

The point is that, although it may seem straightforward to take those rather large categories of information away from the public interest test, it is indefensible to do so. The public interest test should be universal and go across the board. That is the thrust of amendment No. 1. The other amendments in our joint names, as we have got used to describing them, simply take away remaining discretionary elements from clause 3.

I say again that I very much welcome the Government's amendments in that area. We now have a rather different Bill. Unfortunately, the good things that are given in clause 13 are taken away in new clause 6. No doubt the Home Secretary will tell us about that, too.

The Secretary of State for the Home Department (Mr. Jack Straw): I am grateful to my hon. Friend the Member for Cannock Chase (Dr. Wright) for the manner in which he has moved the amendment and particularly grateful for the endorsement that he has given. He and his colleagues must claim some credit for the fact that, as he says, the Bill has been vastly improved and fundamentally rebalanced.

This is the first opportunity that I have had today to speak on the Bill. When the proper process of parliamentary debate and amendment has taken place on the Bill—it is a very important part of the process on this Bill, as on any other—the House will end up with legislation of which it can be justly proud and which contains much greater access to information than many of those who had reservations about the Government's intention and Bill originally feared.

10.30 pm

My hon. Friend referred to remarks and proposed changes in respect of the basic scheme laid down in new clause 6, which I intend to bring to the House's notice in a moment, but first, as they are fresh in our minds, I shall deal briefly with the points that he raised on amendment No. 1 and describe how the basic scheme of the Bill works. Under clause 1, there is a statutory duty to disclose information. Under part II, there are a series of exemptions and exceptions. Some are class exemptions—for example, in respect of policy advice to Ministers—some are total exclusions, which, most notably, include the security and intelligence agencies, and there are others. Most are determined by a prejudice test.

The first and most important thing to say about that part of the scheme of the Bill is that where there is a dispute about whether information that is sought comes within the exemptions or exclusions under part II, the matter goes to the commissioner and—subject only to appeal to the tribunal and, in very limited circumstances, to a court—the commissioner's decision is final. Ministers have no discretion whatever—no veto, no override, nothing. If the commissioner orders a disclosure and says that the information is not exempt or excepted, it has to be disclosed. It is only when the commissioner or the tribunal have themselves said that information that is being sought is not required to be disclosed under clause 1 and part II that the question of the so-called discretionary disclosure under clause 13 kicks in. Amendment No. 1 relates to clause 13. I shall deal with the points made by my hon. Friend, but the background is important.

Originally under clause 13, we proposed that the commissioner would have a power to make a recommendation for disclosure, but not an ability to order it. The disclosure test, which is first on the public authority, is one of balancing the public interest in disclosure against the public interest in the information not being disclosed. As a result of many representations, not least those made on Second Reading by my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher) and many other hon. Members, I recognised the concern in the House about the fact that in the scheme of a statutory right to know it looked slightly odd that there should be provision only for the commissioner to make a recommendation. It was up to the public authority whether to accept it. Two objections were made to that: the first was that only a recommendation could be made and the second, which flowed from that fact, was that the level at which a decision would in practice be taken by the public authority as to whether to accept the recommendation might be quite low.

As a result of the representations, we have in many ways fundamentally changed the structure of clause 13, except in one respect. We have strengthened the tests—that is a matter for another debate in respect of factual information—but we have made it a duty, not a discretion, on the public authority to consider whether the public interest in disclosure outweighs the public interest in the matter not being disclosed. Where the public authority

decides that the balance of public interest is in favour of disclosure, it is under a duty to disclose. If it comes to a contrary view, the matter can go to the commissioner and he can order disclosure. That is the scheme of the Bill.

I shall come to whether there should be an Executive override, so-called, and at what level that should be raised, but before I do so let me come directly to the point made by my hon. Friend the Member for Cannock Chase in respect of amendment No. 1. As the House will see from subsection (2) of clause 13, those discretionary disclosures—which would be significantly changed by these amendments and new clause 6—cover every clause in part II, apart from those read out by my hon. Friend.

I understand my hon. Friend's concern and that any exemption might set off an amber light, if not a red one, for him. However, each exception to the disclosure regime in clause 13 has a straightforward explanation—one that I hope will meet the approbation of the House.

Under clause 19, if the information is already accessible through other means, the public authority should not be required to disclose it. For example, if people want information that is in the telephone book, they should go to British Telecom and not to a public authority. On the other hand, if the information is not reasonably available from the original source, but is available from a public authority, it would be possible—under further amendments that we are tabling—for someone to apply for it under the Bill.

My hon. Friend referred to provisions on information supplied by, or relating to, bodies dealing with security matters. He implied that he accepted that that was satisfactory in reference to the security and intelligence agencies per se, but that other bodies were included in the definition for the purposes of the measure. He mentioned specifically the National Criminal Intelligence Service.

I went into that matter in considerable detail and it will be apparent to the House that I have some day-to-day knowledge of the workings of NCIS. Although the service deals with intelligence gathered from the police, the Inland Revenue, the immigration and nationality directorate and the Department of Social Security as well as from the intelligence agencies, the sources of that information are not separately identifiable. To include NCIS under the clause while the agencies are excluded would thus be to provide those wanting access to information held not only by NCIS but by the intelligence agencies a direct route to such information. That would be far too dangerous for the operation of those agencies and for their intelligence gathering.

It is not widely understood—there is no particular reason why it should be—that the National Criminal Intelligence Service is that and that alone. It gathers intelligence; it does not prosecute.

Mr. Mackinlay *rose—*

Mr. Straw: I shall happily give way when I have made my case. *[Interruption.]*

NCIS gathers intelligence, but at the point when an investigation could take place, the matter is passed over to, for example, the national crime squad, which is composed of seconded police officers and operates in a similar way to a normal police force.

Subsection (2)(f) of the clause applies to clause 39, which relates to information provided in confidence. My hon. Friend the Member for Cannock Chase referred to the Food Standards Agency. There is a difference between information given in confidence under a statutory requirement to provide it, for example, to the FSA—where people are required to give the information in any event and it is for the agency to determine whether to make it public or to maintain confidence—and information that is supplied according to the common law duty of confidence. It is to the latter that subsection (2) refers. We cannot have a situation in which people provide information in confidence—with the common law obligation going both ways—but that confidence is inadvertently broken as a result of the operation of clause 13.

The other area, to which my hon. Friend did not refer, is the most worrying of all in terms of the overall effect of amendment No. 1. It relates to information that is protected by the Data Protection Act 1988. The Act protects private information while the Freedom of Information Bill is there to bring information out into the public. There is a natural and profound tension between the two and they are, in a sense, different sides of the same coin. If information is protected under the Data Protection Act, we cannot possibly get into the situation where there is, none the less, a discretion in the public interest to break what is a fundamental obligation not to disclose that information. That would not only be wrong and against the Data Protection Act, but against European Community law, a point that will appeal considerably to the hon. Member for Aldridge-Brownhills (Mr. Shepherd). In addition—this point will appeal to the whole House—disclosure of such information would break the European convention on human rights. I am happy to say that that convention has the genuine approbation of the whole House.

Mr. Dalyell: On the difficult issue of data protection and in relation to what my right hon. Friend has just said in the most careful language, what is the position in Scotland where, at the Mound, they are sailing off in a rather different direction? Are we to have two approaches in these islands to the same difficult matters?

Mr. Straw: I was trying to find my copy of the Scottish White Paper. However, as far as devolved matters are concerned, what Scotland does is a matter for Scotland. Let me make it clear that devolution may mean similarity but, fundamentally, it means difference. If Scotland decides to do something different, I celebrate that fact—I do not regret it—even though that fact can sometimes be used in an argumentative to persuade me to do something similar. Although, as I read it, the Scottish Executive, to some extent, started from a different port and went in a slightly different direction, it is catching a similar wind to us. We may end up at roughly a similar destination.

I am grateful to my hon. Friend the Member for Linlithgow (Mr. Dalyell) for neatly allowing me to return to the point that was raised by my hon. Friend the Member for Cannock Chase, and that he touched on rather delphically. It relates to the issue of Executive override. As I said earlier, on Second Reading, a number of my hon. Friends suggested that the provisions in clause 13, as it then stood, were not satisfactory because too much discretion was in the hands of Ministers. In turn, my hon. Friends drew attention to the fact that there was no such discretionary regime proposed in the Scottish Executive's White Paper, which had helpfully come out just a few

[Mr. Straw]

days before. Instead, it had provisions for an Executive override, so that there would be an equivalent to clause 1 on the duty to provide information and then the equivalent to part II in which there are exemptions and exclusions and a duty to provide information if ordered to do so. There was also a discretionary provision in which there was a balancing test between the public interest in favour of disclosure and the public interest against. The commissioner would be able to order that. However, Scotland took the approach that there would ultimately be a right of Executive override in 15 areas where, notwithstanding a decision by the commissioner or his equivalent to order disclosure, the Scottish Executive meeting collectively could decide to issue a certificate overriding that order because they felt that it was in the public interest to do so.

Mr. White: Will my right hon. Friend give way?

Mr. Straw: May I finish my point? I will then happily give way. We have broadly—although not in every particular, for good reasons—adopted that scheme under new clause 6 and the other amendments. We have moved away from discretionary disclosure: we have placed a duty on the Minister to release the information if he or she judges that public interest is in favour of disclosure, not against it; and we have given the commissioner the power to order disclosure.

10.45 pm

The issue remains of what happens if, notwithstanding the commissioner's order, the public authority continues to believe, for sound reasons, that the information should not be disclosed. Most regimes that we have surveyed have some sort of Executive override of one sort or another, and we propose to have one. In the Bill, new clause 6 and the other Government amendments, we propose that the decision in respect of any public authority, other than a local government authority, should be made by a Minister of the Crown.

That category of public authority would include central Government Departments, national health service trusts and police authorities, which are partly local authority and partly not. Any Executive override decision in respect of such bodies would have to be made by a Minister of the Crown; but, in respect of a local authority, it would be made by designated local councils or council committees. That designation would be made by order because the precise form of local government organisation is in a state of flux, and arrangements have to be provided that take that into account.

However, I have received representations to the effect that decisions in respect of the Executive override both by central Government and, separately, in respect of local government, would not be made at a high enough level. Where central Government is concerned, I accept the burden of the argument that has been put to me. Therefore, I propose—it will have to be done in the other place, but it will be done—that those parts of the amendments that speak of Ministers of the Crown will be replaced by a definition of a Cabinet Minister; the House will readily recall that such a definition is already, for quite separate reasons, set out in clause 23(3) of the published Bill. In future, such decisions will be made by a Cabinet Minister or the Attorney-General, rather than by any Minister of the Crown.

The second issue relates to collective responsibility. Ministers make two sorts of decisions. The vast range of decisions are made collectively and Ministers are collectively responsible for them in any event. However, some decisions are, by legal expectation and practice, made not collectively but in a quasi-judicial role; it happens that most of those decisions fall to be made individually by the Home Secretary of the day, but I make no claim as to the quality of the decision making. Each year, the Home Secretary has to make many decisions on, for example, setting tariffs for mandatory life sentence prisoners and their final release date, extradition matters, and other matters on which I could speak at length.

It is neither possible nor necessary to write into the Bill that the decisions made by a Cabinet Minister must be made only after consultation and agreement with all of his or her Cabinet colleagues—not least because some of the decisions are quasi-judicial. In practice, it would be an extremely unwise Cabinet Minister who chose to issue an exemption certificate amounting to a veto of a decision made by the commissioner to order disclosure without consulting his or her Cabinet colleagues. That might lead to that Cabinet Minister's speedy demise and the receipt of his or her P45 by return of post.

To reinforce those arrangements, I propose that there should be written into the ministerial code—which is a published document available in the Library of the House and, I believe, on the internet—guidance on how decisions relating to Executive exemption certificates should be made and the way in which other colleagues should be consulted, other than on quasi-judicial decisions. I hope that those two changes, one that will be written into the Bill and one that will be made public, are to the approbation of the House.

Before I take interventions, I shall detain the House briefly on the question whether local authorities at any level should have a right to issue exemption certificates.

Mr. Maclennan: I am extremely grateful to the Home Secretary for giving way before he leaves the subject of central Government. Why is he straining at a camel and sticking at a gnat? He speaks about Executive override as though there was no difference between the Scottish proposals and his proposals. There is a great difference, and there is a great deal of overseas evidence as to what that difference is.

Where there has been collective decision making about Executive override, as in New Zealand, there has not been a disposition on the part of Government to set aside the recommendation of the commissioner, but where the decision has been taken by an individual, as in New Zealand prior to the amendment of the law, there have been many cases of confrontation between the commissioner and the Government.

If the Home Secretary is prepared to set out rules for consultation with Ministers in an informal way, I find it difficult to understand why he should not go the whole way and simply follow the New Zealand pattern.

Mr. Straw: The right hon. Gentleman is slightly ungracious about what I said. With regard to the principle, the effect of what I am proposing will be what happens

in New Zealand. I accept that there will be a significant difference, which I believe is why my hon. Friend the Member for Cannock Chase was good enough to say that the Bill had been vastly improved.

There will be a significant difference in the occasions on which public authorities would routinely have rejected a recommendation from a commissioner under clause 13, which may have been many, and the number of occasions under the new proposed structure, including the changes that I announced this evening, where a Minister would have decided to consult his or her Cabinet colleagues and then publicly have issued an exemption certificate.

The briefing that I have had about the position in New Zealand is that an individual decision was taken on seven occasions. Since decisions have been taken collectively, that figure is down to one. I do not believe that there will be many occasions when a Cabinet Minister—with or without the backing of his colleagues—will have to explain to the House or publicly, as necessary, why he decided to require information to be held back which the commissioner said should be made available. The changes that I am suggesting will make a significant difference in practice to the behaviour of Ministers.

Dr. Wright: Lest my approbation be misunderstood, let me say that I was registering the progress that had genuinely been made. I was not expressing contentment at the destination that we have now reached. Will my right hon. Friend explain the link in the chain of reasoning, to which he has not referred? Why does he think that he needs the override provision?

We celebrate the change to clause 13 and the power that the commissioner has been given. However, if a Minister does not like a decision made by the commissioner, he can still appeal to a tribunal, go to a court on a point of law, or have judicial review. Why, on top of all that, do the Government think that an override is required?

Mr. Straw: That is a point of detail. The possibility of an Executive override means that a Minister will not be able to appeal against a decision by the commissioner. Such a provision would otherwise be otiose. I accept that if we removed the Executive override, we would need to provide for an appeals mechanism.

I apologise for using a nautical analogy again, but we are in uncharted waters. Overseas experience is helpful but only up to a point. We are dealing with different systems. As I said on Second Reading, Freedom of Information Bills are no panacea; they cannot replace good government. My hon. Friend the Member for Blyth Valley (Mr. Campbell), who visited Australia with the Select Committee to examine freedom of information, pointed out that, if a regime goes too far, people in government wrongly take evasive action to avoid a trail of accountability or to prevent the existence of records that can be disclosed.

My hon. Friend said that the Select Committee was told about the extensive use of Post-it notes and a system whereby documents that Ministers and officials wanted to remain confidential were put into a trolley, sprinkled with holy water, ordained as Cabinet documents, wheeled into the Cabinet room and thus excluded from disclosure.

We want a system that works properly, with the grain, and in the context of this country, where there is higher observation in practice of legal requirements than in other countries. Circumstances could arise in which Ministers genuinely considered—we are talking about fine judgments—that the public interest overrode the commissioner's judgment about disclosure or non-disclosure.

Ministers would have to be on firm ground to do that. They would have to acknowledge that it was only a matter of time before the information that they sought to withhold came out. They would also have to judge whether, when that inevitably happened, it would be easier to explain the original decision.

I have undergone a practical on the subject. It related to the medical reports of the thorough examination by four senior medical practitioners of General Pinochet. As the House knows, I made an obligation of confidentiality to Senator Pinochet. Notwithstanding that, I was asked to release the records to the requesting states. I refused to do that because I believed that my obligations to General Pinochet overrode the unquestionable public interest in the disclosure of the documents. Even though it was a matter of considerable debate and advice, I believed that because I had made a solemn pledge of confidentiality, I could not override it in the public interest.

It would have been convenient for me to release the reports because their contents significantly added to the public understanding of the reasons for my decisions in the case. As the House knows, the divisional court held that I had made the right decision, but the Court of Appeal decided that the public interest in publication overrode my decisions to abide by the obligations that I had made.

To continue with the analogy—*[Interruption.]* At no stage in the array of legal advice that I received—

Mr. Shepherd: What about data protection?

Mr. Straw: The hon. Gentleman speaks from a sedentary position. I promise him that none of the legal advice that I received about General Pinochet's medical report referred to data protection.

My hon. Friend the Member for Cannock Chase has asked me for a specific example. That is the most real example I can think of, because we are dealing with a new regime for the future. As it happens, because of the exceptions covered by clause 13(2), to which his amendment refers, that is information given in confidence and would not be covered by discretionary disclosure. But for that, the commissioner might have felt that the information should have been made available. I am sure that, in extradition proceedings, there will be requests for information held by the Secretary of State to be made available. In that case, the relevant Secretary of State could have come to a decision off his own bat, because it was a quasi-judicial decision that the public interest in not disclosing information overrode the public interest in disclosing it.

11 pm

I can give my hon. Friends two reassurances. First, although the degree varies, most FOI regimes, although not all, have some Executive override. Secondly, with the changes that are already before the House in the form of amendments and new clauses, and those that I have specified this evening—

Dr. David Clark *rose—*

Helen Jackson (Sheffield, Hillsborough) *rose—*

Mr. Straw: May I go on? This regime will not be used all that often, and only in extremis.

Dr. Clark: As my right hon. Friend knows, I am not a great enthusiast for Executive overrides. He has heard me put that argument before. However, given the Government's strong feeling that there should be some form of Executive override—I welcome the concessions that have been made this evening—my right hon. Friend is making rather heavy weather of it. One of the raisons d'etre of this legislation is to put the code on a statutory basis. We felt that that was vital as the codification and advice was unsatisfactory. The Secretary of State is now proposing to move the Executive override up from a Minister to a Cabinet Minister and by code—not by law, but by the ministerial guidance—suggest that he consults his colleague. That is unsatisfactory.

We have the example of New Zealand. I know it is a smaller country and its Parliament is unicameral, but it has had some years' experience and it is based on the Westminster model. May I suggest to my right hon. Friend—

Mr. Deputy Speaker (Mr. Michael Lord): Order. May I suggest to the right hon. Gentleman that this is a very long intervention?

Mr. Straw: I am not making heavy weather of this issue, but, with great respect to my right hon. Friend, I think that he is. I have put on record what we are proposing to do by way of an amendment. I have also said that these decisions are a matter of collective responsibility, except if the Secretary of State or other Cabinet Minister has a quasi-judicial function, and that will be specified in the ministerial code.

We are different from New Zealand and other countries in that, unlike them, we do not have a written constitution.

Mr. Giles Radice (North Durham): New Zealand does not have a written constitution.

Mr. Straw: I bow to my right hon. Friend's superior wisdom, but I hope that I have dealt with the point.

Helen Jackson: Does my right hon. Friend acknowledge the extreme defensiveness of public authorities when they have made a mistake? When they make a little mistake, they are a little defensive, but when something big goes wrong their defensiveness is significant. I am concerned about their defensiveness when a big mistake is made, such as at the disaster at the Hillsborough football ground. The commissioner may issue an order and be absolutely clear that information on that disaster should be made public, but the public body may naturally be so defensive that it appeals for a ministerial override to give it time. Does my right hon. Friend believe that his proposal will do what those of us who have been concerned with the Hillsborough tragedy would like it to do? We would like to feel that this Bill would not have led to the years and years of unsatisfactory disclosure of reasonable facts that ought to have been made available quickly.

Mr. Straw: I understand my hon. Friend's concern about what happened at Hillsborough. As she will know, I arranged the scrutiny of events there, under Lord Justice Stuart-Smith.

I said earlier that no freedom of information regime anywhere in the world was a panacea for bad government. I also agree with my hon. Friend that when mistakes are made, public authorities become defensive, although there is one exception to that rule—the Home Office. Over the centuries, the Home Office has become so used to human error that it just gets on with things and improves situations.

I also believe—this is probably the wisdom of Home Secretaries past and present—that it is the worst thing of all to end up being defensive if mistakes are made. That just makes life more difficult. If a mistake is made, the best thing to do is, in Lord Healey's famous phrase, stop digging.

Let me return to the point made by my hon. Friend the Member for Sheffield, Hillsborough (Helen Jackson). A freedom of information regime cannot be a panacea, and people should not believe that it can be; but, in the case of Hillsborough and in many other cases that have been raised, a regime such as that in the Bill would have helped—and if, God forbid, such a terrible tragedy occurred in the future, would help—to ensure the provision of much more timely information. Much of the information about Hillsborough that has subsequently emerged would have had to be made available much earlier, up to the point at which it would not prejudice an investigation.

Mr. Radice: My right hon. Friend's proposal is clearly an improvement, in that the decision will be taken at a higher level than that of a Minister who is concerned with protecting his or her own reputation or the narrow interests of a specific Department. That is crucial. According to the New Zealand model, involving a collective decision by the Cabinet, a decision about the public interest is indeed a decision about the public interest. That is what we want to put in the Bill.

As I have said, my right hon. Friend's proposal is a great improvement. I suggest that he now try to find a form of words such as "collective responsibility" or "collective action". An explanation can be made elsewhere, but the requirement for a collective decision should be in the Bill, because it is the collective element that will ensure the proper balance of the public interest.

Mr. Straw: An amendment in respect of Cabinet Ministers will have to be tabled in the other place. I shall reflect on what my right hon. Friend says, although I am advised that there are complicated reasons why it is not possible to enact it. Sometimes complicated reasons turn out to be no particular reason at all. My right hon. Friend must, however, bear in mind my point that some functions are quasi-judicial.

Mr. Mackinlay: I am grateful to the Home Secretary, and I apologise to him and to the House for my sedentary remarks about him not allowing us to intervene later.

A few moments ago, the Home Secretary said that the National Criminal Intelligence Service was not covered by the provisions, but I should like to explain to him why some of us want to push the envelope on the matter. NCIS has an interface with our security and intelligence services, but—unusually in a principal western democracy—there is no parliamentary oversight of the jurisdiction of any of those services. If we were able to subject NCIS and some of the security and intelligence services to the Bill's provisions, it would go some way to mitigate the fact that there is no proper parliamentary oversight of them. If we had proper parliamentary oversight, we probably would not have to push the envelope. However, we have to deal with that double deficiency.

Before the Home Secretary says that we have the Intelligence and Security Committee, under the chairmanship of the right hon. Member for Bridgwater (Mr. King), I should point out that the membership of that Committee is selected by the head of the security services—the Prime Minister. It is selected not by Parliament, but by the man who is in charge, and that just cannot be right.

Mr. Straw: My hon. Friend's last point is his worst one. There are arguments in favour of having a Select Committee on intelligence and security agencies. However, selection of members of the Intelligence and Security Committee, which has been established by an Act of Parliament, is done through the usual channels. In case he has not noticed, selection for Select Committees is done by the same people, through the usual channels. He therefore made a distinction without a difference.

My hon. Friend also mentioned other western democracies, but I do not know which ones he had in mind. When I think of paradigms of transparency in terms of the relationship between intelligence and security agencies and Ministers and Parliament, many European countries do not come to mind as being at the top of the league table. Our security and intelligence agencies necessarily have to work in secrecy, but, in practice and in statute, they are subject—

Mr. Mackinlay: What about Australia and the United States?

Mr. Straw: I thought that my hon. Friend was perhaps thinking of some of our closer neighbours, such as France.

Mr. Shepherd: What about parliamentary democracies such as Canada?

Mr. Straw: Yes. There are slightly strengthened arrangements in some countries, but less strong arrangements in others. However, I think that our arrangements are pretty satisfactory.

My hon. Friend the Member for Thurrock (Mr. Mackinlay) should remember that NCIS was established by an Act of Parliament that Labour Members supported, and that there is a service authority that operates very similarly to the police authority.

Mr. Fisher: Before the Home Secretary finishes, will he say something more about local authorities? In the past half hour, he has moved a great deal, and it has been an extraordinary experience for the House to see a Home Secretary reshaping a central part of the Bill while on his feet, and doing so with considerable confidence. Many of us also think that he is moving in the right direction, although I agree with my right hon. Friend the Member for North Durham (Mr. Radice) that much work will have to be done, after today, in drafting those provisions.

The Home Secretary will appreciate, however, that he is leaving local authorities in a very strange position. He has now qualified the Executive veto that was proposed in new clause 6, but he has left local authorities with the ability to exercise precisely such a veto. Local authorities can exercise a veto unrestrained by anyone else, so that they are put in a position unlike that of Departments or public authorities. Is that really what the Home Secretary intends to do? Does he really intend, for example, to provide whoever succeeds in becoming London mayor with the ability to veto a decision of the Information Commissioner? I cannot believe that that is what he intends to do. While he is in this very inventive and constructive mood, I urge him to find some way of dealing with the problem of local authorities.

11.15 pm

Mr. Straw: I take my hon. Friend's compliment as intended. It is in the nature of Home Office Bills, particularly constitutional ones, that they are subject to amendment. That is an important part of the process. That was true of the Human Rights Act 1998. The debates were less well attended because the issues were less controversial, but there were some distinguished contributions from both sides. The Bill was improved by the dialectical process on the Floor of the House. As a result, those on the Opposition Front Bench formally supported its Third Reading. It is important that the Act has such all-party support.

My hon. Friend invited me to talk about local authorities. I was trying to do that about 20 minutes ago, but I thought that it was important to take interventions first. In the arrangements for Executive certification, we decided that it was important that only elected individuals—Cabinet Ministers at central Government level and councillors at local government level—should be able to issue certificates. Any way of judging the public interest other than through a commissioner has to be carried out through systems of democratic accountability, not indirectly through the decision of an official, however well qualified that official may be. There is consistency between our proposals for central Government and local government.

For reasons that I explained earlier, because the systems for running local government are in a state of flux, with different authorities choosing from the range of options with which my hon. Friends will be only too familiar—I shall come to the London mayor in a second—we have had to provide that the level at which decisions are made by councillors will be specified by order. The Local Government (Access to Information) Act 1985 and other legislation already make extensive arrangements for information to be made available to local authority voters. The arrangements are different, because local authorities operate differently from central Government Departments and non-departmental public bodies. In many respects they are already more extensive.

[Mr. Straw]

My hon. Friend should not have too many worries about the Greater London Authority, because the Greater London Authority Act 1999, passed with the approbation of the House, provides extensive arrangements for access to information.

On my hon. Friend's direct point, we have three options. The first is to keep the arrangement as it is; the second is to prevent local authorities from issuing exemption certificates because the decisions are not of the same level as would arise for central Government; and the third is to accept that an exemption certificate might be needed in certain circumstances, but to say that the decision should be taken by a Minister rather than the local authority. I am pleased to tell the House that I have ruled out the third of those options, because if exemption certificates are issued the individual or body with an interest in the information being withheld should be prepared to stand up and answer for it. I am not in favour of Ministers making the decision for local authorities.

I understand the strength of the arguments, but I am not in a position to give a definitive answer on the other two options tonight, because this is more complex than the other issues that I have referred to, important matters of principle though they were. What I will say to my hon. Friend is that we will take the proposal away for consultation, both within and without Government, and we will return to it in another place.

Mr. Quentin Davies: I wish to take the Secretary of State back to the response that he gave to the right hon. Member for North Durham (Mr. Radice). He has promised to take advice about including in the Bill an obligation to make Executive override a matter of collective Cabinet responsibility. Will he ask those advising him why it has been possible in New Zealand for that obligation to have statutory force, given that New Zealand has the same system of common law and very much the same constitutional traditions as this country?

Mr. Straw: The answer is yes, I will.

I have been on my feet for quite a long time, but I hope that my explanation will prove useful to the House. I urge Labour Members to support the Government amendments in the group but—with respect to my hon. Friend the Member for Cannock Chase—not amendment No. 1.

Mr. Shepherd: On a point of order, Mr. Deputy Speaker. This is just a point of inquiry really. Much of the Home Secretary's contribution was addressed to new clause 6, which is a very important element in respect of the reform of clause 13. When will the House be allowed to discuss those remarks—now, or when we reach that section of the list of selected amendments that covers discretionary procedure and the role of the Information Commissioner?

Mr. Deputy Speaker: The Home Secretary's remarks were relevant to the matters discussed by the House in the past few minutes. There will, of course, be an opportunity to discuss new clause 6 when we come to it.

Mr. David Heath: We have witnessed an extraordinary spectacle this evening. The Home Secretary has spoken to a group of amendments to fillet out one that he or his colleagues intend to put before the House at a later stage. He has given ground at such a rate that one wonders whether he has gone beyond his own try line—or even beyond his own dead-ball line.

The right hon. Gentleman is moving in the right direction, and long may it continue: it is a direction that Liberal Democrat Members have pressed on Ministers throughout the Bill's progress through the House. However, he has not gone far enough, so we must press him further.

When I first thought about speaking to this group of amendments, I anticipated that I would echo the comments made by the hon. Member for Cannock Chase (Dr. Wright) in proposing amendment No. 1. I entirely support the hon. Gentleman's comments, but that is not surprising, as the amendment is also in my name. However, I also support the Government amendments in this group, as they recognise some of the arguments made in Committee and in subsequent weeks. The Government have moved to remove some of the extraordinary discretionary powers originally contained in clause 13.

Clause 13 is the crux of the Bill. It aroused the greatest controversy in Committee, for the very good reason that it could have undermined the entire thrust of the Bill and all the good elements in it. As I said, I was intending to support the Home Secretary's conversion to that view.

What worried me was new clause 6. It was an Executive veto and, as such, entirely unacceptable in the context of the Bill. I suspect that it will still be unacceptable even when we see it in its final form, as outlined by the Home Secretary. It will still substitute an Executive opinion for that of an independent observer—the commissioner—and for one from a court or tribunal. A court or tribunal could consider the matter in the way that the right hon. Gentleman described. I was surprised that he used the case of General Pinochet as an analogy, because he described a process by which the courts overturned the right hon. Gentleman's instinct and decision not to release information. The new clause substitutes that approach for the application to the courts, which would be far more satisfactory.

I question the right hon. Gentleman when he ascribes to Ministers in this situation a quasi-judicial function. I do not believe that Ministers have a quasi-judicial function. This is an administrative function. If it were quasi-judicial, Ministers should immediately disqualify themselves from consideration because they are party to the decision. It is they who will be put at an advantage or a disadvantage.

Mr. Straw *indicated dissent.*

Mr. Heath: The right hon. Gentleman shakes his head, but what worries the public is that a public body or a Minister will be tempted to avoid disclosure in order to disguise embarrassment. That was the point made by the hon. Member for Sheffield, Hillsborough (Helen Jackson). The public are worried that the motivation for not releasing information that is described as being in the public interest is because of an underlying factor which the public body or the Minister in question considers outweighs public responsibility. We must address that point if we are to reach a satisfactory conclusion.

There should be no question of the mayor of London having the authority to sign such a certificate. There should be no question—*[Interruption.]* The right

hon. Gentleman is making strange grimaces. I heard him say that he was considering the matter. I am putting to him something that he should consider—that it should not be for a local authority to issue that certificate. It should not be for a committee of the local authority or—in terms of the amendment that is to be debated either later tonight or tomorrow—an individual within that authority to make that decision. That cannot be right. I hope that the right hon. Gentleman will listen to his colleagues who have indicated their support for that approach, because it is an important issue. I hope that he will also listen to the intimations that this should be a collective responsibility. That is the only safeguard within an Executive veto that may arrive at the right result. Otherwise, his proposal will be wholly objectionable.

The right hon. Gentleman said that no freedom of information legislation guarantees good government—it is not a panacea. He is absolutely right, but it sure as hell helps. That is the thrust of all the arguments that right hon. and hon. Members have been making during the Bill's progress. Of course we are delighted that there is to be freedom of information legislation, but we want it to work. We want it genuinely to provide freedom of information. Many of us still have strong doubts that clause 13 in particular, even as amended in the way that the right hon. Gentleman suggests, will achieve that result.

To a certain extent, the debate has been hijacked by the Home Secretary's mini-statement. I am delighted that it has, because it moved the debate forward. However, I have one small and specific point for Ministers: why is amendment No. 46 in this group? It is the odd one out.

The other amendments move in the right direction, but amendment No. 46 goes to the contrary, and I should be grateful for some explanation of the rationale behind what seems a retrograde step. I welcome many of the amendments, but we must have a substantive debate on new clause 6 when we reach it. Serious questions remain to be answered about whether the Bill will do the job that we want of it.

11.30 pm

Dr. David Clark: You quite rightly pulled me up, Mr. Deputy Speaker, when I trespassed on your generosity in my intervention. I shall detain the House for only a few sentences to conclude what I was saying in a more appropriate form.

Many of us welcome the way in which the Home Secretary has moved away from having an individual Minister with Executive override powers to having a Cabinet Minister and a collective ministerial decision. Perhaps we could formalise matters in statute rather than a code. When my right hon. Friend considers how to change the Bill in another place, perhaps he will consider what happens in New Zealand, where decisions on Executive override are made formally by an Order in Council. The Cabinet takes a collective decision, and the result is published in the official gazette.

Because of the existing legislative model in New Zealand, we know that that process works. It provides a longstop in cases in which a Cabinet feels that it should intervene, and it formalises decision making in a way that would meet the objections of many hon. Members.

Mr. Hawkins: I, too, shall be brief. It struck me as extraordinary that the Home Secretary, taking his first part in these proceedings, should spend so long on convoluted rituals before addressing the points raised by his hon. Friends. A long way into his speech, he referred to Lord Healey's remark about people who are in a hole stopping digging, but I felt that he was speaking autobiographically. As he came under more pressure from his hon. Friends, there was undoubtedly, in his own words, a natural and profound tension.

I noted how long it took the Home Secretary to reach his main point. The further change of policy was not mentioned until he was 19 minutes into his speech, most of which, as my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) said—

Fiona Mactaggart: Will the hon. Gentleman give way?

Mr. Hawkins: No, I said I would be brief, and I shall certainly not give way to an hon. Lady who was conspicuously absent from our proceedings until a very late stage.

Fiona Mactaggart: I have not. Will the hon. Gentleman give way?

Mr. Hawkins: No. I said that I would be brief. I certainly shall not give way to the hon. Lady.

Fiona Mactaggart: On a point of order, Mr. Deputy Speaker. I have not been conspicuously absent. I was absent while the previous group of amendments was discussed because I had no interest in it, but I have participated in the rest of the debate.

Mr. Deputy Speaker: Whether Members attend debates is not a matter for the Chair.

Mr. Hawkins: It struck me that the Home Secretary was indulging in convoluted rhetoric in an attempt to satisfy his hon. Friends. I was reminded of the sophistry that gave us angels dancing on the head of a pin.

The Secretary of State referred to victims of Executive override and Ministers who might get P45s by return of post. It struck me as particularly significant that he was responding to the right hon. Member for South Shields (Dr. Clark), whose work on this legislation was so sadly ignored by the Government when they introduced the Bill, and who was himself a victim of Executive override.

The hon. Member for Somerton and Frome (Mr. Heath) wanted a specific answer about Government amendment No. 46, which he said did not fit with the rest of the group. I want to ask the Home Secretary about a different amendment, No. 74, which seeks to delete clause 77 on copyright, designs and patents. Unless I missed the mention of it during his lengthy remarks, I do not think that he referred to it at all. I am puzzled about why that clause should suddenly be deleted, and I hope that the Home Secretary will deal with that.

Clearly the Home Secretary has failed to convince the hon. Member for Cannock Chase (Dr. Wright) and many of his other hon. Friends, and the minor change that he has introduced tonight is obviously extremely unsatisfactory.

Mr. Straw: With permission, Mr. Deputy Speaker, I shall reply briefly to the points that have been raised.

[Mr. Straw]

The hon. Member for Somerton and Frome (Mr. Heath) asked me about amendment No. 46, which removes from the scope of clause 13 information that is exempt by virtue of clause 11. The exemption in clause 11 applies where the cost of complying with a request under clause 1 would exceed an appropriate limit, which we are minded to set at £500. The cost of complying with a request is the cost of locating information, plus disbursements, but authorities may charge only up to 10 per cent. of those marginal costs. I can continue that explanation if the hon. Gentleman wants me to do so.

The hon. Member for Surrey Heath (Mr. Hawkins) asked about amendment No. 74, which removes clause 77 on copyright. Section 50 of the Copyright, Designs and Patents Act 1988 provides that where the doing of a particular act is specifically authorised by an Act of Parliament, the doing of that act does not infringe copyright. Clause 77 was necessary because section 50 would clearly not have applied to disclosures under clause 13, as such disclosures would have arisen out of a discretion rather than a statutory duty. However, as a result of the changes to clause 13, which alter the discretion to a duty, disclosures under that clause will now be made under a statutory authority, so clause 77 is no longer needed.

Mr. David Heath: I return the Home Secretary to Government amendment No. 46. I have not yet heard why information under clause 11 should be exempt from the public interest test. Why is he saying that cost is the only relevant test?

Mr. Straw: There is a perfectly sensible arrangement, which is accepted by the House, that there is no duty on the public authority to provide information that can be provided only at a genuinely disproportionate cost. Most information is plainly available and the question of cost does not arise. Amendment No. 46 will ensure that the other provisions relating to disproportionate cost also apply to clause 13. That is the top and bottom of it.

Mr. Heath *rose—*

Mr. Straw: I shall give way once more to the hon. Gentleman.

Mr. Heath: I am grateful to the Home Secretary; we are after all considering a serious amendment on Report. I agree with him about disproportionate cost, but surely the exemption should be contingent on the public interest not outweighing that cost. There may be circumstances in which what would normally be a disproportionate cost would be outweighed by the public interest. Why cannot the two considerations be weighed in the balance?

Mr. Straw: We did not think that there would be such circumstances. It will be open to the commissioner. If she encounters a series of situations in which she genuinely believes that the arrangement is wrong, she may make representations for change. However, if it is accepted by the House, as I think it is, that there must be some limit to the cost of complying with an information request—bearing it in mind that there is also a limit that will be much less than the gross cost of complying: what is charged to the person who is seeking the information—that must apply to clause 13 as much as to the rest of the Bill. It is for the hon. Gentleman to decide whether he accepts that argument or not.

I will look at what my right hon. Friend the Member for South Shields (Dr. Clark) says, but I do not wish him to hold out too much hope that we will be able to achieve that. I do not profess to as much familiarity with the arrangements in New Zealand as some of my hon. Friends. I profess to considerable familiarity with arrangements here.

I honestly say that what I have said today will certainly ensure, as a matter of law, that certificates are formally made by a Cabinet Minister. The law will require that to be the case. Then, with the exception of matters that are within the quasi-judicial category, where an individual Minister must make that decision, the other decisions are made collectively. Typically, they have been made by Cabinet committee, not by Cabinet. This country is about 15 times the size of New Zealand. Government is, therefore, significantly more complex. Decisions must be made at that level, but it will be a collective decision.

As I have said, I hope that what I have said has the approbation of the House. It is not directly germane to it, but I hope that, in the light of the detailed explanations that I sought to provide to my hon. Friend the Member for Cannock Chase (Dr. Wright), he will consider withdrawing amendment No. 1.

Dr. Tony Wright: I can immediately put my colleagues out of any discomfort by saying that we never intended to divide the House on that part of the Bill. Indeed, we came here largely to celebrate the changes that the Government have made to clause 13.

We were not prepared for the extraordinary parliamentary spectacle that we have just enjoyed. I think that the hon. Member for Surrey Heath (Mr. Hawkins) struck the wrong tone. We have experienced not, to use his phrase, convoluted rhetoric, but Parliament doing its job and a Minister responding to Parliament doing its job. It is all too infrequent that a Minister responds to concerted and, I hope, intelligent pressure.

It has been interesting to watch, as it were, the oral redrafting. We have enjoyed it. To be frank, I am not sure whether, on reflection, we shall think that enough has been said yet. I am not sure yet that those of us who dislike the idea of the veto are persuaded that a veto of any type is acceptable. Some of us might be persuaded if we could toughen the hurdle: raise it sufficiently, so that it became a collective Cabinet hurdle, rather than a ministerial hurdle. I am grateful for my right hon. Friend the Secretary of State's comment that he will go away and think about that.

While my right hon. Friend is being so generous, I would add one more consideration: when other systems retain an override or a ministerial certificate in such cases, they confine it to areas of what might be called key state interests: for example, defence and international relations. The problem is that the override goes across the board. As we have heard, it takes in local authorities, too.

Mr. Gordon Marsden (Blackpool, South): My hon. Friend mentions local authorities. Does he agree that that is a crucial element of what we are talking about? If the

Home Secretary has been gracious enough to bump the executive veto up from Minister to Cabinet Minister, he might also reflect that the decision should be bumped up to cabinet in local authorities, or at least to their leadership.

11.45 pm

Dr. Wright: Of course I agree with my hon. Friend, but we have some loose ends to attend to. Until tonight, we had none and that counts, in parliamentary terms, as progress. My right hon. Friend the Home Secretary has guaranteed us a sleepless night. I congratulate him on the progress that we have made so far and look forward to progress resuming tomorrow. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 46, in page 7, line 18, leave out from "(2)," to end of line 19.—*[Mr. Mike Hall.]*

Further consideration adjourned.—[*Mr. Mike Hall.*]

Bill, as amended in the Standing Committee, to be further considered tomorrow.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Mr. Michael Lord): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the draft Equality (Disability, etc.) (Northern Ireland) Order 2000, which was laid before this House on 16th March, be approved.

LOCAL GOVERNMENT FINANCE

That the Local Government Finance (England) Special Grant Report (No. 59) on Metropolitan Railway Passenger Services Grant 2000–01 (HC 361), which was laid before this House on 21st March, be approved.—*[Mr. Mike Hall.]*

Question agreed to.

Warm Homes and Energy Conservation Bill [*Money*]

Queen's recommendation having been signified—

Motion made, and Question proposed,

That, for the purposes of any Act resulting from the Warm Homes and Energy Conservation Bill, it is expedient to authorise the payment out of money provided by Parliament of—

(a) any expenses of the Secretary of State under the Act; and

(b) any increase attributable to the Act in the sums which under any other Act are payable out of money so provided.—*[Mr. Mike Hall.]*

11.46 pm

Mr. Eric Forth (Bromley and Chislehurst): We come again to a money resolution on a very interesting Bill that occupied the House a couple of Fridays ago. The money resolution is more interesting than usual. Although the wording is cast in terms of the sort that we have become used to, we have also become used to the fact that Ministers never do the House the courtesy of speaking to the money resolution and explaining what its contents might be. That means that the more curious of us have to ask a number of questions to elicit information from them. It is a pity that things are done that way round, but that seems to be how they prefer it, so I am very happy, as always, to ask my few modest questions to try to find out from the Minister what lies behind the money resolution.

We are discussing the potentially significant Warm Homes and Energy Conservation Bill and—we are used to this—the money resolution is opaque. It does not tell us how much money we are being asked to vote, but in some ways it is worse because it refers to the authorisation of

the payment out of money provided by Parliament . . .

That is the key phrase, as ever. The House is being asked to authorise expenditure of taxpayers' money. The money resolution goes on to refer to

any increase attributable to the Act in the sums which under any other Act are payable out of money so provided.

In the usual way, we are given no indication at all of the amounts involved. That would be interesting enough, but as the Minister knows—he sat through the debate on the Bill, which took about five hours—we failed to get any indication at all of the scale of expenditure that might be involved and hence might give us a clue as to the scope of the money resolution. I give a few brief examples from *Hansard*, which will probably suffice. The Bill's promoter, my hon. Friend the Member for Southend, West (Mr. Amess), was asked how much expenditure might be involved. He said:

I would be stupid to give a figure that would be used in evidence against me. We can pluck any figure out of the air.

That is not an encouraging start for a House anxious to know exactly what amount might lie behind the money resolution. The promoter was coy on the subject—I put it no higher than that.

I decided to seek further guidance and inspiration from my hon. Friend the Member for Chipping Barnet (Sir S. Chapman)—a senior and experienced Member who is also an architect. He is, moreover, the Chairman of the Select Committee on Accommodation and Works.

[Mr. Eric Forth]

One would have thought that he had enormous knowledge of such matters. On the subject of what the Bill might involve in costs and in public expenditure, my hon. Friend said:

> the Bill contains no guesstimate of its cost. I believe that it will cost a considerable amount of money . . . I would estimate the cost at approximately £500,000 million a year.

I am not sure that that is what my hon. Friend said, or intended to say—I can only quote the words in *Hansard*. That is the first figure on the record from an expert—£500,000 million a year is what the Bill might cost the taxpayer. He continued:

> I also estimate that a programme of eradicating fuel poverty and ensuring that all the housing stock is satisfactorily insulated would take 15 years.

We are talking about an expenditure programme of 15 years that may cost the amount estimated by my hon. Friend.

Ms Joan Walley (Stoke-on-Trent, North): Will the right hon. Gentleman tell the House the cost of fuel poverty? What would it cost not to take action to ensure that households are not in fuel poverty, leading to ill health? Is he aware of the work of the Joseph Rowntree Foundation in York? The foundation has estimated that fuel poverty has a huge effect in terms of ill health and its costs to the national health service.

Mr. Forth: I refute the whole concept of fuel poverty. It is nonsense, as I tried to point out in some of my interventions in the debate. Unfortunately, we ran out of time before I could make the speech that was bubbling up inside me.

Fuel poverty is nonsense. I am much more interested in food poverty, for example. The average family spends much more on food than on fuel. Many families cannot even afford enough food. During the debate, I cited figures that showed that the lowest decile of families by income spend the same proportion of their income on alcohol and tobacco as they do on fuel. Much nonsense is talked about fuel poverty; I am not convinced of it as a concept, so I do not feel that it is relevant.

My hon. Friend the Member for Chipping Barnet added:

> My view is that we need to insulate 5 million houses in England more effectively and at the top end, although I hope that the figure may not be so great, as many as 8 million throughout the United Kingdom.

Although no one has yet given a definitive or authoritative figure, we are beginning to realise that the Bill might involve the expenditure of large sums. However, for reasons that I am beginning to understand, the Minister has not yet given us a figure; nor did the Bill's promoter, my hon. Friend the Member for Southend, West—for reasons that I also understand.

We have to look further for inspiration and guidance on the matter. My hon. Friend the Member for Ashford (Mr. Green), the Front-Bench spokesman on that occasion, said:

> if the House supports the Bill—as I hope that it will—we need to think through the taxation and spending consequences.

That is an understatement if ever I heard one. I agree with him; it would be desirable to think through those consequences. I would have thought it more desirable to do so before Second Reading or before we approve the money resolution. If not, the House will be asked to sign a blank cheque. That would not be a responsible way to undertake our duties.

I then looked to see whether the Minister gave any guidance in the debate about what he thought the Government might be committing themselves to were we to support the Bill and the money resolution. I am afraid that I looked in vain. He had much to say about current programmes of different types and he pointed out:

> According to recent estimates, at least 4.3 million households have difficulty with fuel bills.

That was a modest use of words; the phrase "difficulty with fuel bills" is a fair way of putting it. I do not necessarily disagree with that, although I would not want to get involved with the ludicrous concept of fuel poverty. However, he offered no more clues as to how much he thought the Government might commit themselves, and therefore the taxpayer, to as a result of the Bill.

I was slightly encouraged—I hope that the Minister will not disappoint me when he replies—when he said:

> We have to consider provisions for bringing the measure into force and, bearing in mind the Government's current spending commitments and reviews, we want to consider carefully the references to time scales and targets.—[*Official Report*, 10 March 2000; Vol. 345, c. 1306-354.]

That was the kind of responsible statement that we have come to expect from him. However, there was still no clue as to whether the expenditure involved in implementing the Bill might be within the scope that the Government can afford.

We are in an unusual position. A Bill has been introduced by my hon. Friend the Member for Southend, West and it received enormous praise and support on Second Reading. However, it received all that support with no one having any idea how much money would be required to implement its provisions properly. For fans of the concept of fuel poverty who think that it is a real problem that must be tackled, I am left with the thought that they must have gone away from the Second Reading debate, in which they expressed their concerns eloquently, wondering how the Government would solve the problem. The Bill gave no sign of how that would be done and the Government did not say how much taxpayers' money they would commit to fulfilling the high aspirations expressed in it. Indeed, my hon. Friend, the Bill's promoter, was not able or prepared to tell the House what he thought would be necessary to fulfil its purposes.

The terms of the money resolution ask the House to give the Government an apparent blank cheque. It refers to

> any increase attributable to the Act in the sums which under any other Act are payable out of money so provided.

That has all the appearances of a blank cheque. Nothing in the Bill tells us how much might be required and nothing in five hours of debate told us how much money would be involved to deal with the alleged problem of fuel poverty. Will the expenditure be focused and specific or will it be general and blanket? We have no idea of the answer.

A cynic might say that the Bill will commit the Government to very little other than expressing rather vague targets. In the remarks that I quoted, the Minister gave a hint that, even then, the Government might want to reconsider the targets and move them around a bit,

so that they are not too taxing and do not involve a commitment in the foreseeable future. That is one interpretation.

There is a quite different interpretation. To deal adequately and properly with the problem of so-called fuel poverty, enormous sums of money would have to be spent, and spent quickly, to tackle the problems that were described so eloquently by many hon. Members on Second Reading.

We are in a peculiarly difficult position. We are being asked to vote for an unknown sum of money that could vary from not very much, if little comes out of the Bill and the problem of fuel poverty is hardly dealt with, to an inordinately enormous sum of taxpayers' money. Perhaps it will not be as much as my hon. Friend the Member for Chipping Barnet suggested, but it could be several billions of pounds over a period of years if the problem is to be dealt with effectively. We just do not know what is involved.

I suggest that, unless the Minister is now able, having given the matter some reflection, to give us a far clearer idea of how much spending might be involved, the House should not give its assent to the money resolution. It should not do so until further consideration has been given to the extent of the taxpayer's involvement and commitment in the aims set out under the Bill. That is the only responsible attitude that the House can adopt.

It cannot be right for the House of Commons, on behalf of the taxpayer, to agree to the form of words before us, given that hon. Members have no idea of the extent of the commitment involved. That is my simple plea. I hope that, unless the Minister is able to provide a full and convincing explanation of what is involved, the House will not give its assent to the money resolution.

12 midnight

Mr. David Maclean (Penrith and The Border): First, I apologise to you, Mr. Deputy Speaker, to the Under-Secretary of State for the Environment, Transport and the Regions and to the House for not having been present for the Minister's opening remarks on this important subject.

Mr. Forth: He did not make any.

Mr. Maclean: In that case, I apologise to my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) for not having been here to hear the bulk of his most erudite and interesting speech.

Mr. Forth: You can guess it.

Mr. Maclean: I was not paying attention to the Annunciator, because I assumed that the Government would want to make more progress tonight on the Freedom of Information Bill.

The money resolution relates to the Warm Homes and Energy Conservation Bill. I draw the attention of the House to clause 2, which is entitled "Duties of the appropriate authority", subsection (2)(a) of which states that the strategy that the appropriate authority has to draw up should include

> measures which the appropriate authority believes are required to ensure the fitting of a comprehensive package of home insulation, heating and other energy efficiency measures to the homes of persons in fuel poverty.

We know that estimates of the number of homes of persons in fuel poverty range from 1 million to 4 million. However, the more homes are insulated and upgraded, the greater will be the number of people caught in the net of a new definition of fuel poverty—inevitably, as is the case with any definition of poverty, the threshold will be lowered over time.

Britain is urged, over a 15-year period, to catch up with Finland, Sweden and other countries that are regarded as having higher standards of home insulation, but I assume that those countries will not stand still during that period. As technology improves, so will their methods of home insulation, with the result that, in 15 years' time, we shall be told that, despite implementing the marvellous programme set out the Bill, Britain still lags behind other, more sophisticated and better insulated countries and that we must embark on further energy efficiency programmes.

I commend my hon. Friend the Member for Southend, West (Mr. Amess) on the way in which he steered his Bill through Second Reading. Even though he has not had the privilege of serving as a high-ranking Minister, despite being an admirable Parliamentary Private Secretary to other Ministers, on that occasion, he displayed the skill envied by Ministers of being able carefully to avoid answering all questions about the cost of his Bill. He said that cost was a matter to be considered in Committee, addressed in due course, discussed on Report. His masterful answers did not, however, satisfy those of us who are concerned about the cost implications of the Bill.

Given that clause 2(2)(a) refers to

> a comprehensive package of home insulation, heating and other energy efficiency measures

for up to 4 million homes in this country, is it any wonder that some conclude that, over the time scale envisaged, the cost might total as much as £15 billion?

Mr. Tom Brake (Carshalton and Wallington): Is the right hon. Gentleman aware that a Government amendment has been tabled that would delete that "comprehensive package"?

Mr. Maclean: That makes it all the more important that we get a firm statement from the Government on what the cost will be. I have been considering my hon. Friend's Bill. My concern, if I may say so in the nicest possible way, is that it is incredibly well meaning, but it lacks teeth.

I listened carefully to my hon. Friend as he advanced his Bill in the House, and I was convinced that there was some merit in some parts of the Bill. I have been contemplating amendments to the Bill on Report which would give the targets some proper teeth—amendments that would specify sums of money. I was worried that my amendments would be out of order because the Government would probably not table a money resolution and I would not be able to advance them.

Now we have a money resolution, it is appropriate for me to consider amendments that would give the Bill some financial muscle and some certainty, so that the 4 million people out there in fuel poverty are not misled into thinking that the Government have supported a Bill that will make things better for them, only to find that it has no teeth.

[Mr. Maclean]

However, we find that the Government intend to delete the comprehensive package. When my hon. Friend proudly told the House that the Government were supporting his measure, was he aware that he would be stabbed in the back by them?

Mr. Forth *rose—*

Mr. Maclean: I give way to my right hon. and erudite Friend.

Mr. Forth: My right hon. Friend is starting to persuade me that the open-ended nature of the money resolution could be to the advantage of the Bill. If my right hon. Friend persuades me that we need to toughen the Bill up and make it effective, rather than waffle, an open-ended money resolution would provide the vehicle whereby large commitments could be made, so that the alleged problem of fuel poverty could be properly addressed. If my right hon. Friend works a little harder, he might take me with him.

Mr. Maclean: My right hon. and erudite Friend always has a certain logic about him. He may initially have been opposed to the Bill when it was introduced in a different form, without the considerable experience that my hon. Friend the Member for Southend, West brought to it. My right hon. Friend may have been opposed to the Bill because of the excessive burden that it may impose on the taxpayer for no apparent gain. Now, I believe that my right hon. Friend was concerned about the Bill because he thought that it might be meaningless.

The Bill was well sounding. It seems that the Government supported it only because they thought that it had no teeth. Now they are proposing to weaken it further by removing the word "comprehensive". If the Government are planning to support my hon. Friend's Bill and put it on the statute book because it will not cost them a penny, that would be gross sabotage of the Bill and would make a mockery of the money resolution that we are putting through tonight.

That will leave the 4 million people out there, alleged to be in fuel poverty, and mislead them into thinking that the Government are planning expenditure on the measure, hence the money resolution. The good news is that I may persuade my right hon. Friend to support me in the amendments that I am considering to my hon. Friend's Bill, to put some proper financial targets into the measure.

If the Government wish to remove the word "comprehensive" and insert the words "half-hearted or wishy-washy strategy for a partial programme of home insulation, heating and other energy efficiency measures here and there in the country, whenever we feel like it in the future", I must tell them that alternative amendments will be tabled when the Bill comes back on Report. I look forward to my hon. Friend supporting them. His Bill is important.

We spent a whole day one Friday ensuring that my hon. Friend's Bill got through and was not sabotaged by the wreckers on the Government side, who block so many Bills on Friday. My hon. Friend had to do his utmost to persuade the Government Whips Department not to block his Bill and to let it through. We all know the record of those on the Government Front Bench on blocking Bills on a Friday.

We spent six hours ensuring that the Bill of my hon. Friend the Member for Southend, West proceeded to Committee. Yet it appears that the Government have tabled amendments that make a mockery of the money resolution. What is the point of including in the Bill a money resolution that states:

> There shall be paid out of money provided by Parliament any expenses of the Secretary of State or of the National Assembly for Wales under this Act; and any increase attributable to this Act in the sums payable under any other Act

if the Government have tabled an amendment to delete the first clause, which would make a difference to those in fuel poverty?

Clause 2(2)(b) provides for

> measures which the appropriate authority believes are required to ensure that households in fuel poverty have access to appropriate fuel tariffs which encourage the efficient use of energy.

We can speculate that if 4 million homes are to be insulated to the Swedish or Finnish standard, it will cost £4 billion or £5 billion. However, neither the Government nor the briefing material from the special interest groups provide an estimate of the cost.

What measures would appropriate authorities deem suitable to ensure that households in fuel poverty

> have access to appropriate fuel tariffs which encourage the efficient use of energy?

What does

> access to appropriate fuel tariffs

mean? It must mean that tariffs for those in fuel poverty are cut or reduced. That means an element of subsidy, or heating payments, which must come from the taxpayer, not the appropriate authority. We therefore require a statement from the Government that outlines their calculations of the cost of the fuel tariff subsidy if clause 2(2)(b) is to be effected. I intended to explore the matter on Report.

The phrase, which my hon. Friend the Member for Southend, West, with the assistance of the parliamentary draftsmen, had incorporated in the Bill seemed cleverly and carefully worded. However, it does not have teeth. I wanted to consider clause 2(2)(b) in a little more detail. However, I wait to be advised about whether the Government have tabled an amendment to delete that provision. If so, it would underline the cynicism that the Government have displayed towards the Bill.

Clause 2(2)(c) requires the appropriate authority to devise a strategy on

> any other energy efficiency measures which in the opinion of the appropriate authority will reduce the extent of fuel poverty.

What could those measures be? What would they cost? Are we debating an important money resolution when the House is not sure about the cost of clause 2(2)(c)? The Minister, with the excellent briefing that one receives from Department for the Environment, Transport and the Regions officials, doubtless has some calculations. Perhaps if we had made further progress on the Freedom of Information Bill, we might be in a position to exact those details from the Government.

What does the Minister's brief say about the Department's estimated cost of clause 2(2)(c) and "any other efficiency measures", which may reduce fuel poverty? The Government

must have an estimate of the cost. If those costs are too high in the Government's opinion, I suspect that they will either table an amendment to delete clause 2(2)(c) or insert a further delaying clause on Report. I suspect that it will suggest that the final implementation target will be set in the far distant future. My hon. Friend the Member for Southend, West would not like that; it would be a cynical Government move to provide for local authorities to draw up strategies, which will be put on the shelf to gather dust.

Clause 2(3) suggests that

> The targets shall include a final target date . . . by which as far as is reasonable practicable no person will live in a home which cannot be kept warm at reasonable cost and shall also include at least one interim target.

When considering the money motion and the costs that the taxpayer could incur under the Bill, we must have an indication of the time scale in which it will operate.

Mr. Forth: I remind my right hon. Friend that the Minister said on Second Reading:

> We have to consider provisions for bringing the measure into force and, bearing in mind the Government's current spending commitments and reviews, we want to consider carefully the references to time scales and targets.—[*Official Report*, 10 March 2000; Vol. 345, c. 1353-54.]

My right hon. Friend may be asking too much, because the Minister has said that the Government will have to consider carefully—and we know what that usually means—the references to time scales and targets. I suspect that the time scales and targets may not survive the Committee stage.

Mr. Maclean: My right hon. Friend is right to remind me of the Minister's implied threat. It was a serious threat. He said in the nicest possible way with his usual ministerial smile that he would have to consider carefully the time scales and targets. We all know that that is ministerial speak for "we cannot have those time scales and targets, so we will have to remove them or delete them from the Bill."

The Government may remove my hon. Friend's modest proposal that the appropriate authorities should include a final target date. My hon. Friend does not even require that it should be the 15-year time scale that we used to hear about in other Bills. To ensure that he had the Government on board, he was so reasonable that he did not pin them down even to a 15-year time scale, yet they find even that unacceptable. If they find the rather loose phrase "a final target date" unacceptable, it must be because they are concerned about the overall cost in the time frame that they have in mind.

The Government are under a clear obligation to spell out what the costs would be if the Bill were to be implemented over five, 10 or 15 years. The total implementation costs may have been grossly exaggerated—that is possible, even with the excellent advice that my hon. Friend was given. Since the Bill received its Second Reading, I have had letters from insulation companies. They do not call themselves that—they are new millennium sophisticated heating companies. They say that they have the perfect solution to the problems addressed by my hon. Friend's Bill. They urge me to support it because they hope to sell 50 million highly efficient fuel condensing boilers and a lot of loft insulation.

I do not impugn the integrity of those companies, but many of them believe that they will make a lot of money from the Bill, if it is enacted, in a reasonably short time scale. The taxpayer will have to pick up that tab, and the Government may be exaggerating the overall costs.

If the cost of this measure turns out to be £2 billion over 20 years, it is reasonable, but if it is £15 billion over five years, that is an enormous cost. Given that the taxpayer is being fleeced by the Government, those costs would be unacceptable. The Government must give the House an idea of the overall cost of the four different, crucial provisions in clause 2(2)(a), (b), (c) and (d). When we have that figure, we will be in a position to make a judgment on whether the cost would be acceptable to the taxpayer and the Chancellor of the Exchequer if it were incurred over three, five, 10 or 25 years or a century.

I know that the Government have made those calculations. The Government could not have reached a view on the Bill in the Cabinet Sub-Committee, and the Treasury would not have consented to its getting as far as this, unless the Government had had fairly clear figures relating to the anticipated costs. The Minister would not be receiving his instructions from Cabinet Committee A or from the Treasury to pull the teeth of the Bill—to extract references to, for instance, a comprehensive plan, and to make the other amendments that we shall see—unless the Treasury had a fair idea of what the costs would be.

Given that both the Treasury and the Minister's Department have a fairly accurate idea of the costs, and that the Minister is therefore under instructions to remove the parts of the Bill that will require money, I believe that the Minister has an obligation to share the information that he has with the House. Otherwise, by the time we return to the Bill on Report, I shall probably have drafted amendments to specify costs in the Bill, to try to help my hon. Friend the Member for Southend, West to ensure that the 4 million people out there experiencing fuel poverty are not misled.

I shall also draft amendments putting in a sensible time scale. I may be opposed by my right hon. Friend the Member for Bromley and Chislehurst, and I suspect that we may have some fairly vociferous arguments on that Friday; but I want to ensure that, if the Government are going to kill the Bill by stealth, we have a fair idea of exactly what costs they find acceptable.

I may table amendments suggesting that the costs should range from perhaps £5 million per annum to £500 million per annum, and I shall want to hear from the Minister the level at which the Government find the costs acceptable. Then we may have an indication of whether they are taking the Bill seriously, or whether they are involved in an elaborate charade involving their officially supporting in the House a Bill that could have serious financial implications for them and pretending to the public and all the lobby organisations out there that they are supporting a Bill that will one day eradicate fuel poverty, while making dashed sure that they table amendments in Committee and on Report to remove the vital parts of the Bill that deliver the solutions.

If the Government are going to remove parts of the Bill that relate to financial targets and costs, they have involved us in a big charade tonight by tabling a money motion that is absolutely meaningless. Money motions are important: they represent the one control that the House

[Mr. Maclean]

has, theoretically, over the Executive. But the Executive, of course, is backed by a large Labour majority, and can drive through money motions if it wishes to do so.

The Minister has written books about honesty and justice in our legal system. The Minister has a reputation for seeking out the truth. The Minister has a reputation for supporting freedom of information. Given all that, I should have thought that the Minister would wish to put his folder on the Dispatch Box and read out the figures that he has relating to the costs of the Bill.

The Minister will, of course, want to share those figures with the House. If he does so and they are reasonable, Conservative Members such as my right hon. Friend the Member for Bromley and Chislehurst—who may wish to oppose the Bill one day because he considers the costs excessive—may be highly embarrassed.

If the motion is not to prove meaningless, and if it is to be voted through by the Government's huge majority, the Minister owes it to us to tell us the costs of implementing clause 2(2)(a), (b), (c) and (d). Let him give us the overall ballpark figures; then my right hon. Friend might be able to support the Bill, and I might be persuaded to withdraw some of my amendments to put the figures into it.

12.24 am

Mr. David Amess (Southend, West): The hon. Member for Carshalton and Wallington (Mr. Brake) probably thought that he was helping me, but I think that he rather fed my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) with some fuel.

I apologise to my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) for missing his opening speech, but I think that he may have been slightly disingenuous in not mentioning that I had invited both him and my right hon. Friend the Member for Penrith and The Border to serve in Committee, which will begin considering the Bill tomorrow.

I also sent my right hon. Friend the Member for Bromley and Chislehurst quite a detailed analysis of the overall costing. He will know that that showed that, in many cases, savings would pay for the programme's costs. Private finance also could be used. Transco and Scottish Power have already launched various schemes. Today, I received a letter from the Electricity Association, which will help with the project. I also know that, on Second Reading, the Minister said that the measure would not cost anything extra. I very much hope that the Minister will reinforce that point today.

12.26 am

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Chris Mullin): I thought that I had drawn the short straw when I heard that I had to be in the Chamber at this late hour, but the right hon. Members for Penrith and The Border (Mr. Maclean) and for Bromley and Chislehurst (Mr. Forth) are a class act, and it was well worth waiting for.

The Warm Homes and Energy Conservation Bill, promoted by the hon. Member for Southend, West (Mr. Amess), enshrines commitments and mirrors measures that we already have in hand. For that reason, we do not believe that anything in the Bill would increase public expenditure above and beyond current commitments. The right hon. Member for Bromley and Chislehurst was quoting from my Second Reading speech, but he seemed to overlook the sentence that said that the Bill was unlikely to have any financial implications.

As hon. Members have suggested, the Bill may not require a money resolution. However, it is important to note that amendments may be tabled at some stage that would require a money resolution. It is of course difficult to be certain, but if an amendment were tabled or circumstances arose in which consideration of financial issues was necessary, we would not want to restrict debate on the Bill simply because the resolution had not been agreed to beforehand.

Therefore, although in the Bill's current form we believe that it is unlikely to create a charge on public funds, we should not dismiss the possibility that the Committee chairman night need to put the question on charging provisions. Agreement of the resolution would enable a full and careful examination of the Bill to occur. It is the usual courtesy for hon. Members to agree and support such resolutions on private Members' Bills, and I trust that they will support this one.

Agreement to the resolution does not commit the Government to additional expenditure—*[Interruption.]* I knew that that would cheer up the right hon. Member for Bromley and Chislehurst, but it will not be news to him, because I said it in my Second Reading speech. Unaccountably, he omitted that bit when he was quoting from my speech. However, the resolution will allow the Committee, which meets tomorrow, to consider the Bill and to consider any concerns that the Government may have on any financial implications and the control of public expenditure. I commend the resolution to the House.

12.28 am

Mr. Peter Bottomley (Worthing, West): As I understand it, the Minister said that the Bill can be considered in Committee and become law without the money resolution, and that the money resolution only allows amendments to be made to the Bill. If the resolution were not agreed, it could create a dilemma for my right hon. Friends the Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean), who may want to move amendments to the Bill.

I—with the encouragement of Worthing borough council—want the Bill to become law. We should like to see far fewer people in fuel poverty, and the creation of targets in achieving that.

Question put and agreed to.

Resolved,

That, for the purposes of any Act resulting from the Warm Homes and Energy Conservation Bill, it is expedient to authorise the payment out of money provided by Parliament of—

(a) any expenses of the Secretary of State under the Act; and

(b) any increase attributable to the Act in the sums which under any other Act are payable out of money so provided.

Family Law Act 1996

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Touhig.]*

12.29 am

Mrs. Virginia Bottomley (South-West Surrey): I address the House on an issue that affects many families and children. Divorce is a deeply painful experience for the couple, their children, their parents, their family, their friends and the taxpayer.

The recent Economic and Social Research Council document "Family and Household Change in Britain" by Alison Wertheimer and Susan McRae says that, with more than 40 per cent. of marriages ending in divorce, the increase in marital breakdown in Britain is a major political and social concern. Britain heads the European league table. There were 145,200 divorces in the United Kingdom in 1998. It is mildly encouraging that the figure is lower than it was in 1991, but it remains an enormously important issue.

Divorce is a particularly important issue when children are involved. It scars the lives of many. Children and their families suffer alike if there are on-going resentments, arguments and distress. Through my work as the chairman of a juvenile court for many years, a researcher into child poverty and an executive member of the Children's Society, as well as my work as a Member of Parliament and a Minister, I have long witnessed first-hand the pain and suffering that divorce can cause.

I hope that the House has seen the recent document by Bryan Rodgers and Jan Pryor, "Divorce and Separation: the outcomes for children", based on an analysis of 200 research reports from the United Kingdom and overseas. The document's key argument is that it is the process rather than the event of the divorce that is so damaging. Family conflict before, during and after the process and the parental ability to recover from the distress of separation affect children's ability to adjust. Quality contact with the non-resident parent can greatly improve outcomes.

The adverse effects are well understood. They include poverty and poor housing, being poorer as adults, behavioural problems, performing less well in school, needing medical treatment, leaving home early, becoming sexually active, pregnant or a parent at an early age, depressive symptoms, high levels of smoking and drinking, and drug abuse during adolescence and adulthood.

After enormous consultation and great care, Lord Mackay of Clashfern, who was one of the great social reforming Lord Chancellors of the past century, began an ambitious process of divorce law reform. He introduced the Family Law Act 1996. His vision was that before couples take steps towards divorce, they should

> be aware of the enormous emotional, social and economic upheaval involved in divorce and, very importantly, the services available to help and support couples. . . . It will communicate the facts that will help people make decisions on a basis of knowledge.

The 1996 Act is widely regarded as one of the most radical and far-reaching reforms of family justice in the past century. It became law on 4 July 1996 after a stormy passage through Parliament, not without controversy. It is one of the characteristics of the former Lord Chancellor that, in the Children Act 1989 and the Family Law Act 1996, he was prepared to follow through principles that would protect children and their interests and safeguard them from damage and harm.

The aim of the 1996 Act was to meet the twin objectives of saving saveable marriages and promoting a conciliatory approach to divorce if divorce is the only option. It marked a significant shift in divorce legislation, acknowledging divorce as a process rather than a concrete event. That is an important feature of the Rowntree distillation of the 200 research surveys.

A conference at Dartington last September brought together leading figures of the legal and welfare world. They debated the issues surrounding the Family Law Act 1996. Their conclusions have been summarised in an important book entitled "No Fault or Flaw: The Future of the Family Law Act", published by Jordans. I hope that the Minister and her colleagues in the Lord Chancellor's Department have studied it carefully. In the book, Lady Justice Hale elegantly identifies the key principles of the Act: the introduction of a genuinely no-fault divorce; the principle that, as far as practicable, arrangements for the future should be made before rather than after the divorce is granted; the provision of reliable, neutral information to both parties to the divorce and to their children; and the availability of good-quality mediation services.

Part I of the 1996 Act covered general principles, part III covered mediation and legal aid, and part IV covered domestic violence. They have all been implemented, but part II—which covers divorce and separation and which contains the most extensive and perhaps controversial provisions, including the provision of information—has not.

Part II contains arrangements for information meetings, on the principle that parties to a divorce should be given quality, objective and factual information at an early stage. It provided for a preliminary cooling-off period of three months after an information meeting, during which there could be no divorce proceedings. It provided for an extension to that period of six months, and required that parties' financial arrangements should be finalised in advance. Under the Act, divorce could be granted only when all the final arrangements had been finalised and were in place.

Sections 13 and 14 in part II gave the court specific power to adjourn proceedings at an interlocutory stage, to consider the opportunity of the parties to take part in mediation.

Part II carried the hopes of many for a new future for family law resolution. It would have resulted in an increase in co-working of all family law professionals, and facilitated a conciliatory approach and a greater awareness of the victims of domestic violence and of the welfare of children. In addition, it would have brought about a refocusing on saveable marriages and the exploration of those cases suitable for mediation. It would also have encouraged greater individual responsibility by the parties for the steps taken in the divorce process.

Adults needed—and still need—help rather than preaching. Children need to be considered as real people and active participants, rather than passive recipients of adults' decisions. Justice Hale has shown that there has long been consensus that those facing marital breakdown need better information. There is an even stronger belief that children need access to good-quality and

[Mrs. Virginia Bottomley]

age-appropriate information from a neutral source. However, disagreement about the best way to achieve those objectives led the former Lord Chancellor to decide that the options should be considered and tested in a number of pilot studies.

In opposition, the Labour Party repeatedly confirmed its commitment to the Family Law Act 1996, and especially to part II. On 2 October 1998, the present Lord Chancellor reaffirmed that commitment in a speech to the closing session of the fourth European conference on family law. He said:

> Support for marriage and the family is at the heart of the Government's strategy for modernising Britain.

He added that the key objective of the Act was to

> provide for couples contemplating divorce to be encouraged to consider whether their marriage is really over and to consider whether marriage counselling might be helpful before they take the final step to divorce . . . The second objective underlying the . . . Act is that, where all attempts to save a marriage have failed and the marriage broken down irretrievably, it should be brought to an end with the minimum of distress to the parties and any children affected.

He continued:

> Mediation is a powerful means of achieving this policy objective.

He said that he was

> keen to promote the use of mediation in family disputes, particularly to resolve conflicts over property, money and children, and between couples who have decided to divorce or separate. The effective use of mediation can reduce bitterness or acrimony. That is good for the individuals who are divorcing: good for their children; and good for the wider society—for the taxpayer funding those public services which have to pick up the pieces.

The Government made much of the pledge to the family unit. The document entitled "Supporting Families" also anticipated that part II of the Act would be brought into force. On 8 March 1999, the legal correspondent of *The Times*, Francis Gibb, said that

> the Government is to go ahead with a shake-up of the divorce laws after research has shown that compulsory information meetings for people intending to divorce could save thousands of marriages.
>
> The Lord Chancellor is expected to announce within weeks a date next year for implementing . . . a main aim is to encourage couples to settle disputes over children and finances amicably and outside the courts.

Only a month before the Lord Chancellor's announcement, the Lord Chancellor's advisory board on family law, set up by the previous Lord Chancellor to advise Ministers on the implementation of the 1996 Act and chaired by Sir Thomas Boyd Carpenter, appeared fully to accept that implementation of part II would go ahead.

During the year, the board considered the on-going research on pilot information meetings that was being led by Professor Janet Walker of Newcastle university. It stated that it had

> continued to be impressed by the quality and the depth of this research.

However, on 17 June last year, the Lord Chancellor declared that the Government were delaying the implementation of part II. The official reason was that time was needed for more research into information meetings. This has bemused and shocked the academic and legal worlds. The Government are not known to hesitate before rushing into legislation without any preparation. The Act had received massive preparation, research and consideration. When it comes to disintegrating the United Kingdom and reforming the House of Lords, it matters not where the Government are going. When it comes to preparation in advance, think not of it but walk in and see what happens afterwards. However, on this vital issue, for some reason, with no known explanation, and misusing the research available, the Government suddenly stalled.

Describing this, David Hodson, a distinguished lawyer from my area and who is vice-chairman of the United Kingdom college of family mediators, said:

> It brings into mind the words said by the original patron of divorce professionals Henry VIII: "His promises, as he was, mighty; But his performance, as he is now, nothing".

Since then, there has been an outcry that the research findings were misinterpreted and misused by the Lord Chancellor. The chairman of the Law Society's family law committee, Hilary Siddle, is said to have been very surprised by the Lord Chancellor's decision

> which was clearly at least partly political.

The Government's motives have been widely and seriously questioned.

In his statement in June 1999, the Lord Chancellor expressed his disappointment at the results of the pilot information meetings. I, along with many others, have studied closely the magnificent summary of the research directed by the eminent Professor Janet Walker, from the centre for family studies at the university of Newcastle, on which the Lord Chancellor claims that he based his decision. The research was overseen by an advisory body, chaired by Sir Peter Barclay.

The Lord Chancellor has appeared extraordinarily uninterested in the findings of the research carried out by Professor Walker and her team. Many are worried that this valuable research has been shelved because it does not fit in with the Lord Chancellor's view of what is comfortable. Information meetings were to be the first step for couples on the road to divorce. They were said by the Government to be the primary reason for delaying implementation. However, despite the Government's interpretation of the research, I understand from Alan Sealy, co-ordinator of the family courts consortium, with which I am associated, that the meetings were widely concluded to have been highly successful. The objectives of the pilot information meetings were to provide information about the various options and services available, and to direct attention to the issues that should be considered when contemplating steps to end the marriage.

The findings show that the attendees declared themselves to be better informed about the issues, particularly the impact of divorce on children, and about the services on offer, particularly mediation. The overwhelming majority of people valued information meetings. More than 90 per cent. attending the first 14 pilots found them useful in various ways.

This was a significant study. Some 5,522 married people attended an individual information meeting, while some 2,132 married people attended a group information meeting. Group meetings, scarcely surprisingly, were not as well received as individual meetings.

The Lord Chancellor's Department expressed disappointment in the outcomes of the findings on the use of mediation and solicitors. However, the pilots were not

designed to divert people into mediation and away from solicitors. The evaluation was not designed to test diversion. The goalposts were moved after the research was under way. If that is now the Lord Chancellor's intention or wish, there is no difficulty about altering the framework for information meetings.

The pilots and the research were in fact designed to examine different ways of providing information as laid down in section 8 of the 1996 Act. They were designed to find out how people responded to that information and how they used it. There was no presumption in favour of mediation, which could be expected to have a significant impact on the percentage of people using the mediation service during the pilots.

For no apparent reason, the Lord Chancellor expressed an expectation that between 40 and 60 per cent. of people might use mediation, but it is unclear where that estimate has come from. Informed researchers and mediators agree that the figure is much too high. Perhaps when the Minister responds, she could clarify where the estimate comes from. There is a general view that between 15 and 20 per cent. would be the best-case expectation of the numbers using mediation if the Act were implemented in full.

The research showed that there was some confusion about what mediation was supposed to achieve. Some found it difficult to distinguish between mediation and marriage counselling, but 57 per cent. of people said that they would consider going to mediation if they considered it appropriate in future.

The use of mediation is a key element of the 1996 Act. Over the years, I have worked closely with the Sheila Griffiths, chairman of the Surrey mediation forum that serves my constituency, and the rest of the team. I have been enormously impressed with the forum's work, but there is a degree of cynicism, and a feeling that the Government's primary interest in mediation is to reduce pressure on the legal aid fund—now the community legal services fund. As a former Minister, I have no objection to saving the taxpayer money, but most people are dissatisfied with the inadequacy of the Government's commitment to and support for mediation services. Much more could and should be done. Mediation has only recently become part of the culture of divorce.

Mediation can eliminate unnecessary and protracted legal conflict. It is in the parents' and the children's interests to avoid entering an adversarial court battle until all other options have been exhausted. However, awareness of the value of mediation and its value as a method of dispute resolution remains. We are in a transitional process in which mediation will become more familiar and commonplace. The Lord Chancellor expressed disappointment at the number of people still saying that they would be likely to consult a solicitor. That was an extraordinary remark. Information meetings rightly encourage people to consult solicitors as providers of legal advice, and mediators routinely encourage their clients to see a solicitor. The use of solicitors and mediators are not exclusive options, and consulting a solicitor is the usual and traditional way to pursue a divorce.

In short, a tremendous opportunity has been ducked and delayed. Serious concern exists about what non-implementation of part II of the Act will mean. Again I cite David Hodson, who said that there would be: no shift away from fault-based divorce; no passage of time and consideration; no statutory compulsory provision of information; no provision to offer a meeting with a guidance counsellor; no provision of legal aid for marriage counselling for those eligible; no requirement that all arrangements for the future in respect of children, property and finance should be made prior to the granting of a divorce; and no power for the court to give a direction requiring each party to attend a meeting with a mediator.

It is sad that the opportunity has been missed. I hope that the Minister can convey to her Department just how appalled people in the family law community are about the irresponsible step that has been taken. The Government are only too aware of the problems of the Child Support Agency. People's refusal to co-operate over child support is closely connected to their bitterness about the divorce process. It is interesting that a former Lord Chancellor, who, like me, happens to have had the good fortune to remain married to the same person for a considerable length of time, should feel deeply and strongly about ways to make divorce more civilised. An opportunity has been delayed and avoided, and I hope that the Minister will reassure people by making it clear that a civilised, enlightened and constructive measure will be properly and responsibly implemented.

12.48 am

The Parliamentary Secretary, Lord Chancellor's Department (Jane Kennedy): I congratulate the right hon. Member for South-West Surrey (Mrs. Bottomley) on winning an opportunity to debate divorce. Like me, she may have been a little anxious that we would be here much later in the morning, but we have now a good opportunity to debate a serious matter. I congratulate her on the way in which she presented her case. I agree with a large part of what she said, and the principles underlying the Family Law Act 1996 were, as she rightly said, supported by all parties.

I must take issue with the right hon. Lady over her interpretation of the decision taken by my noble and learned Friend the Lord Chancellor last June. However, I am grateful to her for faxing her document to my office today and for the helpful way in which she has approached the subject. I hope to reassure her on some points, but should her draw attention to two comments on information meetings in her document.

Towards the bottom of the page on which information meetings are discussed, it is recorded that during the debate it was said:

> The apparent simplicity of this new provision is deceptive. Most people know what information is, and most have some idea of what going to a meeting is like. Yet putting these two elements together and transforming the concept of an individual information meeting from a "good idea" into reality has not been straightforward.

The document goes on to say:

> The Lord Chancellor's recently expressed disappointment with the research findings in respect of the pilots illustrates this problem.

On rhetoric and reality, it says:

> The evaluation of the pilots suggests that sometimes the elements of the information meeting may clash: saving marriages is an objective distinct from securing civilised divorce.

It is that part of the decision that was made last year that I want to expand on this evening.

As the right hon. Lady said, the Family Law Act 1996 requires all divorcing or separating couples to attend information meetings, the purpose of which is to inform

[Jane Kennedy]

couples about the issues that they would have to face, the options open to them and the services available to help them. It will also, as the right hon. Lady rightly pointed out, make them aware of the enormity of the decision that they are contemplating.

The interim results of the research into the pilot information meetings were found to be disappointing in a range of respects. That was particularly so given the great hopes that had been attached to the provision of compulsory information meetings in part II, and the effect that it was expected to have in saving marriages or, where that was not possible, in persuading people to settle their differences through mediation rather than by resorting to lawyers and the courts.

Sadly, the numbers of people taking up the offer of a meeting with a marriage counsellor and the numbers of people who attempted mediation after attending the information meeting pilots were lower than we had expected, and that disappointment was increased by the fact that those participating in the pilot information meetings were all volunteers. Requiring unwilling conscripts to attend a compulsory meeting might perhaps produce even more disappointing results.

It is worth emphasising that it was the preliminary results that the Government found disappointing, not the research itself. We are extremely grateful to all the voluntary bodies and others who helped to provide the pilot information meetings, and to the people who volunteered to attend. We are grateful also to Professor Janet Walker and her team at Newcastle university who have been conducting the research for us. There is certainly no criticism of any of them. However, the point of piloting a new initiative such as part II is to find out whether it works as intended, and whether it achieves the results that were desired. The evidence so far is that the information meetings as piloted have not achieved what we hoped they would.

Those results are only the preliminary results of a research project that continues, however. The right hon. Lady felt that we had shelved the research, so I want to reassure her on that point. My noble and learned Friend the Lord Chancellor has not made any final decision, but has decided to wait until the final research results are available, which will be this summer, before deciding how to proceed. As he explained in a speech given to the UK Family Law Conference at the time, family law is too sensitive and important for the Government to want to rush ahead with implementing legislation on a doctrinaire or speculative basis, without the best empirical information available, coupled with informed professional advice.

The least that a responsible Government could do before making a final decision on part II is to await the final results of the very extensive piloting and research that the right hon. Lady's Government commissioned, and for which the taxpayer pays. When we have those results, the Lord Chancellor will be in a position to decide how to proceed and to consider whether, for example, further research is necessary to do justice to those difficult questions.

The focus of divorce reform should not be based on dogma concerning fault or no fault divorce. Divorce law enables people to divorce on a no-fault basis after two years apart, with consent, if that is what they wish. It is true that most people who divorce prefer to do so on the basis of adultery or unreasonable behaviour, rather than waiting two years. Even so, fewer than 10 per cent. of divorce cases are fought out through the courts. The vast majority are uncontested and dealt with on paper under the special procedure. The focus should therefore not be on the dogma, but on the principles that are set out in part I of the Family Law Act.

I take the opportunity to confirm that the Government remain committed to those principles: first, the institution of marriage must be supported as the best proven method of bringing up children, within a stable family relationship, by two parents; secondly, the parties to a marriage that may have broken down are to be encouraged to take all practical steps, by marriage counselling or otherwise, to save the marriage; and thirdly, a marriage that has irretrievably broken down and is being brought to an end should be brought to an end with minimal distress to the parties and to the children affected, and with questions dealt with in a way designed to promote as good a continuing relationship between the parties and any children affected as is possible in the circumstances.

All the work that the Government are doing in that area is intended to support those principles.

May I reassure the right hon. Lady further? I want to identify the work that we are undertaking. It is in three main areas: the provision of information for divorcing and separating couples; increased funding for marriage and relationship support agencies; and the further development of family mediation.

I will say a little more about each of those areas in the short time that I have. The provision of information to divorcing and separating couples is obviously sound. The interim results of research into the information meeting pilots have shown that the people who attended thought that the provision of information about marriage, mediation, the divorce process, the effect of divorce on children and so on had been extremely valuable to them.

Although the meetings were not as successful as the Government wished in terms of saving saveable marriages and diverting people to mediation, there is a need to provide information to divorcing and separating couples and to the children affected. Outside part II, therefore, we are taking forward the development of a series of leaflets that were originally used in the pilots, which will be made available later this year to divorcing and separating couples through the courts and other outlets: for example, citizens advice bureaux and doctors' surgeries.

We have asked the research team to undertake some further work, following up people who attended the pilot information meetings. The purpose of that work is to tell the Government how the information influenced people's behaviour later in the process. For example, we will learn whether information about the benefits of mediation would be more useful later in the process of divorce and separation.

On saving saveable marriages, the Government support marriage politically and financially. We recognise that marriage is the surest foundation for raising children and it remains the choice of the majority of people in Britain, but we recognise also that not all children are born to parents who are married.

It makes sense to seek to save saveable marriages and other relationships, especially where there are children. To that end, we are significantly increasing the money that my Department spends on marriage and on relationship support in England and Wales: to £4 million in 2000-01, rising to £5 million next year.

Recently, I had the opportunity to visit the Surrey Family Mediation Service. I was impressed by the quality of its work; I commend it. We are committed to supporting its development and are conscious of the expertise of people in that sector. We are listening to them carefully.

The service is one of more than 250 mediation services that have concluded contracts with the commission—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at one minute to One o'clock.

House of Commons

Wednesday 5 April 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF LONDON (WARD ELECTIONS) BILL *(BY ORDER)*

Order for further consideration, as amended, read.

To be further considered on Wednesday 12 April.

Oral Answers to Questions

CABINET OFFICE

The Minister was asked—

Countryside Policy

1. **Mr. Jim Dobbin** (Heywood and Middleton): What progress is being made in developing a cross-departmental policy for the countryside. [116384]

The Minister for the Cabinet Office (Marjorie Mowlam): The Government's countryside policy will be set out in detail in the rural White Paper to be published later this year.

Mr. Dobbin: I thank my right hon. Friend for that response. I recognise the positive steps proposed in the Government's legislation to improve access to the countryside for the public and at the same time to protect existing rural amenities. Will my right hon. Friend endeavour to encourage Departments to recognise and support the constructive and helpful contribution made by farming and other rural industries to that process?

Marjorie Mowlam: I thank my hon. Friend. We will do exactly that. In preparation for the completion of the rural White Paper, we are trying to ensure that all Departments are signed up to the parts that they will implement. The Ministerial Committee on Rural Affairs, which I Chair, will ensure that all Departments think in terms not just of the rural White Paper, but of other legislation with a rural dimension. As a result, I hope that farming families, who have faced many serious difficulties, will be helped by my right hon. Friend the Prime Minister's £200 million package—and he met them last week. Efforts are also being made to help people in rural communities to diversify economically and to give them a broader base from which to work.

Mr. David Tredinnick (Bosworth): Does the right hon. Lady accept that one of the problems of the countryside is that younger people often feel that they have very little to do? When she holds the discussions with other Departments, will she bear in mind that recreation facilities are very important in rural areas and that there is a feeling—certainly in my constituency—that there are not enough of them?

Marjorie Mowlam: I welcome the hon. Gentleman's contribution. Our policies, such as the new deal in rural communities, aim to find work for young and older people. Work is the first priority for young people.

The hon. Gentleman made a specific point about leisure amenities. One of the advantages of the Committee that I Chair is that it receives representations across Departments. As a result, we can deal with the difficulties of education, leisure and unemployment that young people face. I hope that we can have a bigger impact on rural communities and on the difficulties that many of them face.

Mr. Mark Todd (South Derbyshire): Does my right hon. Friend agree that one of the critical issues in putting together the rural White Paper is to provide one-stop advice for farmers seeking to diversify and enhance their businesses in various ways? That means providing access to the range of advice services that are available, including those on the resolution of planning issues that are often identified as being of critical importance in rural areas.

Marjorie Mowlam: Yes is the short answer. We are not just considering planning issues, but, when we consulted in rural areas, planning came top of the list for many people. We are considering how we can simplify the planning system and make it a quicker process so that it does not hold-up developments. However, as with any other policy, we have to make a judgment. We have to do what we can to speed up and simplify the system so that it is easier for people to use. However, at the same time, we must not affect the beauty of rural communities and we must do all that we can to protect the countryside. It is not a zero-sum game; we can have a win-win situation, as we have with rural housing policy where we are primarily considering brownfield sites for developments. Benefits can be obtained for all sides.

We are also considering one-stop advice. At the risk of raising a tendentious and difficult issue, I point out that we have already begun to help the rural post offices that are in difficulty. We have begun to provide money for information technology through the Horizon project and we already offer them 50 per cent. rate relief. In addition, I hope that one-stop shops, alongside existing provision, will provide a better service to people in such communities.

Mr. Colin Breed (South-East Cornwall): Now that the Food Standards Agency has been established, will the right hon. Lady tell the House whether any consideration has been given to moving countryside and rural issues to the Ministry of Agriculture, Fisheries and Food so as to create an enhanced ministry of rural affairs and agriculture?

Marjorie Mowlam: Such structural change would be carried out by my right hon. Friend the Prime Minister. With the Food Standards Agency, we have set up an independent body that is not a part of the Ministry of

Agriculture, Fisheries and Food. The people to whom I have spoken want an independent body that is made up of experts from across the board. There is no scientific agreement on many issues, genetic modification being a prime example. The agency contains representatives from the community and from different scientific perspectives. It will provide advice and information and will produce reports. I am not sure that making it a part of MAFF would help the community response to the issues that affect rural areas.

Quangos

2. **Mrs. Louise Ellman** (Liverpool, Riverside): What plans she has to make quangos accountable to elected regional and local bodies. [116385]

The Parliamentary Secretary, Cabinet Office (Mr. Graham Stringer): The Government have already transferred 220 public bodies to the devolved Assemblies in Edinburgh and Cardiff. It is the Government's intention in due course to transfer a number of public bodies to the Greater London Assembly.

Mrs. Ellman: Does my hon. Friend agree that it is entirely unacceptable for the Government to announce plans to make quangos accountable to devolved government in Scotland and in Wales, and to the proposed devolved government in Greater London, when he has no answers on what is to happen to unaccountable quangos in the English regions?

Mr. Stringer: The Government intend to bring forward legislation that will enable the electorate within the regions to determine whether they want an elected assembly. If they do, that will completely change the terms of the debate on the relationship of that elected assembly to any quangos.

Mr. David Winnick (Walsall, North): Does my hon. Friend agree that quangos would be far more accountable, as outlined in the question, if no one is appointed to them who is not fully domiciled in the United Kingdom and who is not acting as an ambassador from a foreign country to the United Nations? In other words, we do not want on quangos any more Michael Ashcrofts.

Mr. Stringer: It has been the Government's policy to follow the Nolan procedures for appointments to quangos and to ensure, following the paper on the opening of quangos' doors, both that people presented to quangos have been "Nolaned" and that the quangos themselves operate in an open and accountable way. I am not aware that the gentleman to whom my hon. Friend refers has been appointed to any quangos in this country.

Government Services (Electronic Delivery)

3. **Mr. Oliver Letwin** (West Dorset): What recent representations she has received on the effectiveness of the Government's targets for the electronic delivery of Government services. [116386]

The Parliamentary Secretary, Cabinet Office (Mr. Graham Stringer): There have been two reports on the monitoring of the targets, which have been openly debated. In the light of the two reports, my right hon. Friend the Prime Minister has determined to bring forward the date to 2005, when 100 per cent. of those services that are appropriate to electronic communications will be brought online.

Mr. Letwin: May I be permitted to congratulate the Minister and his colleagues on the huge enthusiasm—*[Interruption.]* Oh, yes, the huge enthusiasm that the Government display for matters electronic. Does he think that the Government's competence in delivering is evidenced by the fact that they appear to have chosen for themselves a web name that is already occupied by somebody else?

Mr. Stringer: No, I do not think that it affects the effectiveness of the Government that somebody has been trading under the internet provider named previously. I thank the hon. Gentleman for his kind comments, but the important point is that the Government are taking e-government and e-commerce seriously. We are speeding up the process to ensure that Government services are online so that we do not get behind in the international race.

Mr. Andrew Reed (Loughborough): While it is important that e-government becomes a way for the future, what steps is my hon. Friend taking to ensure that Members play their role in delivering e-government to their constituents?

Mr. Stringer: In many ways, the most important help that can be given to Members in using e-government is the greater availability of information that the Government are making available on their websites at all possible opportunities.

Mr. Andrew Lansley (South Cambridgeshire): If the Government's intentions on electronic government were serious, two things would have been done in the document published on Monday: first, managed call centres would have been taken out of the definition of electronic service delivery; and secondly, the target date for the proportion of services delivered genuinely electronically would have been 2002, not 2005. Why did the Minister do neither of those things?

Mr. Stringer: On the first point, the hon. Gentleman misunderstands the definition of communication with Government: it includes someone who calls a centre and speaks to a person who has access to all the available information, as opposed to just chatting about the information. If the information is available to the person contacted—for example, as it is in NHS Online—it counts towards the Government's targets; if not, it does not. I hope that the hon. Gentleman finds that definition helpful.

Mr. Lansley: I am grateful to the Minister, but I am afraid that he is the one who has got it wrong, speaking about NHS Online when he means NHS Direct. To the public, managed call centres are not a form of electronic service delivery, however desirable and accessible they may be. I have two specific questions: first, what proportion of Government services will be able to be delivered electronically—that is, by internet, digital

television and electronic data exchange—by 2002; and secondly, what proportion of services will be able to be delivered by digital television by 2002?

Mr. Stringer: The hon. Gentleman asks questions—[HON. MEMBERS: "No!"] Changing the target date from 2005 to 2002 for 100 per cent. electronic service delivery would obviously change the objectives and definitions for 2002. Precisely because of the nature of those questions, the Government are reviewing the current definitions of electronic communication.

Dr. George Turner (North-West Norfolk): What role does my hon. Friend envisage for rural post offices in the delivery of Government services in the countryside? Is provision being made now to ensure that, if people increasingly want to use post offices to access Government services electronically, post offices will be able to offer such facilities? Are we putting the right technology into post offices now?

Mr. Stringer: Via the Horizon project, £500 million is going into post offices. The performance and innovation unit is considering the criteria for post office access and it is the Government's policy to maintain a national network of post offices.

Drug Abuse

4. **Mrs. Ann Winterton** (Congleton): If she will make a statement on the Government's strategy for combating drug abuse among young people and teenagers. [116387]

The Minister for the Cabinet Office (Marjorie Mowlam): Young people are the main focus of the Government's anti-drugs strategy. One of our four key objectives is to reduce by 50 per cent. the incidence of drug misuse among the under-25s by 2008. We are working with all relevant Departments to ensure that young people receive the help and advice that they need to resist drug misuse.

Mrs. Winterton: Bearing in mind that 78 per cent. of teenagers in a school's education unit survey thought that Ecstasy was always unsafe, what impact will the proposal to downgrade Ecstasy, as recommended in the recent Police Foundation report, have on drugs prevention programmes in schools? Does the right hon. Lady agree that Leah Betts' death alerted young people to the fact that Ecstasy can kill? Does she also agree that research shows clearly that the use of Ecstasy can have a degenerative effect on the brain?

Marjorie Mowlam: The Government have made clear their position on the recommendations of the Police Foundation report: we do not support the recommendations in respect of cannabis and Ecstasy. I have met Leah Betts' parents; I recognise the pain and suffering that they have experienced and acknowledge their work to stop other young people from suffering their daughter's fate. I hope that that work, together with other preventive educational programmes that we are implementing, will make a difference to young people and ensure that no other family goes through the pain suffered by the Betts family.

On the recommendations from the Police Foundation, our position on the two that the hon. Lady mentioned is clear. We welcome the report, and in discussions between Departments my right hon. Friend the Home Secretary and I are considering the other recommendations. I hope that we can make substantial progress on those.

Mr. Brian White (Milton Keynes, North-East): Does my right hon. Friend share my frustration at the fact that debate on the issue is generally about whether one is hard or soft on drugs, instead of examining the complex issues involved and concentrating on practical measures that would help to get all people off drugs and ensure that teenagers and young people do not go on to drugs?

Marjorie Mowlam: That is a helpful contribution. It is important for people to understand that drug abuse cannot be broken overnight. It takes years to break the cycle. We are working hard with those in education to make sure that preventive measures are put in place to stop young people getting addicted in the first place. We are also working on treatment and on trying to stop the drugs coming in. Last Monday, we launched "Positive Futures" with people from Sport England, including Trevor Brooking and Kevin Keegan, and the youth offending teams, to try to get 10 and 11-year-olds to look more positively at the future—a future that can be sports-related, and not drugs-related.

Mr. Nigel Evans (Ribble Valley): I am concerned about what seem to be conflicting reports in the newspapers about Ministers' views on so-called soft drugs. Will the Minister tell the House clearly the Government's view on cannabis? Will she also comment on a poll published today, which found that one in five 15-year-olds has been offered heroin? Roger Howard, the chief executive of DrugScope, said that young people felt that they did not know enough about the dangers of heroin. Will the Minister talk to the Secretary of State for Education and Employment to ensure that young people are given sufficient warning about the dangers of heroin?

Marjorie Mowlam: The hon. Gentleman asks two questions. The Government have made clear their position on the recommendations in the Police Foundation's report on cannabis and Ecstasy: we do not agree with the recommendations. There are, however, many recommendations in the report which we welcome. Like my right hon. Friend the Home Secretary, I look forward to an open and frank debate.

On working in schools, I assure the hon. Gentleman that no one is trying harder than the Department for Education and Employment, the schools, the parents, the teachers and the governors to make sure that children are aware. We are issuing guidelines to schools so that they use the most effective educational measures. We have put extra money in, to make sure that teachers can find the time and the staff to do it. On prevention, we are working in communities with voluntary groups. People from the sports world and the media world, older people, former drug takers and people such as Leah Betts' parents go to talk to young people. All that helps.

We have put in an extra £7 million to help on the educational front. I can assure the hon. Gentleman that we have now reached more than 60 per cent. of primary schools and more than 80 per cent. of secondary schools. We are working hard to get that closer to 100 per cent.

Social Exclusion

5. **Mr. Andrew Dismore** (Hendon): What discussions she has had with ministerial colleagues in her role as chair of the ministerial network on social exclusion. [116388]

The Minister for the Cabinet Office (Marjorie Mowlam): Since I was appointed chair of the ministerial network in December 1999, I have held one meeting, in January, at which I agreed with ministerial colleagues a future work programme to chase progress on the implementation of previous social exclusion reports. I plan to hold three further meetings in May and June to follow up implementation on school exclusions, truancy, rough sleeping and teenage pregnancy.

Mr. Dismore: In welcoming my right hon. Friend's role in ensuring that Government policy on social exclusion is implemented on the ground, I remind her that in London teenage pregnancy is an especially serious problem. Will she congratulate organisations such as Homestart, a voluntary group in my constituency? It supports the valuable work of Barnet health authority and Barnet council in advising young teenagers who are at particular risk of becoming pregnant, and works with them to ensure that they get the best help to improve their parenting skills if they become young mothers.

Marjorie Mowlam: I join my hon. Friend in acknowledging the contribution of organisations such as Homestart, which work in partnership with the Government and use some of the £60 million that we have put in to try to meet our target of ensuring that the number of teenage pregnancies is halved in 10 years. We have one of the highest rates of teenage pregnancies in Europe. We hope that, by working with local groups and using the extra money, and through better education and support, the numbers will be reduced drastically.

Mr. John Bercow (Buckingham): Given that the social exclusion unit undertook, as long ago as June 1998, to devise approaches to tackling some of the problems on our worst housing estates, will the Minister tell the House what discussions she has held this week with the Deputy Prime Minister about the Audit Commission's report? It stated that the five local authorities that perform worst on empty properties, and thus deny people the opportunity of having a home, were all run at the relevant time by the Labour party.

Marjorie Mowlam: The hon. Gentleman should consider the seriousness of the matter. He tries to score political points by counting councils; Conservative Members have few to count. We do our best to work with all councils—Labour, Liberal or Conservative—on housing. As my right hon. Friend the Deputy Prime Minister made clear in the housing package that he announced yesterday, money will be available for all communities to get more housing at lower cost and fairer rents.

If the hon. Gentleman has visited estates that suffer serious social exclusion problems, he will know that they are not caused only by housing. If problems such as boarded-up houses and rubbish in gardens are tackled on their own, the problem returns. We must ensure that housing, poor health, poor education, unemployment, bad environment and so on are tackled, and that that is done through co-operation. That is the way in which to regenerate a neighbourhood, and the social exclusion unit is working on that.

The social exclusion unit is also considering issues such as teenage pregnancy and rough sleeping, which can fall between Departments, to try to ensure that they are tackled, too.

Mr. Phil Hope (Corby): My right hon. Friend knows that last week the social exclusion unit published a report on young people. It suggested that a ministerial group at the highest level, with representatives from each Department, should consider young people's interests and how each Department affects their lives. We can thus join up the thinking across Government to ensure that young people get a decent service. That national structure should be reflected locally through local youth forums in which young people would have a voice. It is essential to implement that new strategy for young people as soon as possible.

Marjorie Mowlam: I thank my hon. Friend for his contribution. I agree that a strategy for Departments to join up to consider young people's interests is a positive step, which will make a difference to many young people. Again, the suggestion of doing the same locally has a lot to offer. However, I add a footnote and a warning. We must ensure that we do not tell people in our communities how best to implement a policy. There must be flexibility so that local communities can make decisions, which depend on factors such as size and urban-rural mix, for themselves.

Better Government for Older People

6. **Mr. Paul Burstow** (Sutton and Cheam): If he will make a statement on the better government for older people programme. [116389]

The Parliamentary Secretary, Cabinet Office (Mr. Graham Stringer): The 28 pilot projects are formally at an end as pilot projects, but some are continuing because they have been successful. The Government will evaluate them over the coming months and it is our intention to report by June.

Mr. Burstow: I am grateful to the Minister for that answer, but given that all the news releases issued about the programme boast of a series of "listening to older people" events across the country involving Ministers, can he tell us how seriously people can take those meetings when the Government have shown only this week how deaf they are to the voices of pensioners by failing to give them a decent increase in the basic state pension—just 75p? Are not the Government listening to but not understanding pensioners?

Mr. Stringer: What was in the hon. Gentleman's party's previous manifesto? Absolutely nothing on that

issue. It is clear that, over their period in office, the Government will have put £6.4 billion into pensioners' pockets. After 20 years of Conservative rule, the disparity between pensioners on the lowest incomes and those on the highest incomes was higher than it had ever been. By providing the minimum income guarantee to pensioners and free eye tests, the Government have done more for pensioners than his party or the Conservative party would do.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [116414] **Mr. Peter Luff** (Mid-Worcestershire): If he will list his official engagements for Wednesday 5 April.

The Prime Minister (Mr. Tony Blair): This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further such meetings later today.

Mr. Luff: In a recent letter to me, Philip and Ruth Bull of Evesham wrote:

> We qualify for our state pension within the next few weeks but will not benefit from the same tax allowance as other 65 year old pensioners who were born a few days earlier.

How much more tax will pensioners such as the Bulls and all married couples below pension age have to pay from tomorrow as a result of the abolition of the married couples allowance and what my constituents describe as "This ludicrously discriminatory ruling"?

The Prime Minister: First, I hope that the hon. Gentleman pointed out to his constituents that the Conservative party reduced the married couples allowance from 40 per cent. to 15 per cent. Secondly, they are getting the basic rate cut in income tax. Thirdly, they will be entitled to the £150 winter fuel allowance. Those two things would be taken off them by a Conservative Government. In addition, we are putting in a lot more support for younger families with children through the extra child benefit, which would also be taken off the hon. Gentleman's constituents' grandchildren by a Conservative Government.

Q2. [116415] **Mr. Bob Blizzard** (Waveney): Is it not the case that the Government's plans to modernise the national health service will meet their objectives only with a substantial increase in the number of nurses and with an expansion of nurses' role that recognises their talent and expertise? Does my right hon. Friend therefore welcome today's news that 5,500 more nurses are working in the health service and the announcement that those nurses will have more power? Is it not a mark of nurses' good judgment that at yesterday's Royal College of Nursing conference, 81 per cent. were not reassured by the words of the leader of the Conservative party because they know that he would privatise the NHS?

The Prime Minister: It is the case that the number of nurses has increased by 5,500. When we came to office, the number of nurses in training had been cut. Now we are seeing an increase in the number of nurses. Also, the £5,000 for each ward—the capital help that nurses will get—will give them more power, and will also allow us to improve some 10,000 wards. We already know that the Conservative party's promises on health spending are hollow because it is committed to two things: first, private medical insurance tax relief—£1 billion out of the health service budget, half of which is a deadweight cost going to those who already have private medical insurance—and, secondly, refusing to support the increase in tobacco duty, which is £400 million. There is a £1.5 billion hole in its health spending plans already.

Mr. William Hague (Richmond, Yorks): May I ask the Prime Minister about a matter that the Secretary of State for Trade and Industry dodged and evaded this morning?

Last week in Munich BMW issued an account of precisely what its chairman said to the Secretary of State in December. It states:

> If the structural aid is not approved, the BMW Group has to reconsider its investment plans for Longbridge.

When the DTI issued the same statement in London on behalf of BMW, the words of the BMW chairman had been carefully changed to make the position appear less dramatic. The words "for the R30" had been inserted, to make it seem that the statement could not have applied to the investment in Rover as a whole. This morning, the Secretary of State denied both accounts, including the account that he himself distributed to journalists in his office last week.

After that tale of doctoring and denial, would we not be right to conclude that nothing the Secretary of State says can any longer be believed?

The Prime Minister: No. The Secretary of State has given the fullest possible account. I think that what the right hon. Gentleman is saying is absolute nonsense. Of course the grant aid was very important, which is precisely why they had the conversation. As I explained to him last week, we were trying to make sure that the process was hastened. However, it had nothing to do with the ultimate decision.

What I find absolutely ridiculous is the right hon. Gentleman's focusing on who knew what when. Surely the real issue is what we do about the thousands of people who face losing their jobs. Instead of the right hon. Gentleman backing BMW's account of conversations with the Secretary of State, it would help if we had some co-operation from him in the making good of jobs of people at Longbridge.

Mr. Hague: The Prime Minister seems to be extraordinarily sensitive about who knew what when. Of course this is about things other than the grant aid. Do not this morning's documents show that BMW says the decision was also due to

> uncertainty in the UK car market..?

The Secretary of State is even now sitting on the Competition Commission report that makes that point. The decision was also due to the

> charges made for workplace parking.

It was this Government who introduced the power for that.

Does not this whole sequence lend credence to what BMW also said at the weekend—*[Interruption.]*

Madam Speaker: Order. The House will come to order.

Mr. Hague: We know that Labour Members do not want to hear it, Madam Speaker, but they had better hear.

BMW said:

> The Government should have known, how could they not have known, the true situation of Rover Cars. We had given them the regular figures that left them in no doubt we were in a critical situation.

BMW reported a conversation that its chairman had with the Prime Minister:

> Blair's attitudes and opinions seemed to be many and varied. I have heard him say different things.

That sounds like a pretty honest account to me.

Is it not clear from this that the DTI could and should have taken earlier action to avert or alleviate the situation?

The Prime Minister: The series of meetings with BMW took place because everyone knew there was a critical situation. [HON. MEMBERS: "Ah."] Of course they did. That was the very reason for the meeting that took place on 10 March.

The plain fact of the matter is that the company was losing £2 million a day. What we must do now is make sure that we can save whatever jobs we can—the Secretary of State, quite rightly, is working on that—and establish a taskforce with the money that is necessary to help people who do lose their jobs to find new jobs.

What I find both pathetic and ridiculous is the right hon. Gentleman's concentration on trying to back BMW's claims against the Secretary of State, rather than trying to make sure that those who do face the loss of their jobs actually get new jobs—which is what I intend to concentrate on.

Mr. Hague: If the Secretary of State is concentrating on the future, why is he spending his time doctoring BMW's statements—*[Interruption.]*—which he had agreed with BMW, and then denying that he made the statement in the first place?

Of course a huge amount of work must now be done. The DTI has major responsibilities in supporting the taskforce, making competition decisions, providing regional assistance and keeping in touch with all the businesses involved. Is the Prime Minister going to express the confidence in his Secretary of State that he failed to express last week, or is he going to take the right course and have a new Secretary of State who focuses on the future rather than covering up his recent failures?

The Prime Minister: First, of course I do. This exchange only shows the right hon. Gentleman's lack of judgment. Rover employees—who, understandably, are really anxious about the future—will know that the people who sold the plant to BMW are the people sitting on the Opposition Benches.

Secondly, what we have to do now is to save as many of the jobs as we can, which we are doing—urgent discussions are going on. We are leaving no stone unturned to do that. We also have to ensure that we put the money and the work in place to help not only the Longbridge workers, but those who are in the supply chain. That is precisely what we are doing. I am only sorry that, because the right hon. Gentleman has nothing serious to say about the issue, he has to carry on in this way.

Q3. [116416] **Mr. Piara S. Khabra** (Ealing, Southall): Will my right hon. Friend join me in condemning the brutal murder by terrorists of 35 Sikhs in a small town in Kashmir? Will he also confirm the Government's commitment to fight against international terrorism—which is engaged in killing innocent civilians to destabilise communities, and is promoted and supported by countries that are well known to the international community?

The Prime Minister: We condemn all acts of violence that bring suffering to the people of Kashmir. We are of course appalled by the murders on 20 March, and my right hon. Friend the Foreign Secretary immediately made a statement condemning the massacre.

We are similarly appalled by the loss of life during a protest in Kashmir on 3 April, and we welcome the Indian decision to hold a judicial inquiry. We condemn terrorism in all its forms, wherever it occurs and whatever its motivation.

The United Kingdom is of course deeply troubled by continued violence in Kashmir. Our role in the matter, however, must be to encourage both India and Pakistan to find a just and lasting solution that is acceptable to the people of Kashmir. I think that that is the most sensible and responsible position for us to adopt.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): Why is the Prime Minister spending a smaller share of our national wealth on pensioners than the Tories did?

The Prime Minister: We have not merely increased the amount of money that we are spending on pensioners, we have increased the amount of money far beyond anything that the Liberal Democrats have ever promised pensioners. Over the whole of this Parliament, we are increasing the amount by £6.5 billion. So that the electors know it: that is £6.5 billion that the Liberal Democrats never promised they would spend.

Mr. Kennedy: In a written answer to my hon. Friend the Member for Northavon (Mr. Webb), the Government have confirmed that the share of national wealth—which is increasing—going to pensioners will decrease steadily over the course of this Parliament. In its manifesto at the previous general election, the Labour party said—*[Interruption.]*

Madam Speaker: Order.

Mr. Kennedy: Labour Members do not like to have their own words quoted back to them, Madam Speaker, but they are going to have them quoted back. At the last general election, Labour said:

> pensioners should share fairly in the increasing prosperity of the nation.

The prosperity of the nation is going up, but the share going to pensioners is going down. If the Prime Minister wants to take the credit for the increasing prosperity, he should have the guts to take the blame for having sold pensioners down the river.

The Prime Minister: First, I think that people should understand that the Liberal Democrats never promised that they would re-link the state pension to earnings. Furthermore, every time they say to people that that is what they would do, they have not the faintest idea how they would pay for it.

Secondly, 1.5 million pensioners will benefit from the 10p rate on savings income by up to £150; 200,000 pensioners have been lifted out of tax entirely; 3 million pensioners over 75 will receive free television licences; the minimum income guarantee will increase the income of 1 million poorer pensioners; and the winter fuel allowance will go to 8.5 million households. Now, would we like to do more? Yes, of course we would like to do more, but we have done an immense amount for pensioners, particularly the poorest pensioners. What is not an honest policy for any party is to say that they would do more and more and spend more money and never say where the money would come from. That is not a serious policy or an honest policy, but it is the policy of the Liberal Democrats.

Q4. [116417] **Mr. Gareth R. Thomas** (Harrow, West): Will my right hon. Friend acknowledge the genuine concerns about the possibility of a significant increase in air traffic, notably from London airports? In particular, will he note the on-going fears of many of my constituents and those in surrounding areas about the idea that RAF Northolt in west London could be expanded to become a feeder airport for Heathrow, with all the resulting pollution, noise and environmental damage for those under the flight path?

The Prime Minister: I can indeed give my hon. Friend the assurance that he seeks. I know that he has been campaigning on the issue for some time. He will be aware that the Government do not believe that the circumstances have changed to warrant reopening the issue of RAF Northolt and we do not intend to consider any proposals to develop it as a major civil airport, because it is clear that the environmental consequences would be unacceptable.

Mrs. Caroline Spelman (Meriden): According to the Child Support Agency, only one third of absent parents pay maintenance in full for their children. Will not the Treasury be the only beneficiary of the removal of tax relief on maintenance?

The Prime Minister: No, I think that everyone will benefit, in particular from the new system that we are introducing for the Child Support Agency. It will be a far simpler and far fairer system. As the hon. Lady knows, the great problem with the Child Support Agency is that many of the costs are eaten up by bureaucracy. As a result of the simpler system, that will not be the case. We will get the money in more fairly and there will be a benefit not to the Treasury, but to those who have to pay maintenance.

Q5. [116418] **Mr. Gwyn Prosser** (Dover): Is my right hon. Friend aware that the new Immigration and Asylum Act 1999, which came into force this week, is welcomed by my constituents and is already having an effect in Dover? Will he ensure that the provision for asylum will continue and that we will not be diverted or deflected by the disgraceful and shameful behaviour of the tabloids and the Tories, who seek to link increases in local council tax with asylum support?

The Prime Minister: Despite what the Conservatives say, my hon. Friend is right that we are establishing a national asylum support system to replace the shambles that we inherited from the previous Government. The Conservatives have proposed an extra £500 million of spending a year, because they want to revert to the cash benefit system in place of the system that we are introducing. They also oppose our action on road hauliers who bring in illegal immigrants. That is an extraordinary position, but it means that never again should my hon. Friend or any other Labour Member take lessons about asylum from the Conservatives.

Mr. William Hague (Richmond, Yorks): This week, the UK managing director of Cisco, one of the world's largest companies, said:

> The UK is a great place for us. But, if tax remains the same we will have to look seriously at where we develop our products and where we have our European support operations.

Does the Prime Minister understand why one of the world's largest companies is saying that and will he explain the reasons to the House?

The Prime Minister: It is precisely because of the concerns that have been raised that we have a consultation paper with three options. We shall discuss the issue with those concerned. If firms such as Cisco have legitimate concerns, of course we have to deal with them, but we also have to deal with tax avoidance. If the right hon. Gentleman is saying that we should not attempt to deal with that, perhaps he will get up and say so.

Mr. Hague: Of course we should deal with tax avoidance. *[Interruption.]*

Madam Speaker: Order.

Mr. Hague: We should deal with tax avoidance, but that is not what one of the world's largest companies is talking about. It is talking about the extension of national insurance contributions—another stealth tax introduced by the Chancellor—on which there has been no consultation paper. The Prime Minister poses for pictures with computers but, when one of the world's largest computer companies threatens to pull the plug on UK investment, he does not know what it is talking about. That is not a good sign.

According to a report published yesterday, 50,000 IT consultants are either emigrating or thinking of emigrating, or they are not returning to the UK from overseas assignments—if only we could be so lucky with

the Deputy Prime Minister. Does the Prime Minister understand why thousands of IT companies are taking their business abroad? Will he explain that to the House?

The Prime Minister: The right hon. Gentleman is talking absolute nonsense. Of course there is a paper about the share options, as it is important that we ensure that there is no tax avoidance. We will listen to legitimate concerns and act on them, but it would be wholly wrong to allow tax avoidance to take place on the back of any of those practices.

As for British business, the economy has never been stronger. We have 800,000 new jobs, growth is up, and for the first time in 30 years we have come through a slowdown without a recession. Inflation is down, and for the first time in decades we have got rid of Tory boom and bust.

Mr. Hague: So either the Prime Minister is unaware of what is happening in the high-technology sector, or he does not care about it. The British Chambers of Commerce said yesterday that

> the Government seems to be unaware that its actions are working against creating a better climate for business.

Those words are borne out by the Prime Minister's remarks in the past few minutes. While the Secretary of State for Trade and Industry is waving goodbye to the old economy, is not the Chancellor—with stealth taxes and regulations—slamming the door on the new economy?

The Prime Minister: I was thinking that there is at least one economic migrant who has come back to this country instead of staying abroad. They are not all leaving—some are coming back.

What the Leader of the Opposition is saying really is nonsense. Of course it is important for us to ensure a good climate for business. That is why we have reformed capital gains tax and reduced corporation tax, but we must also ensure that tax avoidance does not take place. We have a balance to strike, and we are trying to strike it in the right way.

As for business, I draw the right hon. Gentleman's attention to the latest survey of business confidence published by the London chamber of commerce and industry today. It reports that 62 per cent. of businesses expect turnover to increase, and that only 6 per cent. expect it to decline. It adds that 45 per cent. of firms expect to take on staff, and that only 7 per cent. foresee a fall in staff numbers. It reports that only 34 per cent. of firms say that they may have to raise prices, and that profit expectations are the highest for three years. That is the reality.

Hon. Members: More, more!

Madam Speaker: No. No more. I call Mrs. Gilroy.

Q6. [116419] **Mrs. Linda Gilroy** (Plymouth, Sutton): Does my right hon. Friend agree that a most welcome aspect of this year's Budget is what it does for older people with modest savings? Will the Government build on that by recognising thrifty pensioners in future Budgets?

The Prime Minister: My hon. Friend is right to draw attention to this matter. The Government are consulting on the idea of a pensioner credit that will help pensioners who are above benefit levels but who are not well off. For example, we have rejected Liberal Democrat calls to put everything on the basic state pension because pensioner income levels vary in this country.

Some pensioners are very poor, some are relatively well off, and there is quite a large band in the middle. Therefore, trying to solve all such problems by putting everything on the basic state pension will mean that some of the money will go to people who do not need it, and that some of the poorest pensioners will not be helped.

To make sure that we help the poorest pensioners we want to introduce the minimum income guarantee, while the 10p tax on savings and higher capital limits will help the better-off pensioners. To help precisely those pensioners to whom my hon. Friend has drawn attention we need to consult now on the pensioner credit.

Again, this is an argument in which sensible people know that the system has to change in time and I am pleased to say that we are leading its reform.

Q7. [116420] **Mr. John Randall** (Uxbridge): Why should the council tax payers of Uxbridge be penalised for the Government's policy failures on asylum seekers?

The Prime Minister: I am afraid to have to tell the hon. Gentleman that the fact of the matter—I hope that his constituents understand this—is that if we pursued the policies that he is advocating, we would restore cash benefits. That is one big way to reduce the number of asylum seekers! The Conservative party was in favour of restoring cash benefits—*[Interruption.]* Well, Conservative Members do not seem to think that it is their policy, but I am afraid that it is.

Secondly, there was an instance yesterday of the way in which we are tackling lorry drivers who bring in illegal entrants at the port of entry. I will give the hon. Gentleman the facts because they bear on what will happen to his constituents. About 2,000 illegal immigrants enter in that way each month. As a result of the measures that we introduced, we have the power to tackle that. The Conservative party also opposed those measures. Indeed, it put out a statement today saying that it would get rid of that fine for road hauliers. We all know that the problem of bogus asylum seekers is real. The difference is that we are tackling it and he is not.

Ann Clwyd (Cynon Valley): Millions of people are threatened with famine in Ethiopia. What are we doing to help?

The Prime Minister: From memory, I think that according to the latest figures from the Department for International Development we are providing about 10 million tonnes of food aid for people in Ethiopia. I think the total cost is more than £2.5 million, but we are also attempting to do other things. As my hon. Friend knows, the continuing conflict in Ethiopia and Eritrea is one of the main reasons why this is such a problem. We

are doing everything that we can to bring the sides together. We are providing immediate aid and we are trying to work on a long-term solution.

Q8. [116421] **Mr. Graham Brady** (Altrincham and Sale, West): Will the Prime Minister now condemn the absurd attack by the Secretary of State for Education and Employment last week on grammar and high schools in the borough of Trafford—the local education authority that achieves the best results in the north-west of England and which the right hon. Gentleman accused of standing in the way of the Government's objective of increasing standards?

The Prime Minister: I am pleased to say that we are increasing standards. The hon. Gentleman will know that in primary schools, for example, they have never been higher. If he wants to get into a debate about grammar schools—this will not appeal to everyone in the House—I remind him that the party that closed more grammar schools than any other was the Conservative party.

Q9. [116422] **Mr. Russell Brown** (Dumfries): Earlier today, during the Adjournment debate in the Scottish Grand Committee on alleviating pensioner poverty in Scotland, the Sutherland commission on the long-term care of the elderly was mentioned. Is the Prime Minister in a position to tell us when the Government will announce the response to the last of those recommendations?

The Prime Minister: Yes. The response will be announced as part of the comprehensive spending review. The royal commission recommendations, which have a number of spending implications, will be considered within the overall context of the Government's spending proposals. When that review is brought forward, we will state our views on the royal commission's report. In the meantime, we have allocated additional money over three years to help fund respite care and we are extending direct payments to people aged 65 and over. Again, that is a change from the spending plans of the previous Government.

Q10. [116423] **Mr. Peter Atkinson** (Hexham): Parents of schoolchildren in Northumberland have written to the Prime Minister to protest that the county council has cut £1 million from school budgets and are asking how that squares with the right hon. Gentleman's much- publicised commitment to education. How will the Prime Minister reply to those letters?

The Prime Minister: I do not know the facts of the case that the hon. Gentleman mentioned, although I will obviously look into them. One of the best ways in which we are dealing with the matter is through the Budget, which is putting money directly into schools to enable them to spend it on the things that they want. In addition, I am sure—although I do not know the specific examples—that schools in Northumberland will have benefited from new deal money, which is money that the Conservative party would take off because it opposes the new deal, and from the literacy and numeracy strategy which has raised standards in primary schools—a programme that the Conservatives opposed. We all remember that when we put education money into the education budget in the previous comprehensive spending review, those on the Opposition Front Bench called it "reckless and irresponsible". The one thing of which I can be sure is that more is happening—and better—in education in Northumberland than under the previous Government.

Mr. Bill Michie (Sheffield, Heeley): Next week, the Secretary of State for International Development will be meeting with other people in the education forum. I know that she will do a good job because I have seen half the brief that she is preparing. Because of the fears of some organisations that some members of the forum are dragging their feet, will the Prime Minister lend his support to the aims, principles and objectives of universal primary education? The future of literally millions of children depends on it.

The Prime Minister: This is a very important initiative—indeed, we support it 100 per cent. I am delighted, again, that the Department for International Development has been at the forefront of the notion of bringing in universal worldwide primary education. It is immensely important for developing countries, and it goes alongside the work that has been pioneered both by my right hon. Friend the Secretary of State for International Development and by the Chancellor in debt relief.

One of the things that I am most proud of in this Government is that after years of ignoring the issues of debt, overseas aid and development—

Hon. Members: Oh!

Madam Speaker: Order. Prime Minister.

The Prime Minister: Yes—years of ignoring the pledge to raise overseas aid and development as a proportion of national income. One of the things I am most proud of is that, whereas it fell under the previous Government, under this Government it is now rising. That is yet another difference between them and us.

Point of Order

3.32 pm

Mr. Peter Ainsworth (East Surrey): On a point of order, Madam Speaker. You may be aware that today the Government published a sports strategy, an event to which they appear to attach some importance. There has been some difficulty in supplying copies of the strategy to hon. Members who were seeking them this morning, having heard all about the strategy from the Minister for Sport who was talking on the radio this morning and also writing in the national press. Would it not have been more appropriate, not to say more courteous, if the strategy had been announced here first?

Madam Speaker: I, too, heard the Minister early this morning on the radio. I am grateful to the hon. Gentleman for giving me notice of his point of order. I have investigated the circumstances behind his complaint. I understand that Ministers launched the sports strategy to the press at 9.45 this morning. There was no parallel announcement in Parliament, and the document concerned was not generally available in the Vote Office until much later this morning. This is a clear breach of the conventions that apply to announcements of this sort, and it is totally unacceptable to me and to the House.

It seems to me that there is a situation developing in some Departments in which the interest of Parliament is regarded as secondary to media presentation, or is overlooked altogether. I hope that Ministers will set in hand a review of procedures right across Whitehall to ensure that the events that took place this morning are never allowed to occur again.

The Minister for Sport (Kate Hoey): Further to that point of order, Madam Speaker. I thank the hon. Member for East Surrey (Mr. Ainsworth) for raising this point of order. On behalf of the Department for Culture, Media and Sport, I apologise for the administrative error that took place in not ensuring that the document was here this morning for hon. Members. I appreciate that this was not done correctly. However, I hope that what I said on the radio this morning did not go into the detail of the paper in any way.

I accept what you have said, Madam Speaker. I believe that the House has been treated discourteously. That point will be made to my Department, and I apologise unreservedly on its behalf.

Weights and Measures (Amendment)

3.34 pm

Mr. David Lidington (Aylesbury): I beg to move,

That leave be given to bring in a Bill to make the use of imperial weights and measures no longer subject to proceedings for a criminal offence.

From 1 January this year, it became a criminal offence—unbelievable though it seems to many millions of our fellow citizens—for a British shopkeeper or market trader to weigh out a pound of apples or meat and to sell that produce to his customers. Any trader who continues to use traditional British units of measurement faces a fine of up to £2,000, the possibility of a term of imprisonment and the prospect, if convicted, of a criminal record, with all that that entails for the person's public reputation. My Bill is intended to put right that absurd and unwanted piece of over-regulation.

UK customers do not want the current law. When I do my weekend shopping in Princes Risborough high street, I am met by local traders and shoppers in my constituency who tell me that they have been made to feel like foreigners in their own country. They do not understand the need for the new law.

To make matters more absurd, that law is not even being enforced by the trading standards officers whose duty it is to do so. The fact that no prosecutions seem to have been made since 1 January shows that trading standards officers—for good reason—are fighting shy of bringing proceedings, even though they know well that many traders continue to defy the law because that is what their customers want them to do. I agree with those trading standards officers who have chosen to turn a blind eye; it would be an utterly disgraceful waste of scarce public money were taxpayers' resources to be squandered on such prosecutions.

Nevertheless, the threat of criminal penalties remains on our statute book. The law has a surreal quality. I can order a pound of mince from the butcher, but the butcher is not allowed to sell me a pound—he has to measure out the metric equivalent.

The absurdity goes further than that. Goods can be described using traditional measures, but may not be priced or advertised thereby. One can ask to buy so many metres of 54 in curtaining. That is complete nonsense.

If people want to use metric measurements, they should be entitled to do so. That should be a matter for individual traders and their customers to decide. Indeed, examination of the statute book reveals that as long ago as the 1860s the Metric Weights and Measures Act 1864 allowed the use of metric units for contracts. In 1897, the use of metric units for trade was made lawful. My Bill will do nothing to prevent consenting adults from continuing to use metric measurements if they choose. I am against a law that compels people to use metric units when they would prefer to use traditional British units.

The case is usually made that the new law flows from a European directive. I looked up the key measure—European directive No. 80/181 EEC of 20 December 1979. Like all European Community directives, it has a preamble listing the various reasons why the Community considers that item of legislation to be necessary. The hon. Member for Crewe and Nantwich (Mrs. Dunwoody)

always referred to such provisions as the "whereas" clauses. The key clause states:

> Whereas the laws which regulate the use of units of measurement in the Member States differ from one Member State to another and as a result hinder trade . . . it is necessary to harmonise laws, regulations and administrative provisions in order to overcome such obstacles.

I draw the House's attention to the key elements: the purpose of the legislation was to prevent the hindrance of trade, and the harmonisation envisaged was in order to overcome obstacles to trade between different member states. I do not see how a criminal penalty on a British greengrocer or butcher who sells loose goods to customers in the high street or town square market has any bearing on free trade within a single European market. The legislation on the statute book flouts the principle of subsidiarity that is enshrined in European treaties and is not proportionate to the problem that the directive purports to identify.

Nor is it true that criminal sanctions are demanded by the directive. The Government have produced no evidence so far that other member states have implemented such sanctions, let alone enforced them.

There was a 10-year derogation from the directive for the sale of loose goods and goods weighed at the point of sale. There is no reason why the Government should not have sought to renew it and extend it much further. Indeed, a derogation was agreed by the Community for packaged goods because that was essential for exports to the United States not only from Britain, but from every country in the European Union. The United States insists on dual marking—metric and imperial—for pre-packaged goods for sale in shops.

Ministers could have sought a similar derogation for loose goods for sale in Britain, but they chose not to do so. They have admitted that they did not even discuss the idea with the Commission, or with other member states.

The Government have offered some small comfort, saying that it is possible for traders to provide supplementary labels alongside metric measurements, but that would involve a lot of work and expense for traders. On pain of criminal sanction, they must show metric units and give those priority. My Bill would abolish criminal penalties for a trader who uses pounds, ounces, feet, inches and other traditional British units of measurement by biting on the Weights and Measures Act 1985, which lays down penalties for use by traders of units of measurement other than those prescribed by law.

If traders and customers want to use metric measurements, they should be free to do so, but the same freedom should apply to people who prefer to buy and sell goods in the traditional British way. The law is an example of unnecessary and over-burdensome regulation. It needs to be changed.

Question put and agreed to.

Bill ordered to be brought in by Mr. David Lidington, Mr. David Amess, Mr. Nick Hawkins, Mr. Stephen Day, Mr. Nick St. Aubyn, Mr. John Hayes and Mr. Simon Burns.

WEIGHTS AND MEASURES (AMENDMENT)

Mr. David Lidington accordingly presented a Bill to make the use of imperial weights and measures no longer subject to proceedings for a criminal offence: And the same was read the First time; and ordered to be read a Second time on Friday 9 June, and to be printed [Bill 104].

Mr. Peter Lilley (Hitchin and Harpenden): On a point of order, Madam Speaker. Can you confirm that it is still the expectation of the House that if a Minister misleads the House, even if he be Prime Minister, he will set the record straight at the earliest possible opportunity? Can you tell us what the earliest possible opportunity would be for the Prime Minister to set the record straight and to correct his blatantly untrue statement that the previous Government had neglected international debt?

Every major initiative, including the Ottawa terms, the Trinidad terms and the sub-Saharan Africa initiative, was introduced by the previous Government, who set an example to the world by rescinding £1 billion of Government debt and converting it into loans—the biggest relief by any country in the world.

Madam Speaker: The second half of the right hon. Gentleman's so-called point of order is certainly not a matter for me; it is a matter for argument and he has put his case on the record. Any Minister, even the Prime Minister, is expected to make a correction at the earliest opportunity if he has inadvertently misled the House, and he could do so by means of a written question if necessary. The right hon. Gentleman has made his point and placed on record his own opinion of the exchange.

Mr. Nick Hawkins (Surrey Heath): On a point of order, Madam Speaker. I think that concerns about the quality of the recording equipment in the House are a matter for you, so I want to raise as a point of order what appears in column 340 of *Hansard* of 29 March. I am sure that you will recall that during Prime Minister's questions on that day there was an interruption during a question asked by the hon. Member for North Cornwall (Mr. Tyler) from the Liberal Democrat Front Bench. *Hansard* records that there was an interruption when Labour Members in fact called out, "Boring." I am sure that you will recall, Madam Speaker, that your reply was, "Boring or not, I want to hear the hon. Gentleman", but in *Hansard*, that simply appears as:

> Order. This is a Parliament and hon. Members must be heard.—[*Official Report*, 29 March 2000; Vol. 347, c. 340.]

Will you state whether the recording equipment should be checked?

Madam Speaker: I have always believed that whatever Members want to say in the House, providing that it is said in parliamentary terms, should be heard by the House. There is a difference between listening and hearing. Hon. Members do not have to listen, but Members who are speaking have to be heard, and I am sure that the House appreciates that distinction.

Mr. John Bercow (Buckingham): On a point of order, Madam Speaker.

Madam Speaker: My day would not be complete without one from the hon. Gentleman.

Mr. Bercow: I am grateful to you, Madam Speaker, and I shall take that as a back-handed compliment. You said that an inadvertent error could be corrected by means of a written answer, and that was extremely helpful to the House. Will you clarify beyond doubt that in the event of such an inadvertent error by a Minister, including the Prime Minister, it is that Minister's responsibility to ensure that a written question is tabled allowing correction via an answer?

Madam Speaker: I refer the hon. Gentleman to the reply that I gave a moment ago.

Orders of the Day

Freedom of Information Bill

As amended in the Standing Committee, further considered.

Clause 13

DISCRETIONARY DISCLOSURES

3.47 pm

Mr. Harry Cohen (Leyton and Wanstead): I beg to move amendment No. 107, in page 7, line 28, leave out from "(e)" to end of line 31 and insert "section 38(1)".

Madam Speaker: With this it will be convenient to discuss the following amendments: No. 105, in clause 38, page 21, leave out lines 24 to 30 and insert—

'(a) that the disclosure of information to a member of the public would be likely to result in a public authority breaching its obligation to respect the private life of individuals as set out in Article 8 of Schedule 1 to the Human Rights Act 1998, and'.

No. 106, in page 21, line 35, at end insert—

(3A) When determining whether the obligation specified in subsection 3(a) is breached a public authority shall, in particular, have regard to—

(a) whether the disclosure of information by the authority is likely to cause unwarranted damage or unwarranted distress to the private life of any individual who is identified by the information,

(b) whether the disclosure of information by the authority is explicitly prohibited by any enactment other than a disclosure which may be required by this Act,

(c) whether the disclosure of information by the authority is prohibited by the common law,

(d) whether the substantial public interest would be served by the determination that the information should not be disclosed,

(e) whether the information relates to other information of a similar nature which is readily accessible to the public, and

(f) whether the disclosure of information by the authority would be likely to result in a public authority being in breach of an obligation under the Human Rights Act 1998, other than as specified in Article 8 of Schedule 1 to that Act.

(3B) For the purpose of this section, any processing which is necessary to facilitate a disclosure of information by a public authority pursuant to a request under this Act shall be considered not to breach any data protection principle of the Data Protection Act 1998, and, for the avoidance of doubt, the data protection principles shall apply to any subsequent processing by any person to whom that information has been disclosed.'.

No. 108, in clause 69, page 35, line 21, at end insert—

'(3) Subsection (1) shall not have effect in respect of any personal data obtained by a public authority after 23rd October 2007.'.

No. 109, in schedule 6, page 64, line 36, at end insert—

'.In section 55 of that Act—

(a) there is inserted after subsection (1)—

"(1A) A data controller must not knowingly or recklessly obtain or disclose personal data in any way which causes a serious breach of any data protection principle.";

(b) in subsection (2) the words "Subsection (1) does" are replaced by "Subsection (1) or (1A) do"; and

(c) in subsection (3) the words "or (1A)" are inserted after "subsection (1)".'.

Mr. Cohen: The amendments deal with personal data and the complex interface between the Data Protection Act 1998 and the Bill, which taxed the Standing Committee considerably. I share the views expressed in Committee that the interface is overtly complicated and might not work effectively, and my amendments aim to deal with that problem.

First, I shall explain my understanding of the interface, to set the scene. If a request for information under the Bill relates to personal data, the clause 38 provisions are triggered. If the requester is the data subject and is seeking access to information about himself or herself, the request is treated, under clause 38(1), as a subject access request under the Act. Unless there is an exemption under that Act, the data subject will obtain access to personal data about himself or herself. If an exemption in the Act applies, the personal data become exempt information under the Bill.

Attention then turns to the provisions in clause 13(1)(a)(i) and clause 13(2)(e), which together mean that the exempt information is not considered for a discretionary disclosure. In summary, if an exemption under the Data Protection Act applies to the access request, that is the end of the matter, barring intervention from the courts or the data protection tribunal, and no disclosure takes place.

A similar procedure applies if the requester is not the data subject but is, for example, a journalist seeking access to the background papers associated with the decision not to extradite General Pinochet to Spain. Under clause 38(2), the public authority would consider the first condition in clause 38(3)(a). If the request was deemed to lead to a contravention of any data protection principle, the personal data would become exempt information. The provisions in clause 13(1)(a)(i) and clause 13(2)(e) would also apply and the exempt information would not be considered for discretionary disclosure.

I shall not repeat the points that were made in Committee; suffice it to say that the data protection principles are complex and the conditions in schedules 2 and 3 to the Data Protection Act present the public authority with difficult interpretations which relate to any processing operation. However, schedules 2 and 3 deal with only half of the first principle. One must also consider the application of the remaining seven and a half data protection principles, in particular the fairness rules of the first principle, which may mean that data subjects must be informed about freedom of information access. That would no doubt trigger the application of the right contained in section 10 of the Data Protection Act to object to the processing—in this case the disclosure under freedom of information rules.

A more critical way of putting it is that the application of the data protection principles presents a public authority with many arguments not to satisfy a freedom of information request. The authority could argue that a principle would be breached if personal data were involved.

As I have already said, the question of discretionary disclosure does not arise. We should take note of the view of the then Data Protection Registrar as expressed to the Public Accounts Committee in its deliberations on the

BEST COPY AVAILABLE

[Mr. Cohen]

draft Freedom of Information Bill. I have no doubt that my hon. Friend the Minister accepts that view as correct and it has not been denied. The then Data Protection Registrar said:

> there is a danger that you, (the requester), will get a limited amount of third party information.

In Standing Committee, I noted that the Government refused amendments that sought to distinguish between an individual acting in a public capacity and an individual acting in a private capacity. Thus a request for access to personal data in relation to a public capacity is treated in exactly the same way as a request for access to personal data that is made in a private capacity. It follows that if the statement by the Data Protection Registrar is correct, there is considerable risk that a large volume of information could be exempt merely because it is personal data. If it is exempt information, access is likely to be withheld.

So what are personal data? Using the definitions in the Data Protection Act, personal data are any information which relates to a living individual—for example, decisions taken by officials and recorded as such. Other examples include minutes of meetings and papers discussed at those meetings, executive authority for action and attendees who discuss some public policy. As freedom of information requests for such documents will be from members of the public, it follows that the requests relate to personal data where the requester is not the data subject. It also follows that access to those personal data follows the clause 38 procedure, with the risks that I have already outlined, which could result in the information not being released.

It is my view that most freedom of information requests are requests for access to personal data: for example, someone might seek access to information on why my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs decided to allow jets to be sold to Indonesia. That might be deemed a request for access to personal data where my right hon. Friend is the data subject. That scenario is a simple example of why the current interface is fraught with difficulties in implementation. The loophole exists for information which should be in the public domain not to be released. That is against the spirit and the intention of freedom of information.

Let me provide a more likely example in which key papers relate to other living individuals. Let us suppose that there is a request for access to the minutes of a meeting between an IT supplier and a public authority to explore why a benefits computer system keeps failing. Such a request will involve access to personal data that relate to several people, including some who are public officials and others who are employees of the IT supplier. Clearly, word-processed documents that identify the authors of papers, the attenders at meetings or the opinions of identifiable contributors all constitute "personal data" as defined in section 1(1) of the Data Protection Act 1998.

I should like the Minister to clarify which condition in schedule 2 of the 1998 Act could legitimise the disclosure, in such a scenario, of all those personal data to a requester using the Freedom of Information Bill. I should also like to know what the fair processing implications are for private sector employees. If such details cannot be explained, it is easy to see how a public authority can claim a likely breach of the data protection principles, and thereby have the means to deny a freedom of information request.

Mr. Tam Dalyell (Linlithgow): While my hon. Friend is on this subject, may I add to his question? Could we have the reflections of the Home Office on the effect on people in the public sector and people operating in the public sector—in particular Members of Parliament—given the celebrated case of George Strauss *v.* London Electricity Board? There is a problem here, I think.

Mr. Cohen: My hon. Friend makes a good point, which is also worthy of the Minister's response.

Several options are available to resolve some of the problems. For instance, any public official mentioned in the data could consent to the release of his personal data; but if a freedom of information request is dependent on such consent, it cannot really be called freedom of information. Of course, names, initials or identifiers of individuals can be removed from documents so that they are no longer personal data, but that might push up the cost of access towards the statutory limit. In addition, a public authority could turn a blind eye to the fact that the information is personal data, but the exercise of that blind eye is at the discretion of the public authority.

I am arguing that there are too many unanswered questions and that there needs to be a clear and uncomplicated exposition of how the interface will work. So far, none has been provided.

I shall now explain the benefit of my approach. It avoids the need to consider officials acting in a public versus private capacity and a "serious harm" test, which for some reason seems to strike fear into the Government. Instead of a breach of any of the data protection principles, my amendment makes the test of whether personal information is exempt information dependent on article 8 of the European convention on human rights, enshrined in our law in the Human Rights Act 1998. That approach also requires changes to clause 13 of the Bill.

First, I shall raise a quick point. My amendment does not affect the situation where the requester is the data subject; it deals only with access by an individual who is not the data subject.

My starting point is that before personal data about one individual can be released to another, a public authority must weigh many factors that define whether personal data should be exempt information. Most of those relate to the private life of an individual. By focusing on private life—the person's home, his family, his correspondence—my amendment draws the attention of a public authority to the fact that those private elements have a differential and greater weighting importance than decisions that relate to public life. It gives a clear steer that the protection of private life is the important factor that requires safeguards.

Those factors which protect private life are self-explanatory. They are whether the disclosure of information by the authority is likely to cause unwarranted damage or unwarranted distress to the private life of any individual who is identified by the information;

whether the disclosure of information by the authority is explicitly prohibited by any other enactment; whether the disclosure—

Mr. John Bercow (Buckingham): I am following the logic of the hon. Gentleman's argument closely. Is he advocating that Members of Parliament should have access to the personal data held on them by the respective Whips Offices?

Mr. Cohen: I had better not be drawn down that route for several reasons, not least the Whips' information; but of course there is information on the number of times we have voted and the number of times that we have rebelled, and that goes to our constituency parties. That is a welcome bit of freedom of information to our constituency parties.

4 pm

I wish to make some other points about the protection of private life. My amendment recognises that, in a case of disclosure of personal data to a requester who is not the data subject, other factors might have to be considered. Even when the request relates to exempt information, the amendment would ensure that the disclosure was weighed in the context of the provisions in clause 13. That means that the impact of the Government amendment, which will make personal data exempt from any discretionary disclosure under the clause, has to be removed. My amendment would allow the private life circumstances outlined in it to be considered in combination with the emphasis in the clause in favour of disclosure while allowing for a decision not to disclose where the impact on private life was proven to be unwarranted. That is the correct balance.

My amendment would ensure that the data protection principles would still apply to the subsequent processing by a requester of personal data disclosed by a public authority. That processing would still be subject to the Data Protection Act. Unless there is a Data Protection Act exemption, the transparency rules may oblige the requester to contact the data subject to alert him to the processing. My amendment would help the Government to get off the hook whereby proper freedom of information disclosures of public information could be blocked because of the current loophole in the Bill on personal data.

I wish to speak briefly to two other amendments in the group. Amendment No. 108 would ensure that all personal data, other than those relating to staff, that are collected by a public authority would be eventually subject to all the data protection principles. In effect, that would be from 24 October 2007 in the third consecutive term of the Labour Government.

My amendment would mean that all personal data have the same status as accessible records which are the unstructured, manual, personal files that are held for the purposes of housing, health and social work. In addition, not only would public authorities have until 2007 to prepare for the change, but my amendment would apply only to data collected after 23 October 2007. The change is minimal but important. The amendment probes why the Government have stepped back from their undertaking to subject all personal files to a data protection regime.

It is relevant to compare clause 69 with equivalent provisions in the consultation document "Your Right to Know", Cm 3818. That document stated:

> The Freedom of Information Act will be drafted so that it is compatible with the Data Protection principles.

It gave the impression that all non-automated personal information would eventually be subject to some or all of the data protection principles. It did not say that a freedom of information Bill would be drafted so that it would be exempt from those principles, but that seems to be the case with this Bill. Clause 69 is a long way from the compatibility promised in the consultation document.

The Data Protection Act 1998 recognises four types of information about individuals as being personal data. They are information processed by automated equipment; information recorded so that it should be processed by such equipment; information recorded to be part of a relevant filing system, most notably information recorded in a highly structured manual filing system; and information recorded as part of an accessible record, which is that information open to access by previous Bills inspired by freedom of information, such as the Access to Personal Files Act 1987 which covered health, social service, housing and education records. It is noteworthy that such accessible records will, by 24 October 2007, be afforded the full protection of the Data Protection Act.

It should also be noted that unstructured information includes a significant file of personal information that many normal people would call structured. That includes papers in date order that all relate to an individual and perhaps have his name on the cover. That is made clear in the explanatory notes that accompanied the Bill and what was then the Data Protection Bill, which provide an example of the new variant of data. The notes refer to

> a case file about an individual which contains correspondence about a number of matters relating to that individual and is indexed by reference only to the dates of correspondence.

That is why I believe that all personal data, irrespective of structure, should eventually be subject to the Data Protection Act 1998. That Act accords a good deal of protection to the information via its eight data protection principles.

Mr. Nick Hawkins (Surrey Heath): I am following carefully what the hon. Gentleman has said. I shall, of course, have a chance to respond in detail. He has been talking about the contrast between the White Paper "Your Right to Know" and the Bill. Does he agree with what the Campaign for Freedom of Information has produced? It produced a sheet headed "Anger with the draft Bill as compared with praise for the White Paper?" Has the hon. Gentleman seen that, and does he agree with the campaign's analysis?

Mr. Cohen: That is a much broader issue that covers many aspects of the Bill. I would probably agree in some instances and not in others. However, as I have been drawn on a specific issue, I shall say that there is clearly a difference between the Bill and the consultation paper. I hope that my hon. Friend the Minister will take it up when he responds to the debate.

Simply put, the Government's approach has some undesirable consequences allowing for such unstructured personal data to be, for example, processed unfairly, to contain irrelevant and excessive personal data, to remain

[Mr. Cohen]

inaccurate and out of date, to be retained for ever and to be processed insecurely and transferred to any country, perhaps one where a tyrant is in charge. The purpose of the amendment is to place all personal data on the same basis as accessible records. From 2007—when accessible records have to comply with the data protection principles—I want other unstructured personal data to do likewise.

The objective of amendment No.109 is to correct an imbalance in the Data Protection Act. At present, if a member of staff deliberately sets out to flout the law, a number of punishments are available. Section 55 of the Act relates to unauthorised obtaining and disclosing. Alternatively, the provisions of the Computer Misuse Act 1990 may apply. In addition, Government often criminalise unauthorised disclosures directly in official secrets legislation, finance law and social security Acts.

We all recognise that if staff breach the rules, there should be the prospect of criminal sanctions if the situation merits it. I find it surprising that there is no counterbalance if an organisation or a data controller sets out deliberately to flout the same privacy rules. Let us suppose that a data controller knows that there has been a position established by the courts or a data protection tribunal on the need to inform individuals of all processing purposes in advance of any processing. What happens if that controller sets out to keep such details secret? Under the Data Protection Act or any other legislation, there is no effective criminal sanction.

The Data Protection Registrar can huff and puff and stop the processing, but he or she cannot apply a direct criminal sanction. It is a mechanism that allows some controllers to say, "We can process without any regard to data protection laws until we get caught."

If it can be established that an organisation has systematically and deliberately set out to invade privacy, a criminal sanction should be available. I am rather surprised that it is not. If an individual member of staff systematically and deliberately set out to invade privacy, a criminal sanction would be available. If my amendment were accepted, it would be an offence for a data controller deliberately to set out to process personal data in a way likely to cause a serious breach of a data protection principle. I am not defining any deliberate breach of a principle as being an offence, although I was tempted to do so.

As I have said, the matter must be serious. I inserted the word "serious" in order to reassure data controllers that the offence is not to apply too widely to minor indiscretions, and that it would not be used in an officious manner. An employee commits an offence if he breaches the Data Protection Act, but there are no criminal penalties if an organisation sets out deliberately to flout its data protection duties. My amendment would redress the imbalance.

I am sorry that I have taken so much of the House's time, but these are complicated matters. I think that it is important to get them on the record and to get a response from my hon. Friend the Minister.

Mr. Hawkins: The hon. Member for Leyton and Wanstead (Mr. Cohen) need not apologise to the House for the way in which he has just moved his amendments. I hope I do not embarrass him when I say that it is typical of the thoroughness with which he approaches all matters that he has gone through the amendments in detail and explained the seriousness of the issues involved. Not for the first time, I find myself agreeing with much of what he says. He has again provided a classic example of the reason why he is exceptionally popular among Members of Parliament on both sides of the House. He and I have, on occasion, disagreed about one issue—nuclear disarmament—but on almost all other issues, I find myself largely in agreement with him because I know the seriousness with which he approaches important matters.

The official Opposition have a great deal of sympathy with the hon. Gentleman's amendments. He describes them as probing amendments, and he is wise to do so, but I hope that the Under–Secretary of State for the Home Department, the hon. Member for North Warwickshire (Mr. O'Brien), is shortly to tell us that the Government are prepared to consider the issues with a view to making provision for them. The hon. Member for Leyton and Wanstead was present in the Chamber for much of yesterday's debates, so he will have heard me say that, quite separate from my Front-Bench responsibilities, I have a personal, long-standing interest, arising from my professional work, in the Data Protection Act and its operation.

The hon. Gentleman has made many good points. It is possible that the Minister might tell us that not all of the issues addressed by the amendments can be dealt with in the Freedom of Information Bill, but I hope that the Minister will be able to give his hon. Friend and the House an undertaking that the issues will be considered. Issues of protection of personal privacy are enormously important, and the hon. Gentleman is right to highlight the interesting overlap between the Bill and the Human Rights Act 1998. In due course, the Government might have to admit that they have got the legislative cost assessment completely wrong and that they have colossally underestimated the cost to the taxpayer of the new legislation. We might return to that matter later.

I do not want to detain the House. I simply wanted to express the Opposition's appreciation of the careful approach taken by the hon. Member for Leyton and Wanstead. We have a great deal of sympathy with his arguments. He has made it clear that he does not intend to press the amendment to a Division, but I hope that, either in another place or when the Bill returns to the House of Commons, we hear a great deal more on the subject. I shall be pleased if many of the hon. Gentleman's proposals are later incorporated in legislation, either in the Freedom of Information Bill or a later measure.

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): Probably for the first time, I agree with the hon. Member for Surrey Heath (Mr. Hawkins)—that is, in his tribute to my hon. Friend the Member for Leyton and Wanstead (Mr. Cohen) for the thorough way in which he has addressed important issues.

My hon. Friend described the complex interface between the Data Protection Act 1998 and what will become the Freedom of Information Act; he might also have mentioned the complex relationship that is superimposed on that by the Human Rights Act 1998. Each of those pieces of legislation will interplay with the

others in a complex way. My hon. Friend is right to say that we need to be sure that the juxtaposition of those measures does not cause unnecessary confusion.

I accept some of my hon. Friend's points, even though I cannot accept the amendments—I shall explain why not shortly. I accept his arguments about the need to examine precisely how the measures will interrelate and I undertake to consider, while the Bill goes through the other place, ways in which we can simplify and clarify the various relationships, especially that between the Data Protection Act and this Bill.

My hon. Friend has highlighted a difficulty: the Data Protection Act protects personal data, but some requests for information under what will be the Freedom of Information Act will be in respect of individuals, and so may affect personal data held by public authorities. Getting right the balance between the public's right to know, under freedom of information legislation, and the public's right to privacy, under data protection legislation, is a difficult matter. Struggle as we may, it is possible that we will not get that balance right for all time in this legislation. Over many years we may have to continue to adjust a complex balance.

4.15 pm

Mr. Dalyell: It would not occur to me to ask my hon. Friend to answer off the top of his head, but while he is making inquiries, will he look at the position of Members of Parliament and data, particularly in relation to the case long ago of George Strauss *v.* London Electricity Board, when the Privileges Committee was overturned and it was decided, rightly or wrongly, that Members of Parliament should not have the protection that many thought they had at the time? These are extremely complex matters, but in the due course of events they should be looked at.

Mr. O'Brien: I certainly undertake to my hon. Friend to look at these matters. As he says, they are complex. The best approach that I could take would be to take advice from our lawyers about how the legislation might operate. I shall then write to my hon. Friend setting out how I think it might affect Members of Parliament. In due course it may be appropriate to discuss that advice in a wider context.

I shall look carefully at what my hon. Friend the Member for Leyton and Wanstead says. He asks which part of schedule 2 of the 1998 Act can legitimise the processing of personal data about employees. Fair processing of data may take place where the data subject gives his consent, the processing is necessary for the performance of a contract to which the data subject is a party, and if it is necessary for compliance with any legal obligation to which the data controller is subject, other than an obligation imposed by a contract. Those are some of the circumstances in which information may be given.

My hon. Friend asked about extending the Data Protection Act to include non-structured personal files. As his contribution showed, he is aware of the way in which we have so far progressed the 1998 Act. Because of the nature of non-structured files—that is, files held neither on computers nor in a filing system—we have taken the view that it is not appropriate for the full impact of the DPA to apply to that information at this time.

By definition, such files are not easily searched. We have extended the principles of accessibility and accuracy to those files, but not other principles. These files are not covered by the DPA at present. It has been determined by the European Union that it would be too burdensome to business to extend full protection to that information. I was therefore a little surprised at the extent of agreement between the Conservative Front-Bench spokesman and my hon. Friend about extending such regulation to business. No doubt they can justify their wish to do so.

We have delivered the White Paper broadly as promised, but personal files will be covered by access, to some extent, under the DPA; other files may well be accessible via the freedom of information legislation.

I make no apology for going into a realm of some complexity as my hon. Friend did. It will take some time, but that is necessary in order to deal with an important and complex technical issue. The effect of amendment No. 107 would be to apply clause 13, the duty to disclose in the public interest, to information which is exempt by virtue of clause 38(2) in so far as it relates to the conditions referred to there—that is, disclosing personal information about a third party where disclosure is contrary to the data protection principles in the Data Protection Act 1998. A disclosure contrary to those principles would be contrary both to EU law and to the European convention on human rights, particularly in relation to article 8, as my hon. Friend identified. Despite that, the public interest could be taken into account when considering whether disclosure would contravene data protection principles. The amendment is unnecessary, because the public interest could be considered, but not to the extent that my hon. Friend the Member for Leyton and Wanstead seeks, through applying clause 13 to data protection principles.

If we extended the provisions of clause 13, as amended by our proposals, to the Data Protection Act, we would undermine the principles of the data protection directive. I am advised that that would place us in breach of European Union law. We would also be in serious danger of compromising our position in relation to article 8 of the European convention on human rights. My hon. Friend identified those issues.

If we are to get the complexities of the Data Protection Act 1998 and the Freedom of Information Bill right, it would be wrong to put ourselves in a position whereby we undermined European Union directives and possibly the Human Rights Act 1998, which comes into effect on 2 October.

It would be unwise to adopt the approach that my hon. Friend suggests. That does not mean that he has not raised substantive and important points. I want to consider the matter further. Perhaps I can advise him in due course about a method of proceeding. We cannot proceed in the way my hon. Friend suggests in the amendment, for the reasons I have given. Perhaps it might be helpful if he and I met to discuss the matter further.

Amendment No. 109 covers a slightly different matter. Section 55 of the Data Protection Act makes it an offence for a person knowingly or recklessly to obtain, disclose or procure the disclosure of personal data without the consent of the data controller. It would catch an employee of the controller who disclosed personal data about the controller's instructions. The data controller is not caught by section 55. The test of the legitimacy of his actions is whether they are consistent with data protection principles. If the data controller breaches the principles,

[Mr. O'Brien]

the Data Protection Commissioner may issue an enforcement notice against him. Failure to comply with such a notice is an offence.

Amendment No. 109 would make it an offence for the controller knowingly or recklessly to obtain or disclose personal data in a way that would seriously breach data protection principles. The amendment therefore conflicts with the general approach to enforcing data protection principles that is already enshrined in the 1998 Act. I understand my hon. Friend's point that, nevertheless, there may be reasons for doing that.

The data protection legislation has operated relatively well so far, however. There have been no substantial problems. The arrangements have worked well, and the commissioner has tried to resolve problems without the need for formal enforcement. She issued only five enforcement notices in 1998-99. We do not know of any prosecutions for failure to comply with a notice.

My hon. Friend identified a genuine problem. The legislation is currently operating reasonably well, but my hon. Friend has raised a serious issue. We cannot accept the amendment because it would conflict with data protection principles. However, as the years pass, we can keep the matter under review and, if we need to enhance the procedures for protecting those who want to ensure that their privacy is not invaded, we shall reconsider the matter. At this point, we are not in a position to accept amendment No. 109.

In many ways, prosecution is a blunt instrument. A conviction is a punishment and it can influence behaviour, but it is not targeted on the specific problem that my hon. Friend identified. Enforcement notices, on the other hand, address the issue in question: they identify the precise steps needed to improve behaviour and they clearly work. Although we could not be persuaded that immediate criminal action would add to them significantly at the moment, we do not have a closed mind for the long term. On that basis, I hope that my hon. Friend will withdraw his amendment, which he has said he is able to do.

Mr. Cohen: I thank the hon. Member for Surrey Heath (Mr. Hawkins) and the Minister for their kind words. By way of a return compliment, they are both very able too, but that does not preclude a good oral punch-up when we disagree. I also thank my hon. Friend for his considered response and I appreciate what he said. I shall read his remarks closely. He is right that there is a balance to be struck between the right to know and privacy. I support both aspects, but a private-public distinction needs to be made. There should be no excuse in respect of personal data for a public authority not to disclose, nor should there be loopholes at the interface between the Data Protection Act 1998 and the Bill which get public authorities out of disclosure.

I appreciate my hon. Friend's saying that his mind is not closed to some of my amendments and that he is prepared to meet to discuss them. On that basis, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 47, in page 7, line 35, leave out subsections (3) to (5) and insert—

'(3) Where the duty to confirm or deny does not arise but it appears to the public authority that, in all the circumstances of the case, the public interest in disclosing the fact that the authority does or does not hold information of the description specified in the request outweighs the public interest in maintaining the exemption in question, the authority shall inform the applicant whether it holds the information.

(4) Where—

(a) the public authority holds information of the description specified in the request and has informed, or intends to inform, the applicant that it does so, and

(b) it appears to the authority that, in all the circumstances of the case, the public interest in disclosing the information outweighs the public interest in maintaining the exemption in question,

the public authority shall communicate the information to the applicant.'.—*[Mr. Mike Hall.]*

Dr. Tony Wright (Cannock Chase): I beg to move amendment No. 7, in page 8, line 8, leave out subsection (6).

Madam Speaker: With this it will be convenient to discuss the following: Government amendment No. 48.

Amendment No. 8, in clause 33, page 18, line 27, leave out "it relates to" and insert—

'its disclosure under this Act would, or would be likely to, prejudice'.

Amendment No. 9, in page 18, line 29, after "(b)", insert—

'the candour and frankness of'.

Amendment No. 10, in page 18, line 32, at end insert—

'(1A) Information is not exempt by virtue of subsection (1) or section 34 insofar as it consists of factual information.'.

Amendment No. 11, in page 18, line 32, at end insert—

'(1A) Information is not exempt by virtue of subsection (1) or section 34 insofar as it consists of the analysis of factual information or expert advice on a scientific, technical, medical, financial, statistical or other matter, unless its disclosure would, or would be likely to, substantially prejudice the formulation or development of government policy.'.

Amendment No. 91, in page 18, line 32, at end insert—

'(1A) Information is not exempt by virtue of subsection (1) insofar as it consists of factual information or the analysis of such information.

(1B) Information is not exempt by virtue of subsection (1) insofar as it consists of a description of the options which are or have been under consideration except to the extent that—

(a) to reveal those options at the time of complying with the request for information would or would be likely to prejudice the formulation or development of government policy; or

(b) it consists of the advice, opinion or recommendation of any person in relation to any such option.'.

Dr. Wright: We now come to the meat of the Bill.

Mr. Hawkins: It was pretty meaty last night.

Dr. Wright: I should put it on the record that the look delivered to me by my right hon. Friend the Home Secretary shows that he thinks that we dealt with the meat of the Bill last night, but I am afraid that today brings further meat.

On any test, clauses 33 and 34, with which the amendments begin to deal, are at the centre of the Bill. The more I read them, and I cannot count the times that I have been through them, the more astonished I become that the Government could have presented such an exemption in such a form. May I remind myself and the House of what they do? They begin in clause 33 with a huge and blanket class exemption, including one for

the formulation or development of government policy . . .

That is the first protection. They move on to a prejudice test exemption, which is the second category of protection. In providing that, they include in clause 34 a provision on

the reasonable opinion of a qualified person . . .

which produces a third layer of protection. In case it is still unclear that they are protecting absolutely everything that could conceivably be protected, they include a catch-all category called

the effective conduct of public affairs.

Four barricades have been erected against disclosure on policy formulation. That is a gigantic set of exemptions; no harm test would apply.

4.30 pm

Factual information underlying policy decisions would simply be exempt. I shall say more about that shortly. The commissioner could attempt to require the disclosure of any information to which clause 33 applies, including factual information, but Ministers could then veto any such disclosure. We began to discuss that last night.

I hope eventually to interest the House in amendment No. 10, which would remove factual information from the exemption altogether. I consider it the key element. It would bring the Bill into line with normal practice elsewhere—although we, the cross-party signatories, offer a number of alternative ways of approaching the same issue.

Let me briefly remind the House of the issues that are at stake. Clause 33(1) provides the blanket exemption. It excludes anything relating to

the formulation or development of government policy . . . Ministerial communications . . . the provision of advice by any of the Law Officers or any request for the provision of such advice, or . . . the operation of any Ministerial private office.

Clause 33(2) is particularly vicious, in that it permits Departments to refuse even to confirm or deny whether requested information exists.

The Government amendments would mean that the commissioner could order the disclosure of information relating to policy formulation in the public interest; but any order of that kind, including one relating simply to factual information, could be vetoed by Ministers.

It should be borne in mind that the provisions in clause 33(1) do not apply simply to high-level civil service advice and sensitive policy advice; they apply across the board. Nothing that crosses the desks of Ministers or their advisers in connection with policy would have to be disclosed, even after decisions had been made, announced and implemented. Factual information on which decisions are based and scientific advice, for instance, would be edited out. Submissions from lobbyists, enabling us to see what representations had been made to Government, would similarly be covered.

Clause 34 can be brought to bear on anything that is not already caught by clause 33. It applies both to Government Departments and to all other authorities. In so doing, it provides substantial additional grounds for withholding information, all of which, as I have said, will be established only by the reasonable opinion of a qualified person.

Only clause 13 provides any balance. If amended in the way proposed by the Government, it would require an authority to disclose information relating to policy formulation if it appeared to the authority that in all the circumstances of the case

the public interest in disclosing the information outweighs the public interest in maintaining the exemption in question.

However, there is no harm test, and therefore no description of the public interest that the measure is designed to protect. The absence of a purpose clause, which we discussed yesterday, is particularly important in this context. Such a clause is not available to frame a view on where the public interest might lie in relation to disclosure.

The point of clause 33(1) is to assert the belief that any insight into the working of Government—into the factual background against which policy decisions are made—is likely to be damaging. It takes no account of the fact that such limited disclosure might lead to more informed debate and to better understanding of some of the complex issues involved, and that it might reassure the public that issues are being thoroughly examined and settled after proper consideration.

The provision ignores the fact that more scrutiny may increase the rigour of the analysis. It even ignores the fact that when we have moved in that direction—as with publication of the minutes of meetings between the Chancellor and the Governor of the Bank of England—it has, on the whole, proved to be beneficial. When we have gone even further, by publishing the minutes of meetings of the Monetary Policy Committee, the sky has not fallen in. Such action has even been thought to be an act of strengthening generally helpful to policy making.

The Government's approach in that particular sphere of freedom of information is so perplexing largely because it is quite distinctly at odds with what they are saying about the approach that they now want to apply to policy making generally. Ministers have only to read the modernising government White Paper and all its associated documents to see that the Government's overall emphasis is on more access to the information on which policy is made, so that we shall have better policy making.

A rather interesting document was produced recently by the Cabinet Office, entitled "Wiring it Up: Whitehall's management of cross-cutting policies and services." The document is all about—I am sorry to lapse into the jargon—cross-cuttingness, which has now replaced joined-upness as the way of talking about these issues. Conclusion 28 could not be clearer:

The Government should: make available to Select Committees in both Houses, at an early stage in the policy process, information about the factual and analytical basis of cross-cutting policies, including joint appraisals.

The Government themselves say that provision of that type of factual information contributes to more effective policy making, but in their freedom of information provisions, that whole category of information is to be exempt. I am not inventing contradiction here; there is

[Dr. Wright]

contradiction here. On this issue, the modernising government initiative is the right one, and the freedom of information initiative is the wrong one.

As constructed, the exemption makes no sense either internationally or in policy making. It does not even try to distinguish between views, comments or opinions that have to be properly protected and the background—the factual basis—that has to be exposed to scrutiny and debate. The Government have taken that position—which is astonishing—but the weight of all the evidence, historical and comparative, is against it.

I shall not go through the whole long list, but I should like to remind the House of how we reached that position. In their White Paper, the Government promised:

> we are prepared to expose government information at all levels to FOI legislation,

subject to a "test of simple harm".

The Home Secretary, in talking about these matters to the Select Committee on Public Administration, said that the

> issue of factual or background information . . . is important and . . . I think on the whole ought to be disclosed.

Perhaps I could say in the margin that I do not at all think, and never have believed, that the Home Secretary represents the real obstruction in the matter. I am not sure how to put this—it may seem a preposterous suggestion—but I think that there are forces in the land that are even mightier than the Home Secretary.

The Secretary of State for the Home Department (Mr. Jack Straw): Fact or opinion?

Dr. Wright: Probably both. I will not identify those forces, but we have to try to find an explanation for the current drafting of clauses 33 and 34. I do not believe that my right hon. Friend the Home Secretary is the origin of them, but he has to defend them. He has promised, as in the quotation that I have just given, that he will try to open up that area. So far that has not proved possible.

The open government code that we currently operate under is stronger than what is now being proposed. Under the code, information relating to policy can be withheld only if disclosure would

> harm the frankness and candour of internal discussion.

The code also requires that

> facts and the analysis of facts

that Departments rely on in reaching decisions must be published.

The important Croham directive back in 1977 provided that what it called "factual and analytical material" should normally be published as soon as decisions had been taken. The assumption was that, from that point, the civil service and the policy-making machine would proceed on that basis. If they made that distinction, such information would be available.

There is a further point that was mentioned on Second Reading, but it is worth mentioning again. In evidence to the House of Lords Select Committee, the former Cabinet Secretary Lord Butler said:

> When we were coming up to the 1997 election, knowing what the government policy was in this matter, my senior colleagues and I gave some thought to how we could regularly structure submissions to Ministers in a way that would enable us easily to separate the background which was publishable from, as it were, the subjective advice which was confidential. It would take a bit of training and changing practice to do that, but I think that people could very readily adapt to that.

We cannot get a more authoritative view on the practicability of the matter than that of a Cabinet Secretary who thought that Whitehall was about to be asked to do that because of what we had said.

Mr. John Greenway (Ryedale): In his role as the Chairman of the important Committee that deals with these matters, has the hon. Gentleman come across any evidence of difficulty with the existing code of practice? The Bill rows back significantly from that code of practice. I wondered whether the code of practice had created difficulties that might excuse those who have pressed for the Bill.

Dr. Wright: All who have taken an interest in the issue over the years, including those who have had to use the code—I refer in particular to the parliamentary ombudsman, who has had to oversee it—came to the conclusion that it was time to move from code to statute. They have decided that in this area we should have rights rather than simply an informal code.

There are examples from Scotland, Ireland and New Zealand. Other countries have proceeded in a way different from our Government's.

Clause 13(6) should be deleted. It requires authorities, when considering making a discretionary disclosure of information relating to what it calls the development and formulation of Government policy, to

> also have regard to the desirability of communicating to the applicant factual information which has been used, or is intended to be used, to provide an informed background to decision-taking.

4.45 pm

Government amendment No. 48 would retain clause 13(6) but strengthen it in a minimalist direction. It would delete the words

> also have regard to the desirability of

and replace them with the words

> in particular have regard to the public interest in.

Under that approach, factual information relating to policy formulation remains exempt. A legal draftsman might consider that there had been movement, but people interested in ensuring access to factual information will believe that the situation remains essentially the same. Clause 13(6) therefore has to go, which is what amendment No. 7 would accomplish.

Amendments Nos. 8 to 11—and, in a different manner, amendment No. 91—offer a variety of ways of ensuring that the Bill contains the provisions that we consider necessary. Amendment No. 8 would introduce a harm test into each of the four class exemptions set out in clause 33(1). Amendment No. 9 would qualify the interest that is prejudiced by ensuring that clause 33(1)(b) talks about the "candour and frankness" of ministerial communications, as opposed to the simple "Ministerial communications" now in the clause.

I draw the House's attention to amendment No. 10 in particular. It is the simplest and crispest of all the amendments in this group:

> Information is not exempt by virtue of subsection (1) or section 34 insofar as it consists of factual information.

The amendment would remove factual information from the scope of the exemptions relating to the formulation of policy.

No one pretends for a second that there are aspects of government that do not have to be protected. In such areas, confidence has to reign, deliberation has to be private, opinions and views must be exchanged and advice given. There has never been a suggestion that hon. Members do not understand that good government could not proceed otherwise.

However, we insist that some necessary distinctions should be made, and I can do no better than to quote Lord Nolan. Reflecting on his experiences as chairman of the Nolan committee a few years ago, he said:

> One of the seven principles of public life which our committee propounded is openness. I am tempted to say it is the fundamental principle of the seven, because without it, in this age of scepticism, public confidence in standards of conduct will not flourish.

He went on to say:

> There have to be limits on openness, of course, without which the process of discussion within government would become impossible. In this context, one can reverse C.P. Scott's famous dictum and say "facts are free but comment is sacred".

That is the essential point—facts are free. The public right of access is to the factual basis on which policy is made. Amendment No. 7 begins the process of ensuring that we get that. Amendment No. 10—on which I hope we will get a chance to vote later—will enable us to secure it directly.

When this Bill was promised, there was never any indication, suggestion or belief that it would not differentiate policy background and policy advice, but that is what we are being presented with in clauses 33 and 34. In that sense, the amendments are only inserting provisions that we thought the Bill would contain in the first place.

Mr. Greenway: I will not detain the House. As the Home Secretary will have gathered and will have been advised by his hon. Friends, I had a great deal to say on these issues in Committee. I need only refer hon. Members and those outside this place to the *Hansard* reports of the fifth and ninth sittings of the Standing Committee.

Even though it was intimated in Committee that the Government would have some regard to what was said, nothing has changed. Not only is the Bill as it was, but nothing on the amendment paper would appear to alter it. I find that disappointing for two reasons. First, it will be obvious from the debate in Committee, from what the hon. Member for Cannock Chase (Dr. Wright) said and from the cross-party consensus in support of his group of amendments, that the House is dissatisfied with the Bill as drafted. The hon. Gentleman is right in saying that this matter is the meat of the Bill. While we may have differences about the regulatory and enforcement arrangements and about who should have the final say on whether information is released, the sort of information that is released is at the heart of the matter. If we cannot agree in this place that facts and information that support Government policy decisions should routinely be available, I ask the Home Secretary, what is the point of having the Bill?

I intervened as I did on the hon. Member for Cannock Chase not necessarily to restart the argument that the code of practice is better than the statutory basis that is the Bill and the fact that a right to information is being enshrined in statute, because I think that we have all accepted that that is probably the right way to proceed. I intervened because the code of practice provides for the release of information, facts and figures that support and underpin Government policy decisions. The hon. Gentleman alluded to the fact that it was not the Home Secretary who was the barrier to the matter being resolved, but others whose identity is more obscure.

I intervened because it seemed to me that something in the working of the code, which requires the release of those facts and figures, must have persuaded officials in various Departments that it would be a good idea to tighten things up and not to include the provision in the Bill, which underpins the code. I am not aware that there has been a difficulty, but I am not and have never been a Minister, although I hope that one day soon I shall be. However, that is for another day.

The second reason why I am gravely disappointed that the Government have not produced a change, having said that there is clearly a consensus in this place that the Bill is defective, is because it must be abundantly clear to Ministers that the other place will come to the self-same judgment. Notwithstanding the Prime Minister's attempts to ensure that he has a greater chance to overturn rebellion in the other place, I have a strong suspicion that this part of the Bill will be amended there and that we will have to debate this matter all over again, as we did with the Representation of the People Bill a few weeks ago. Then, we advanced our arguments on one issue after another and the consensus view clearly supported them, but we had to rely on the unelected second Chamber to ensure that some democracy in this Parliament was evident to people outside. That is a matter of profound regret.

Mr. Straw: Am I to take it from what the hon. Gentleman says that his idea of democracy is that the losers win?

Mr. Greenway: No. My idea of democracy is that when it is abundantly clear that the view of this House—the elected Chamber—is that Government policy is unacceptable, that view should prevail over the opinions that will ultimately prevail not because of votes in this place but because, as has happened so many times before, the Government are persuaded that they cannot get a Bill through the other place without changing it. How much better it would be if those of us who are elected to this House could frame the law as we all think best, instead of the Home Secretary and Ministers relying on the three-line Whip for the vote of Labour Members who are not here to listen to the arguments.

Mr. David Davis (Haltemprice and Howden): Is it not also the case that one important aspect of democracy is that the party that is elected carries through what appeared to be a manifesto commitment to freedom of information?

Mr. Greenway: My right hon. Friend is right. In essence, not only was this a manifesto commitment, it was

[Mr. Greenway]

a White Paper promise. However, I do not want to stray beyond the parameters of the specific amendments before us. I am sure that there will be other opportunities to debate these issues in the wider context.

I cannot accept that the release of information that is available to Ministers and has informed their policy decisions should not be generally available to members of the public as well as to Members of this House under a statutory freedom of information arrangement. This is at the heart of what we are attempting to do. I am very disappointed that Ministers have completely ignored the views put forward in Committee, which are so clearly shared by right hon. and hon. Members on both sides of the House.

I look forward to catching your eye in a few weeks' time, Mr. Deputy Speaker, and speaking on this measure once changes have been proposed in the other place. I hope that, on that occasion, Ministers will eat humble pie, accept the change and not force through a reversal. I cannot believe that a Freedom of Information Bill worthy of the name does not provide for the release of information on Government policy, but this Bill clearly does not do so.

Mr. Tony Benn (Chesterfield): First, I congratulate the Members of the House on both sides who have fought this campaign. I regard this as the beginning of a recovery of power by the legislature in dealing with the Executive. This debate and its conclusion will be seen as very significant in the development of parliamentary democracy.

Of course, there have been some moves towards this. The Government of whom I was a Member introduced Green Papers to allow consultation. However, the Bill is a disappointment. The older I get, the more I realise how difficult past reforms were. I am not sure that the Home Secretary would encourage the publication of *Hansard*. He might well say—*[Interruption.]*—Hon. Members laugh, but there was a battle; Hansard was put in prison. I am not joking. The argument would be that it would not be in the public interest for the public to know what was said in Parliament.

5 pm

We are approaching the heart of the democratic deficit. Ministers say, "The democratic deficit means that I must decide, not the House of Commons". However, the fault line in democracy does not lie in what Ministers say. When we first arrive at the House as MPs, we all have to take an Oath of Allegiance to the Crown. As this is the High Court of Parliament, I always assumed that I should take an oath to tell the truth, the whole truth and nothing but the truth. That seems to be an appropriate oath for a Member approaching the High Court of Parliament. Privy Councillors take another oath. The truth is that, at that moment, the Executive, in the form of Ministers, are standing against Parliament and the public interest. That is what the matter is really about.

Ministers are often kept in the dark. When I was in the Cabinet, I once said that I wished we had freedom of information for Cabinet Ministers—but that was seen as an inappropriate joke. However, I should be very surprised if the Home Secretary knows much about what the security services are doing. If he does, he is the first Home Secretary ever to do so. He is a manager and we are representatives. The division between the Government and the House is the real division.

The longer I served in Government—I was a Minister for 11 years—the more I found that it was easy for people to confuse the public interest with the convenience of Ministers. That is easy to do; if it embarrasses Ministers, it cannot be in the public interest—but in fact, it is not in the interest of Ministers.

That argument leads to another point: I cannot think of any secrets that I ever knew. I do not want to disappoint those Members who are hoping for office, but those of us who have held office know that there are few secrets in government. I knew what would be in the Budget 24 hours before it was announced, and was afraid that I should sleepwalk and tell somebody. I knew that we were going to devalue the pound 48 hours before we did so. I knew the Government's position on negotiations with foreign Governments—that all came out when the negotiations took place. I knew what would be in the honours list before it came out—but everybody knows that.

In the old days, if the fact that a man was to be given a peerage was leaked, that ruled it out completely. Nowadays, the immigration laws have been amended; if one agrees to live here, one is put in the House of Lords. However, that is another question.

The real reason why I want to contribute to the debate is because of the nuclear industry, for which I had responsibility for many years. Recent events at Sellafield confirm what I learned by experience; even as a Minister—let alone a Member of Parliament—I was never told the truth by the nuclear industry. For example, I found out about the fire at Windscale—now called Sellafield—only when I visited Tokyo. My officials had never told me about it. When I asked them why they had not done so, they said, "It was before you were a Minister".

When the Americans discovered that there had been an explosion at Khysthm, the major Soviet reprocessing plant, I was never told. I asked the chairman of the Atomic Energy Authority, "Why didn't you tell me?" He replied, "We were told by the Central Intelligence Agency not to tell British Ministers, because it could create concern about the safety of nuclear power".

It was not until I left office that I discovered that, while I had been making honest speeches about atoms for peace, all the plutonium from our civil nuclear power stations was going to America to make the bomb. The atoms for peace power stations were bomb factories for the Pentagon. I felt affronted by that. Had people known the facts at the time, the development of the debate on nuclear power and the nuclear industry would have been much better informed. We should not have had the problem at Sellafield, because the matter would probably have been dealt with earlier.

These provisions are probably the most important in the Bill. After 30 years, we can find out at the Public Record Office what Ministers have done, but if we want the public to have an influence on their Government, they must know about the debate before it is concluded. I realise that there are arguments about fact and advice, but I have never believed that information about the nature of Government policy making was damaging.

What is damaging are leaks, malice and so on. If the public know that the Cabinet is considering how to respond to the BMW crisis, for example, and about the various options, that is extremely sensible. People with knowledge of the situation could contribute. The trouble with the official secrets that surround the Government is that they lock Ministers in with their officials.

Some Ministers are rather like constitutional monarchs. They can say yes or no to their permanent secretaries. However, once we let it be known publicly that we are considering a matter, we make available to Ministers a range of advice that they would not be able to get from within Whitehall and that allows them to become umpires between their civil servants and public expertise outside. I therefore make the case—I hope that it does not shock anyone—that open government and freedom of information are good for Ministers, not just for Parliament and the public. That argument needs examination.

I had always been in favour of freedom of information, but my experience of ministerial office made me even more convinced of the need for amendments of the type that my hon. Friend the Member for Cannock Chase (Dr. Wright) has introduced. Therefore, I hope that the campaign succeeds. I think that it probably will. Whether we have to depend on the House of Lords is a slightly painful thought for me because, as a representative of public opinion, the House of Lords is very shaky.

I will not go into the democratic credentials of the other place, but at least we are sure that its members will all be there after the next election, so they are more secure than any of us. I never thought that they spoke for the people, but they provide a pause to allow public opinion to form itself. I hope that public opinion makes it clear to the Home Secretary and others that we are not prepared to accept that we should be treated as children and left outside the inner knowledge of what happens. It denies Ministers the advice that they need and the public the opportunity to participate in some way in their future, rather than being just spectators of their fate.

Mr. David Heath (Somerton and Frome): It is always an enormous privilege to follow the right hon. Member for Chesterfield (Mr. Benn). Indeed, it is a privilege to take part in the debate because it slightly restores one's confidence in the Chamber doing its job of testing and trying to improve legislation.

I have listened with care to what hon. Members have said, particularly the hon. Member for Cannock Chase (Dr. Wright). He advanced all the arguments on the amendments that stand in his name, to which I have added my own. My only regret is that I appear to have omitted to add my name to amendment No. 91. Had I noticed that earlier, I would have added it, because I agree with it, too.

The hon. Member for Ryedale (Mr. Greenway) said two things that gave me concern. He expressed a sense of defeatism that the measure had to go to the other end of the corridor before it could be put right and brought back. Last night, there was a conversion of almost Pauline proportions from the Home Secretary during his long speech. I still hope that he will listen to the debate and realise that there is a serious flaw. Amendment No. 10 is simple and concise, and he could easily concede to it. It would immeasurably assist the Bill. Therefore, I still have a slight, perhaps desperate, hope that, even today, we will see a result on that important issue.

Mr. Greenway: The hon. Gentleman tests my credulity. We spent some 18 sittings in Committee making similar comments day after day, but concessions came there none.

Mr. Heath: The hon. Gentleman is right. I remember every one of those sittings, as he no doubt does. There was a tendency to feel that one was developing a rather flat patch on the front of one's forehead as one banged one's head against a solid wall. Nevertheless, we have had movement in the past two days. Let us celebrate that and look for more.

The hon. Gentleman sought evidence from the experience of operating the code to suggest the need for the amendment. I do not believe that there is any need for evidence.

Mr. Greenway: The need was not for the amendment, but for what is in the Bill.

Mr. Heath: Precisely. The hon. Gentleman sought evidence from the operation of the code to indicate the need for what is in the Bill. He need not look for evidence, because the instinct of any bureaucracy is not to want to release information that it does not have to release. That is no criticism of the civil service; it is simply a fact that it is always easier to maintain secrecy than to divulge information. I am tempted to call these provisions the Sir Humphrey provisions, except for the fact that they extend well beyond Sir Humphrey and the permanent civil service into areas of policy formation.

Mr. Simon Hughes (Southwark, North and Bermondsey): Following the point made by the hon. Member for Ryedale (Mr. Greenway), is not it frustrating that, although there have been small but welcome concessions, what we expect to happen at the other end of the building will mean that more concessions will inevitably be needed before the Bill is passed? It is nonsensical for the Government to be on the defensive all the time so that it looks as if concessions are having to be dragged from them, when they could have accepted a good proposal and looked as if they believed in it.

Mr. Heath: My hon. Friend is absolutely right; it is undignified for any Minister to have to be dragged, with his heels digging into the sand, every inch of the way towards a destination that he declared to be his aim.

I have not heard any hon. Member who has spoken in support of the amendments suggest that there is no need for a degree of protection for policy formation in government. No one has suggested that it is possible to conduct government in a goldfish bowl and that there would not be an inherent difficulty if every piece of policy advice given to Ministers were released. That would make it impossible for the mechanisms of government to work. We all recognise that because we live in the real world, not in an imaginary one. However, that is a long way from saying, as the amendments do, that factual information and expert analysis should not be released as a matter of course.

[Mr. Heath]

The Home Secretary suggested last night that facts would have to be communicated throughout Departments of State on Post-it notes to avoid coming under the Bill's provisions, but that is nonsense. That does not happen in overseas legislatures that have freedom of information legislation, and it would not happen here.

The right hon. Member for Chesterfield (Mr. Benn) is absolutely right to say that the best way to improve governmental and legislative mechanisms is to have an informed debate. In this country we often cannot have such a debate, as those who want to engage in the argument do not have the facts at their disposal because of the absurd culture of secrecy that has been fomenting for so long. The Bill is intended to address that. The amendments, particularly amendment No. 10, are crucial in that regard. I agree with hon. Members who have said that we need to test the opinion of the House if the Home Secretary is not minded to accept it, or a variation on it.

The Home Secretary might help the House on another matter. The workings of clauses 13, 33 and 34 will depend on his announcement last night. It would greatly assist us in considering the Bill if we knew whether the Government intended to proceed with new clause 6. The amendments that the Home Secretary announced last night, and his preparedness to consider other amendments, mean that it would stretch the loyalty of even the most credulous Back Bencher to suggest that new clause 6 was a credible amendment to the Bill and for the Home Secretary to assert that he does not intend to maintain it in its current form or anything recognisably like it. It would assist the House if he made an announcement on new clause 6 today, so that we could consider it in the light of the amendments.

The Home Secretary has shown courage and fortitude, as have the Government, in introducing the Bill, but if he is not prepared to be tough on Ministries, tough on civil servants, tough on secrecy and tough on the causes of secrecy—which are very often those same civil servants—the Bill will have failed. I hope that he will listen to the arguments of hon. Members on both sides of the Chamber because they are cogent and are intended to improve the Bill.

5.15 pm

Mr. Mark Fisher (Stoke-on-Trent, Central): I am an optimist, so I hope that we are simply getting the tone of the debate slightly wrong, because colleagues on both sides of the House seem to have forgotten what happened last night. As hon. Members have said, we had the remarkable sight of my right hon. Friend the Home Secretary, when tested, beginning to recognise the huge imperfections of the Bill that he was defending and rewriting the clause that is at the heart of the Bill as he stood at the Dispatch Box. Rightly, he got credit for that. Let us be clear: last night the Home Secretary eased the grip of the powers at the centre of the Bill and effectively transferred them to the Information Commissioner rather than allowing new clause 6 to give him and his ministerial colleagues a veto.

In answer to the hon. Member for Somerton and Frome (Mr. Heath), of course my right hon. Friend will not move new clause 6; he tore it up in front of our eyes last night and the bits of paper were at his feet by the end of his speech. That new clause no longer exists. Of course we trust the Home Secretary's word, and as my right hon. Friend the Member for Chesterfield (Mr. Benn) said, his remarks are in *Hansard* and we can clearly see that he redrafted the provisions—and all credit to him.

If the Home Secretary can redraft a clause that was at the heart of the Bill's powers, these amendments, which are about the scope of the Bill and areas of exemption, particularly those relating to formulation of policy, should not present such a problem, although with the powers that were discussed last night they are one of the twin pillars on which the Bill is constructed. The Home Secretary has said on Second Reading and on many occasions since, inside and outside the House, that he accepts the point addressed by the amendments.

The neutral but important facts and data that the Government use to make decisions ought to be in the public domain so that the public, the press and hon. Members can scrutinise them and judge whether the Government are behaving wisely and well. There is a crucial and obvious distinction between those facts and the debate, to which the hon. Member for Somerton and Frome has just referred, between Ministers, and between Ministers and civil servants, about how policy will work. No freedom of information legislation in the world gives access to that debate, because the Government's progress would be impeded if that dialogue were not free to be speculative and political.

The Home Secretary understands that distinction, and he has said many times that the only impediment to his accepting the amendments is that he could not find the right form of words to make the distinction between fact and opinion. We hope that we are helping him to do so by tabling the amendments. The amendment in the name of the right hon. Member for Haltemprice and Howden (Mr. Davis) is excellent, which is why my hon. Friend the Member for Cannock Chase (Dr. Wright) and I have put our names to it. There are various ways of making the distinction between fact and opinion, and the Irish Freedom of Information Act contains a clear, simple way of doing so. It is crucial that such a distinction is made.

Last night, the Home Secretary addressed the much more difficult political problem of the commissioner's powers vis-a-vis his powers and those of other Ministers, so I live in hope that he will be able to solve this problem about the Bill's scope. He understands and accepts that it does not make sense to say that the facts on which Ministers base judgments should not be available, so this is a molehill for him to climb, although it is important because it goes to the heart of the Bill, as my right hon. Friend the Member for Chesterfield said.

We are talking about policy. That word, from its Greek origins, has the same root as "politic" and "politics". The debate relates to the formulation of policy, and that is why it is so important. We cannot do our job on behalf of our constituents and on behalf of this country unless we are on a level footing with the Government and have access to the same factual information. Only then can we judge whether or not they are making wise decisions and wise use of Government money. It is impossible for the press to make that judgment unless it is on that footing.

Ministers have often provided information. However, they also hold back information that is perhaps arguable and can be read in two ways. That is why the legislation is so important. We must make it absolutely clear that

Parliament and individuals have the right of access to information so that we can be treated as grown-ups on a level footing with the Government. We need to know what they know so that we can judge whether they are acting properly and well on our behalf.

In looking at the Bill, one has to agree with my hon. Friend the Member for Cannock Chase, who set out the background to clauses 33 and 34 very well, that the parliamentary draftsmen have done a superb job. They have erected an amazing defensive edifice for the Government. They have built a virtually impregnable fortress; it is a high place, an acropolis. My hon. Friend described its architecture, which includes the factual class exemption; the prejudice test; the extraordinary concept that only certain people are qualified, which is extremely dangerous and worrying if it does not include the Information Commissioner—and according to the Minister it does not—and the effective conduct of public affairs.

The provisions are a mound, a rampart, a bailey, a keep to protect the Government—but from what? At one level, they are protecting the information that the Government have at their disposal and wish to share with the rest of us only by their grace and favour and on their own terms. That is an unacceptable basis and it is at the heart of the Bill. It is why we have needed such a Bill for the past 20 years and why some hon. Members have been arguing for one for so long and on such terms.

If it maintains that enormous defensive rampart around Government policy, the Bill will cease to be a freedom of information Bill, and will become instead a protection of information Bill. That is not what it is about. It contains a huge class exemption that has to be changed and the means of doing that are at the disposal of my right hon. Friend the Secretary of State. As the hon. Member for Somerton and Frome has just said, there is nothing threatening about what we propose: every piece of freedom of information legislation in the world makes a distinction between fact and discursive opinion.

As my right hon. Friend the Home Secretary says that his great problem is not being able to find a form of words that would tease out the distinction between fact and subjective advice, let me quote from the Irish legislation, which is the most recent as it is only two years old. It states that materials that should be released include matter

> used or intended to be used by a public body for the purpose of making decisions, determinations or recommendations and factual, including statistical information and analyses thereof and the reasons for the making of a decision by a public body.

Those are simple words and concrete concepts. If the Secretary of State is listening, he must surely realise that there lies salvation. There must be a way in which he can grasp something or adapt it and get the excellent parliamentary draftsmen who have done so well at creating defensive ramparts to do something constructive. If my right hon. Friend does not like our amendments or those tabled by the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan), which we shall discuss in a moment, he has here the means at his disposal.

It is inevitable that the Bill has to change. We cannot seriously pass freedom of information legislation that will not allow the public the right of access to the same factual information as the Government. Factual information is innocent; it is without bias and without weight. Undoubtedly, there are certain areas where one category of information merges into the other, which is why the Bill needs to be clear and why it contains plenty of provisions to protect the Government. As my hon. Friend the Member for Cannock Chase said, they are hedged around. Even if we get round this point, the ramparts and baileys will still exist. There is no danger that the Government will be embarrassed, but they should recognise that we should have access to the same facts as they have. I find that not a revolutionary concept, but one of common sense.

My right hon. Friend showed last night that he had the great good sense and the courage to adapt the Bill as he stood at the Dispatch Box. I hope that he will do so again on this group of amendments.

Mr. David Davis: It is a pleasure to follow the hon. Member for Stoke-on-Trent, Central (Mr. Fisher). Like the hon. Gentleman and the hon. Member for Somerton and Frome (Mr. Heath), I am optimistic about the progress of the Bill. I commend the Home Secretary for his comments last night. I hope that they will be reflected in his not moving new clause 6, and tabling a new clause in another place to reflect what he said last night, subject to legal advice.

It is also a pleasure to speak in the same debate as the right hon. Member for Chesterfield (Mr. Benn). It is nice that even in his 75th year he is still a fount of dangerous ideas, although when the Home Office finds that *Hansard* fails the harm test and classifies it, I shall hold him personally responsible.

I want to speak to amendment No. 91, whose aim is clear cut. It is wider than some of the other amendments in the group, all of which I support, in that it seeks to bring into the open facts, options and analyses relating to any decisions, but not advice. I shall not read out the full text of the amendment, but I should like to thank Maurice Frankel and his staff at the Campaign for Freedom of Information for helping me to draft it, particularly considering the risk of collective seizure when someone with my hard-edged reputation in these matters rings them up and asks for help.

At the risk of being tedious, let me repeat what I said today about my attitude to the amendments. They are proposed not just for the sake of freedom of information, but for their effect. The test is threefold: does it inform debate; does it reinforce democracy; and does it improve government? By improving government, as the right hon. Member for Chesterfield said, I do not mean making government more expedient, smoother or more comfortable either for the Ministers or the Sir Humphreys who serve them, no matter how well intentioned, capable and public spirited they are. The test is whether it helps the delivery of good government for the citizens of this country. In my judgment, amendment No. 91 passes all those tests. Indeed, it would significantly improve the position.

The amendment would explicitly exclude direct advice to Ministers. As a former Minister, I feel strongly that that should be properly protected. First, it should be protected because Whitehall believes that its inclusion would affect the candour of advice. The policy civil servants who generate and deliver advice believe that they would be jeopardised if that advice were brought into the open. I have some sympathy with that view. I well remember

[Mr. David Davis]

the pain that I felt during the general election when I was attending a negotiating conference and I read a newspaper saying that Sir Stephen Wall, our ambassador in Brussels, would be moved or dismissed by an incoming Government because they did not approve of his views. That did not turn out to be the case. Whoever put those ideas about, the Government very sensibly kept Sir Stephen, and kept him in that job, where he does an excellent job for the present Government, as he did for the last.

5.30 pm

Similar rumours float around about other senior, and very capable, civil servants. I suspect that they all come from the kindergarten—I think that that is the correct collective noun—of special advisers that now populates Whitehall. However, the following is not meant as a party political point—it is meant to apply to any Government. If policy advisers believed that they could not give clear, candid advice without risk to their own career, it would be a very bad thing and would undermine proper government.

There is a second reason for protecting the privacy of such advice. I believe that, as the right hon. Member for Chesterfield expatiated, the Bill, if properly amended, would change the power balance in Whitehall between Ministers and their civil servants. It would reinforce the position of Ministers, just as it reinforces the position of the House with respect to Ministers, and the public with respect to all of us. However, if the advice area was brought out into the open, it would have the reverse effect.

I speak as someone who, as a Minister, probably turned down or reversed about a third of the advice given to me. That would have been much more difficult had it been possible for that advice then to be used against me in a debate. Therefore I believe that it would be a bad thing to bring advice into the open. It would reverse the power balance and make the advice of individual civil servants too much of a bind on Ministers. For two reasons, then, I strongly defend the advice area, as has every hon. Member who has spoken.

However, that is not to say that the exemption should be used to protect all the other areas that amendment No. 91 addresses. As the hon. Member for Cannock Chase (Mr. Wright) said in his eloquent opening to the debate, the Bill as it stands falls short of the 1977 Croham directive—Lord Croham was probably one of our greatest permanent secretaries—and falls short of the 1994 code, in which I had a brief involvement, although all the credit for that code falls to William Waldegrave. The Bill falls short of the allowance for facts and analysis in both of those prior decisions in Whitehall.

As I understand it, the aim of this class exemption is to protect the process of policy formation. There can be no harm to the process of policy formation in exposing the facts. The facts cannot be altered; in fact, such a provision will be advantageous because the people presenting the facts will be more rigorous, in the knowledge that the facts will enter the public domain. If the facts are available during the debate, some of the facts—I am especially thinking of scientific data—may be open to some challenge, and that, too, would inform and enhance our debate and, as such, improve our government. Those reasons should lead us to common ground on the subject; they should lead us to believe that such freedom of information will advance the cause of the Government and of Ministers.

There is another consideration here—the attitude of the public to the Government. It can only reassure the public if they know the factual basis of policy—if they are not treated as though they were a group to be patronised by the Government, to be told what is good for them, but can see for themselves that they have access to the facts on which decisions are taken.

Much of what I have said applies to all the amendments that have been debated so far, but I also believe—this is the point of amendment No. 91—that, in most cases, the process will not be harmed by airing the options. In fact, there is a benefit because it would lead the people drawing up the options for the Minister to be more complete and leave nothing out.

It was my experience as a Minister—I am sure that others will have the same feeling—that one often felt that one was given the choice of options Nos. 1, 2 and 3 and one wondered, "What about Nos. 4 and 5?" The amendment would lead to options Nos. 4 and 5 being put to the Minister; it would lead the options to be better developed than they currently are. That would be a benefit to Government, and it would inform debate. Think of the difference of the debate in the House if we were not simply saying across the Floor of the House, "Yah-boo sucks; we do or do not like that option", but were talking about the various options that were available to the Government and could be developed and could be pursued by the country.

Mr. Tony Benn: I agree with absolutely everything that the right hon. Gentleman is saying, but is it not also a fact that the acceptability of Government decisions to the public would be greatly increased if the public knew that all the options had been considered, and that even the ones that had been rejected had at least been considered? The absolute unanimity of Ministers on everything actually makes Government lack credibility, whereas the opening up of the options, the debate about them and the publication of the conclusion is reassuring to people who otherwise think that their arguments might never even have been examined at the top.

Mr. Davis: As ever, the right hon. Gentleman is ahead of me and about three sentences ahead of my comments, so he has shortened my speech, which is no doubt to the pleasure of the House. He is absolutely right in that respect. My proposals cannot be a bad thing for a Labour Government or any other Government in that respect. It must be to the benefit of our democracy for the public to have greater confidence in the decisions taken on their behalf.

Of course, there will be times when the options are not appropriate to be aired. I worked in the Foreign Office for three years, and I had to deal with negotiations in which there were options that one perhaps did not want to play out in the public domain before they turned up in the European Council or NATO or wherever we were negotiating; but such times are quite limited.

Mr. Greenway: There are exemptions for them.

Mr. Davis: My hon. Friend, from a sedentary position, says that there are exemptions for them. I encompass a

harm test in amendment No. 91, and the harm test should be rigorous, but it will not greatly limit freedom of information.

For three years during a European negotiation leading up to the treaty of Amsterdam, I appeared almost once a month before the Select Committee on European Legislation and discussed as openly as possible with its members what was happening, and from time to time I had to say, "I am sorry; I cannot tell you that" and it was understood on all sides. Therefore I doubt that the harm test will be a controversial issue. Most of us would accept that it would work easily, work well and work with the support of the House.

In practical terms, the hon. Member for Cannock Chase—the leader of what is now, I suppose, the Cross-Bench group of Members of Parliament—laid out the point that Lord Butler—Robin Butler, as he was then—made when he was Cabinet Secretary, when he told the House of Lords Select Committee that his senior colleagues and he had given some thought to how they

> could . . . structure submissions to Ministers in a way that would enable us easily to separate the background . . . from . . . subjective advice.

In that context, "the background" means both facts and options. And he is not alone. Terry Burns—now Lord Burns—said something very similar in that respect. Two of the most senior of our previous permanent secretaries, once free of the shackles of Whitehall and free of the close mafia of the Sir Humphrey club, actually say, "This is possible. This can be done, and done in a way that will not harm—indeed, will improve—the process of government in this country."

Therefore, it can be done here, on the basis of the facts as they exist, and on the basis of the experience of many of us in government; and it has also been done readily elsewhere. Consider some of the exclusions from the exemptions that exist in other countries' freedom of information legislation, such as Canada's Access to Information Act and similar legislation in Ireland, Australia and New Zealand. Such exclusions include factual and statistical material—in Ireland, there is an exclusion for the analysis of factual or statistical material—the reasons for a decision, or information publicly cited as the reasons for a decision; scientific research or field research; expert scientific or technical reports or analysis; expert opinion or analysis; the advice of external consultants or persons other than a Government official, which relates to the point that has been made today about lobbyists; a commissioned report of a Government body or interdepartmental committee, other than one reporting to the equivalent of the Cabinet; a feasibility or other technical study or plans and budgetary estimates relating to new or existing programmes; efficiency studies; economic forecasts; public opinion polls; environmental impact studies; product testing results; appraisals and valuators' reports. I cannot imagine how any of that would lead to a problem for government, and my amendment seeks to make such information available.

In New Zealand, the provisions go further. The legislation there says that advice itself can be brought into the open. There are problems with that but, in many cases if not universally, New Zealand publishes advice at a post-decision stage. That goes further than I or the House would wish. However, that shows that my amendment is not at the cutting edge of the argument; it is in the firm, safe centre ground.

Mr. Jon Owen Jones (Cardiff, Central): I thank the right hon. Gentleman for giving way, especially as I wanted to intervene on him in yesterday's debate. He has considered whether the release of information to the public could cause any conceivable harm to government. Let us consider the BSE crisis. For a period, the then Government believed that there would be damage to the industry if the public were made aware of the facts that were before the Department about the levels of BSE in cattle. Releasing such information would have caused harm to the Government or their policy of the day, but it would have demonstrably been of great benefit to the public. That is the purpose of the Bill.

Mr. Davis: I agree entirely with the hon. Gentleman. I do not know enough about the information available on BSE in that period, but he is exactly right. We should separate a judgment about the public interest from a judgment about political or personal interest.

As Chairman of the Public Accounts Committee, I deal with cases in which—to put it bluntly—blame is apportioned. The simple fact is that it is human nature to try to avoid blame. Even when we think that we are making impartial decisions, such supposedly impartial decisions are influenced by an instinct—a comfort factor—that relates to our own position. When I was in government, I had to make decisions that I would have preferred to have been made by someone who was entirely independent of the government process. I agree with the hon. Gentleman that it is much better to have a provision in the Bill to cover such decisions.

I support the amendments for three reasons. They would properly inform public debate, significantly enhance our democracy and materially improve our government.

Mr. Gordon Prentice (Pendle): I wish to speak briefly on this group of amendments on the formulation of Government policy. I do not know whether you will rule me out of order, Mr. Deputy Speaker, because I am not sure whether Liberal Democrats are involved in the formulation of Government policy. However, much information that should be freely available is withheld not just from the public but from Members of Parliament, to avoid embarrassment and for reasons of party management.

About 18 months ago on 10 November 1988, a declaration was made by my right hon. Friend the Prime Minister and the right hon. Member for Yeovil (Mr. Ashdown) that we could expect ever closer union between the Labour party and the Liberal Democrats. The two parties are in coalition in Scotland and, in the past few days, we have learned that my right hon. Friend the Prime Minister—there is no great secret about this; it has all come out—has said that his greatest regret was that he did not bring the right hon. Member for Yeovil into the Cabinet in May 1997. We know from newspaper reports and the right hon. Gentleman's book that that option was discussed. Two Labour members of the Cabinet would leave, and two Liberal Democrats would come in.

5.45 pm

I decided to find out a bit more about this new constitutional innovation, the Joint Consultative Committee with the Liberal Democrat party. Over a year or 18 months, I tabled any number of questions about it and met a brick wall. I wanted to know when the committee met and I was told, "Secret. Ruled out." I wanted to know not who said what but what was on the agenda, and I was told, "Secret. Ruled out." I wanted to know who from the Labour side and the Liberal Democrat side participated in the Committee and I was told, "Secret. Ruled out."

That is ludicrous when I can pick up a newspaper and find out, as I did on 14 December 1999, because Liberal Democrats tell the world what is discussed at the meetings. However, when I go to the Table Office, I see wrinkled brows and people there consult their tomes to see whether I should be allowed to table a simple parliamentary question about what is on the Committee's agenda. In *The Independent* on 14 December, I read that at a meeting of the Committee, the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan)—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. I remind the hon. Gentleman that he must keep to the amendment. He is telling us that he was seeking information, but he is going into detail that has nothing to do with the amendment. He can tell these stories outside the Chamber.

Mr. Eric Forth (Bromley and Chislehurst): Oh no!

Mr. Deputy Speaker: I inform the right hon. Gentleman that I am in the Chair.

Mr. Prentice: Let me move rapidly on to a simple point. Will Ministers tell me whether the Bill, as unamended, would allow me to obtain the information that I seek on what happens in the Joint Consultative Committee should it make proposals for voting reform and reforming the European Parliament, the European Commission and so on? If not, should I rely on the amendments? I want an answer to my questions.

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): This has been an extraordinarily good debate, but I wanted to latch on to the speech of the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) who suggested that we had misjudged the nature of the occasion and that we were about to see a revelatory conversion from the Home Secretary. All of us who are anxious to see the amendments accepted—they lie at the heart of the Bill—have suffered a little from the right hon. Gentleman's quite deliberate attempt to put us off the scent early in the debates by telling us that the matter is a question of drafting and designing words that would express what he so much wanted to do.

I know that the right hon. Gentleman is a highly intelligent man and not a disingenuous Home Secretary. However, his argument stretches credulity a little. The hon. Member for Stoke-on-Trent, Central suggested that factual information was neutral, but facts are knowledge and knowledge is power. If power is distributed to the people, the people will have the power. Those who exercise power in the name of the people draw a clear distinction in their own minds between the people participating in the decisions and taking the decisions in the name of the people.

We are engaged in a fundamental constitutional argument about the role of the House and the Executive. It is not a little problem of definition or of finding the right words.

Mr. Hawkins: In the right hon. Gentleman's analysis, which I am following carefully, of what the Home Secretary was trying to do last night, does he agree that a particular phrase used in one of the memorandums to the Select Committee on Public Administration is particularly apposite to what the Home Secretary was trying to do and to what the right hon. Gentleman is rightly criticising? The phrase was

there is no sop like an old sop.

Mr. Maclennan: I was focusing not so much on what the Home Secretary did last night as on what he did on Second Reading, when we were considering the matter that is now under discussion.

I am also on the alert. The Home Secretary's intervention on the hon. Member for Ryedale (Mr. Greenway) amounted to this: "We will know what the House wants when it has voted on the issue." I suppose that that is a conventional view of the way our parliamentary democracy works. However, I think that it is a gross distortion, and one which we should recognise for what it is.

The issue before us was debated extensively on Second Reading. It was then debated lengthily in Committee. During these debates, not one voice has been raised in the House in support of what is in the clause. Following the vote, whatever the Home Secretary may say about the House having spoken, I advise our colleagues in another place, however they may have got there, that the opinion of the House should be judged by what it has said. In this instance, it has said in unmistakable terms that if factual information is not to be made available as a result of the Bill, the Government are performing a monumental U-turn. They are betraying the White Paper produced by the right hon. Member for South Shields (Dr. Clark), going back on their undertaking to the electorate in the Labour party's manifesto and repudiating the agreement entered into with the Liberal Democrats prior to the election, which was one of the reasons that led to the setting up of the Joint Consultative Committee with the Liberal Democrat party, to which the hon. Member for Pendle (Mr. Prentice) alluded.

This is a matter of major importance and not one that allows for nice distinctions to be drawn and for difficulties with parliamentary draftsmen to be alluded to as the only reason why the Government cannot move from their position. I am optimistic that the Home Secretary, if he is to intervene in the debate, will not rely on drafting, for to do so would take us all for suckers.

Dr. David Clark (South Shields): I shall be brief because so much has been said this afternoon on these issues in such an eloquent way, with such clarity and in such a comprehensive manner. The case against the Government's proposals and for the amendments has been made comprehensively.

I find myself mystified by all three Ministers. They are all highly intelligent men. They understand the arguments and I sense that there is a certain empathy with the points

that we are trying to make. My right hon. Friend the Home Secretary and I, over a number of years, have shared platforms, and at no time more regularly than the 1997 election when it was our desire to modernise the United Kingdom. We wanted to build a new compact with our citizens and to have better government.

I submit that the Bill and the amendments do just that. I have told the House previously that on my first day in office, when faced with the responsibility of trying to chart the course for the Government's freedom of information legislation, I was faced with the choice of putting the code of practice on a legislative basis or doing the job properly, even if that meant waiting 12 months. I opted for the second course and the Cabinet backed me in that choice. I am therefore concerned when some clauses appear to be weaker than the code which I and the rest of the Cabinet had rejected. I tell my right hon. Friend the Home Secretary that it is incumbent on us to ensure that the clauses are at least as good—in my opinion they should be better—as what was provided by the code.

I reiterate that we are not talking about advice to Ministers and the confidential relationship that is essential between Ministers and civil servants. We are talking about background, factual information which, if it were available to our citizens, would empower them. I believe that if such information were made available, it would change the manner in which civil servants conducted their work. It would therefore provide better government for our country. That is a point well worth taking.

Like the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan), I am mystified by the Government's continuing retreat. They have empathy with us and they understand what we are trying to do, but the difficulty is the form of words. That is a telling point, but it was answered by my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher) when he provided us with some words, as do the amendments.

The amendment would increase better government and rebuild confidence between the Government and the general public, our citizens. At the same time, it is essentially practical. We have the form of words and what we are asking to be done can be done because it has been done. I insisted that after we published the White Paper in December 1997 we would publish thereafter all the background papers leading up to the White Paper. All the factual information was available in printed form. I insisted that it was on the internet as well. That which we are asking for can be done and should be done.

Yesterday, I was proud to be in the House and to be a part of it as it was doing its job properly. My right hon. Friend the Home Secretary was acting in a way that Secretaries of State should act. He was listening to the arguments, appreciating them and making his own points. At the end of the day he weighed up the case and answered the debate by changing position. I hope that he will show that stature, statesmanship and maturity again today.

Mr. Richard Shepherd (Aldridge-Brownhills): I wish that a wider world could read the propositions that sometimes come before the House. I do not think they would survive a moment of the public's scrutiny. As I said yesterday, perhaps the House is the last great deferential place in the United Kingdom.

Good friends on both sides of the House have in a sense thrown aside party and said how the clause should be amended. It is not a modest little clause. Indeed, it is an overreaching and firm assertion of who is in control, and it is not the House. No such clause could have been tabled by a Government who thought that they had to convince and win arguments in this place. It is the product of the power of the Whip.

Clause 33 states:

> Information held by a government department is exempt information if it relates to the formulation of development of government policy, Ministerial communications, the provision of advice by any of the Law Officers or any request for the provision of such advice, or the operation of any Ministerial private office.

In truth, little has been left out.

6 pm

In all the years since I came to believe profoundly that one of the keys missing to the operation of our parliamentary system is equality of argument, equality of information and the ability to discuss rationally, cogently and on the basis of the facts, there has been a shadow behind Parliament: the Campaign for Freedom of Information. It has tried to advance those arguments based on the common law that sprang from this island, the understanding of arrangements in other countries—parliamentary democracies such as Canada, New Zealand, Australia, and the Republic of Ireland—and the system of law that runs like a thread through their constitutions. However, for some reason, the Executive of this country have brought forward clause 33.

All the arguments relating to the formulation and development of Government policy have been presented in the House, year after year. I can see present in the Chamber Members of Parliament who supported me in the attempt to reform section 2 of the Official Secrets Act 1911. I see individuals—I admit, most of them are facing me—who supported that attack on the Official Secrets Act because they believed that there was a public interest in Government being more open and less covert. Ministers would have to be extremely busy formulating policy not to be aware of the arguments.

The people who really know the arguments are the clerisy—the repository of wisdom, the bureaucracy itself, without beginning or end, always there. They have heard, recorded and understood the arguments each time the House has groped towards reform—once, on the initiative of no less a person than a Prime Minister, through a directive issued to Lord Croham. I sat through debates in which the right hon. Member for Chesterfield (Mr. Benn) engaged with one or two of his colleagues in discussion of the genesis and fullness of information available to members of the Cabinet—ministerial advice—on Chevaline. Those debates were a revelation to me: for the first time, I heard the House debate issues relating to policy.

The Home Secretary, knowing all those facts, knowing about Croham, after William Waldegrave's exercise in formulating a code, and understanding all the processes that go into the making of the law, produced a draft Bill. That was nearly nine months ago. The elements of that draft Bill were considered by two Committees of the House of Commons and one of the House of Lords—in short, both Chambers had a go. The issue of the formulation of Government policy was not secret or unknown; right from the start, it was a question of judgment.

[Mr. Richard Shepherd]

Each Member of Parliament present has a thread in that process. When we ask what is happening, the clause is our answer: it tells us, "Thou shalt not know." That is the message that emanates from all parts of the Bill. Small advances are made—how generous, how grand, how nice of the Government to nourish us with the suggestion that we might be entitled to information. In the end, however, the message is, blow the dialectic, the argument, counter-argument and synthesis, for the net result is the Bill. There is only one fact: the synthesis lies in the hands of the Government. Despite all the representations on the particulars of the amendments made in Standing Committee, in Select Committee and on the Floor of the House, on 5 April we have before us a clause that washes away any prospect of debate.

The answer lies within ourselves. We know that. There is no argument about it. The Government—the Crown in Downing street, as the right hon. Member for Chesterfield calls it, and rightly so—is like the emperor: it takes a little boy to say, "But he has no clothes." It is for the House to say that the Bill has no clothes; only then will we see clearly.

Yesterday, we were treated to an extraordinary performance by the Home Secretary, but I know the devices that lay behind it—softly, softly here, concede there, do this, say that, talk about drafting difficulties, and so on. The truth is that, even with the amendments, the clause would allow only minimal access. We are still rehearsing the arguments; we are not conceding, but we know that the Government's synthesis is, "I'm listening, I'm engaged." Well, Governments in this country are always listening, but in this case only to themselves and their echo chamber.

We spend all our time running to become the Government, and we forget that government is the mechanism by which the lives of all of us and those whom we represent are ruled. Today, on 5 April 2000, after all these years and all the good fights, we face a Bill that contains the same monstrous claim—the British Government cannot succeed unless they have the security embodied in clause 33. Our amendments, our arguments are rejected. It will not do. *[Interruption.]* I see that the hon. Member for Linlithgow (Mr. Dalyell) is eager to speak. I shall finish soon.

The clause shows the heart of what the Government are up to. We ought to shout about it. I am using the device—amendments—used by others who have participated in the debate. The shame lies not in our efforts but in the knowledge that, despite the feelings of their own supporters, the Government have included such a clause in the Bill, without debate or dialogue.

I do not think I am betraying a secret when I tell the House that, after a sitting of the Select Committee on Public Administration, Lord Burns—a man who has been through everything that my party got up to at the Treasury and who knows a thing or two about what the Treasury gets up to—told me, "The only thing that has to be protected from exposure is rows between Ministers—that is the really sensitive area." I know that a great academic to start with, afterward a bureaucrat, might have other lines to run, but, in truth, what are those great secrets? What needs such absolute protection?

The clause, if unamended, amounts to our saying that we, as a Parliament and as a people in relationship to our Government, are less than the Canadians and the Australians—we are small.

Mr. Dalyell: Following once again the tour de force of—as I must call him in this matter—my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), I am overcome by my curiosity about one point. What will Douglas Allen—or Lord Croham as we must now call him—say, following his guidelines, if he participates in debates in another place?

I have a foreboding that we shall be discussing important matters at some ungodly hour of the morning, when we are all too tired to give them their due. I shall therefore confine myself to a single question, albeit a convoluted one. It relates to scientific evidence. Will the Home Secretary let us into the little secret of what his Home Office advisers have told him in respect of scientific evidence and whether or not it should be made available?

My experience, and it is long, of scientists is that they are absolutely desperate to get their papers published—they adore getting their papers published. I cannot believe that those who are desperate to be published in *Nature* or some technical magazine will have any inhibitions whatever about their evidence to the Government being published in suitable form, so that their peers can judge it.

I ask the Home Secretary this: what discussions have there been with scientists on the matter of scientific evidence about the publication of items and advice that would be covered by the clause?

Mr. David Davis: The hon. Gentleman is gracious in giving way. Does he agree that that desperation to be published is one area in which personal interest serves the public good? The process of science consists of conjecture and refutation, and much new science is not well developed and gains from the disputation that comes from publication. Such exposure would advance and assist government policy.

Mr. Dalyell: I dissent from that and give as an example the evidence on BSE presented to the Ministry of Agriculture, Fisheries and Food over the years. That generally makes the point.

I said that I would be brief, and I will stick to that. I hope that the Home Secretary will address my question at his convenience.

Dr. Lynne Jones (Birmingham, Selly Oak): It is a great pleasure to participate in the debate, when so much consensus has emerged from all parts of the House. I wholeheartedly agree with my right hon. Friend the Member for Chesterfield (Mr. Benn) that the amendments would be beneficial to Ministers in carrying out the important role that they perform on behalf of the people of this country.

As for embarrassment, Ministers have been more embarrassed by information that leaks out or by delaying information than by providing it openly and up front. The issue of BSE has been raised. One understands that Ministers at the time were concerned about the effect that giving information might have on the agriculture industry, but it has been shown that by holding back that

information, far more damage was done to the industry than would have been if appropriate action had been taken much earlier.

Like other hon. Members, I am still optimistic that we will get a positive response from the Home Secretary when he replies to the debate. I know from my own contact with him that it is his natural instinct to be open with regard to information and the way in which decisions are reached. I say that not just because he gave me the name of his plumber, but because—[HON. MEMBERS: "Leaks."] It was because of a malfunction, not a leak. Other contacts that I have had with him prove that that is the way he tends to go about things.

I have been campaigning for changes in the law as it affects transsexual men and women, and I have been delighted by the openness and accessibility of Ministers not just in the Home Office, but in the Department for Education and Employment, when considering changes to Government policy in that area.

I await the report of the interdepartmental working group which the Home Secretary set up to look at the issues. I was pleased that he allowed one of the civil servants involved in that working group to meet the parliamentary forum on transsexualism. I believe that the Home Secretary would agree that civil servants in both the Departments that I mentioned have benefited from the contact that they have had with experts in that area.

I look forward to the publication of the results of the working group's deliberations. We were advised by the civil servant involved that that paper would provide options and give the facts behind the formulation of those options. I hope that it will. I raise that as an example, in support of amendment No. 91.

6.15 pm

I have had experience not in government, but in local government. I would not wish to stifle candid discussions between Ministers or politicians with responsibilities and their officials. Such discussions are vital, but the politicians do not always know what questions to ask. It is to our advantage that the information should be in the public domain. It probably will help to raise questions that Ministers or politicians would not otherwise think of asking.

We know that the public have a low opinion of politicians and Governments, and a genuine Freedom of Information Act would be a means of starting to build up greater public confidence in the way we govern this country.

I have also had experience of consultation papers. My hon. Friend—

Mr. Deputy Speaker: Order. The hon. Lady is making a Second Reading speech. We have passed that stage. We are dealing with the amendments.

Dr. Jones: Thank you, Mr. Deputy Speaker. I am drawing my remarks to a conclusion. I support amendment No. 91, which goes further than the factual information being made available. It is also appropriate that the public should have access to the options, unless that is ruled out by the harm test which Ministers have before them when they reach their decision. That too is in the interest of Ministers.

The Government have shown that they wish to be open—for example, by publishing summaries of the results of consultation documents. I hope that the Home Secretary will take note of the debate and respond positively to the concerns that have been expressed. Even if he cannot accept the amendments, I hope that he will present proposals of his own that show that the Government want a Freedom of Information Act of which this country can be proud.

Mr. Hawkins: This has been a debate of exceptionally high quality. I shall be brief, as so many of the arguments have already been covered, but one or two points need to be mentioned.

> Alastair Campbell, the Prime Minister's press secretary, has frequently said that we will get a Freedom of Information Act over his dead body. He need have no fear; the Home Secretary is giving us neither freedom, nor information, nor any Act worth the name.

Those are not my words, but the words of a political editor of a national newspaper in his memorandum, which I mentioned earlier, to the Select Committee on Public Administration. He was dealing particularly with the issues that have been raised in the debate.

In days of yore, the Government may have wanted to dismiss the views of the political editor of *The Express*, but since that newspaper has been owned and run by one of Tony's cronies, the position is different. When Mr. Anthony Bevins, the extremely experienced political editor, dealing specifically with the Croham directive and its history, writes a formal memorandum to the Public Administration Committee, his words need to be taken seriously:

> Open government is an attitude of mind. It is clear that frontal lobotomy would be required to change the attitude of many in Whitehall to the very idea of openness.

He continued:

> New Labour's promise is not borne out by the—

Mr. Deputy Speaker: Order. Again, these are matters that could be raised on Second Reading, which of course has passed. The hon. Gentleman must speak to the amendments.

Mr. Hawkins: I understand that fully, Mr. Deputy Speaker, but the memorandum to the Select Committee on Public Administration deals specifically with clause 13. It covers the Croham directive, which many other hon. Members have mentioned in debate—

Mr. Deputy Speaker: Order. The hon. Gentleman should not read the memorandum verbatim. He can refer to it or paraphrase it, but we do not need the whole kit and caboodle.

Mr. Hawkins: I assure you, Mr. Deputy Speaker, that I have no intention of reading the whole kit and caboodle. I shall paraphrase a couple of points which the political editor of *The Express* made on the issue that we are considering this evening.

On the Croham directive, he said:

> It is perhaps worth recalling what happened to Labour's open government commitment of October 1974. Those were the days when Labour manifestos were packed with potent, fire-in-the-belly commitment and the betrayal came with the hangover.

[Mr. Hawkins]

The then Prime Minister, now Lord Callaghan, announced that

it would be the Government's intention . . . to publish as much as possible of the factual and analytical material used as the background to major policy studies.

That led Douglas Allen, later Lord Croham, to issue his directive.

Having summed up how the directive failed to work, the political editor of *The Express* commented on the proposals in the clause and the Government amendments:

Little has changed since Sir Douglas wrote his letter in July 1977.

Twenty-two years after that pitiful directive, we now have a pitiful Bill.

I echo those words.

As various hon. Members, especially those who tabled the amendment, pointed out, in his preface to "Your Right to Know", to which many hon. Members have referred, the Prime Minister said that the Government were delivering on their promises. In the words of Mr. Anthony Bevins, the Blair betrayal has come with the hangover.

Mr. Deputy Speaker: Order. The hon. Gentleman has referred to a right hon. Member, who happens to be the Prime Minister, but that makes no difference, once by his Christian name and now by his surname. That should not be done. Has the hon. Gentleman finished?

Mr. Hawkins: No, I have not. I am grateful for your advice, Mr. Deputy Speaker.

The Bill provides for a class exemption on policy formulation. My right hon. Friend the Member for Haltemprice and Howden (Mr. Davis), my hon. Friend the Member for Ryedale (Mr. Greenway), who took the Bill through Committee, and my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), who made an especially powerful and emotional speech, have drawn attention to what is wrong with the Government's actions in this respect.

We believe that the criticisms of the hon. Member for Cannock Chase (Dr. Wright) and his cross-party colleagues, including my hon. Friend the Member for Aldridge-Brownhills, were right. The right hon. Member for South Shields (Dr. Clark) said that he knew that his colleagues on the Front Bench were honourable men, but he wondered what had happened to them and how they had been got at. I can answer that question: No. 10 got at them. As my right hon. Friend the Member for Haltemprice and Howden said, Sir Humphrey has got at them.

Dr. David Clark: I want to make it clear that I never said that my right hon. or hon. Friends had been got at.

Mr. Hawkins: The right hon. Gentleman was worried, and expressed surprise that his colleagues on the Front Bench—where he used to be—had changed their stance. I apologise if I paraphrased him incorrectly.

My right hon. Friend the Member for Haltemprice and Howden and my hon. Friend the Member for Aldridge-Brownhills made the point well that there is no doubt about the Government's comprehensive change of view. They have rowed back from the previous Government's code of practice. The Campaign for Freedom of Information made it clear that the Government have changed the proposals, which are now weaker than the previous Government's code of practice.

We support the hon. Members who tabled the amendments. They are members of different parties, and they are right to criticise the Government. The Government's proposal to row back from our code of practice and method of operation and from the White Paper is wrong. We shall support the cross-party amendments.

Mr. Patrick Hall (Bedford): I want to make a brief contribution—I am sure that hon. Members will be pleased about that. The jarring contribution of the hon. Member for Surrey Heath (Mr. Hawkins) reveals that he has again misjudged the mood of the House.

I had the privilege of serving on the Standing Committee that considered the Bill and I listened carefully to the proceedings. I want to place it on the record that that was nothing like the privilege of sitting here today and listening to the high-quality contributions from all parties. I have been a Member of Parliament for almost three years, and today's debate is the best that I have heard; it showed the House at its best. All parties contributed to an important discussion.

Perhaps the debate was so good because it was informed. Those who spoke, especially the senior Members, had access to information which they considered and used to prepare and present their arguments.

Mr. Giles Radice (North Durham): I agree with my hon. Friend about the quality of the debate, and last night's discussions, which were highly dramatic. However, it is interesting that, despite the quality of the debate, the Press Gallery is almost empty.

Mr. Straw: As are the Tory Benches.

Mr. Hall: Indeed. The process of opening up our democracy through access to information takes time. Perhaps the media will benefit from it. I sincerely believe that democracy is being served especially well today in this place.

I support the amendments. We are considering wide access to the background information that informs Government policy. I hope that such wide access will be provided, because it will assist strong, informed democratic participation in the life of this country, not only by Members of Parliament in the Chamber today, but by citizens of our country for all time. Information is the oxygen of democracy. As many people as possible should be involved. Sharing power and trusting the people are vital. The amendments would achieve both.

When people are informed, they will have something to say, and democracy is the stronger for it. We will all benefit from that cross-fertilisation, as we have seen on a small scale this afternoon. I should like to live to witness that on a daily basis throughout the country, not only during general election campaigns.

I was privileged last night to hear my right hon. Friend the Home Secretary show that he was prepared to listen to debate. The Bill is an historic example of proposed

legislation; this is an historic moment in the life of this Parliament. Great matters are at stake—I hope that we will all rise to occasion.

Mr. Straw: As my hon. Friend the Member for Bedford (Mr. Hall) said, this has been an interesting and stimulating debate. I am grateful to all my hon. Friends, and to my hon. Friend the Member for Birmingham, Selly Oak (Dr. Jones) in particular, for the compliments that they paid me while at the same time expressing some disagreement with the position that they anticipate that I might take, which is fair enough. I had forgotten about exchanging plumbers' telephone numbers with her, but I think that he proved satisfactory. Nothing else was exchanged, as I recall.

6.30 pm

Referring back to last night's debate, I am struck by the sense, which many of my hon. Friends may share, that the changes in respect of clause 13 which were made, and those that I announced we would make in the other place, were somehow wholly detached from this evening's discussion. It has proceeded on the assumption that the only provisions relating to factual background information that informs policy discussion are those in clauses 33 and 34. There is a class exemption in clause 33, which applies to central Government, and a pretty substantial exemption through the certificate of a qualified person around the remainder of policy advice and the workings of government in respect of clause 34. However, clause 13, which is to be further strengthened in the other place, will ensure that there is a significant route for the release of factual and background information, including that which has informed policy discussions.

I remind my right hon. and hon. Friends that in every single case in which the Minister is told by the commissioner that he is within his rights to refuse to release information—that which comes under clauses 33 and 34, for example—that Minister has a duty to consider whether the balance of public interest in releasing the information outweighs the balance of public interest in withholding it. In those circumstances and as a result of Government amendment No. 48, which is before the House in this group, the Minister will have to pay particular regard to the public interest in the release of factual and background information. That is specified in clause 13. As we heard yesterday, when the Minister decides that, in his judgment, the balance is in favour of non-disclosure, the commissioner can order disclosure. There could be an Executive override, but the threshold for that has been raised and, as we agreed yesterday, the circumstances in which such an Executive override would take place will be very limited.

As I said yesterday, any Executive override would have to proceed on the basis that the information that the Minister was seeking to withhold would at some stage become public or could be scrutinised in private. Therefore, if what the Minister was seeking to withhold concerned probity—perhaps some kind of scandalous conduct by him—he would extremely unwise—

Mr. Tony Benn *rose—*

Mr. Jon Owen Jones *rose—*

Mr. Straw: I shall give way to my right hon. Friend the Member for Chesterfield (Mr. Benn) and other of my hon. Friends later. It would be an extremely unwise Minister who ever withheld such information. Only in circumstances in which that information would become public quite quickly or with the passage of a little time, would that Minister and the Government behind him—the decision would be collective—have any confidence in favour of withholding it.

I am of course aware of the 30-year rule, but under the Bill a huge amount of information currently covered by it will have to be released well in advance of that period. I also bring to the attention of the House the fact that, even under the existing regime, there are plenty of occasions on which information that is due routinely to remain—

Mr. Benn *rose—*

Mr. Jones *rose—*

Mr. Straw: I shall give way to my right hon. Friend the Member for Chesterfield after I have made my point.

Such information has to be brought out at a much earlier stage because of a public inquiry or for some other reason—a Public Accounts Committee inquiry, for example. I am not for a moment resiling from the suggestion that is made in the House and elsewhere that accountable government requires the maximum degree of openness and I shall respond to the points made by my hon. Friend the Member for Selly Oak about the style in which I have sought to operate as Home Secretary in a moment. I accept entirely that in not only the long run, but the short run, Ministers ought to be as open as possible. Although that can sometimes lead to a slightly uncomfortable ride on the day, it always leads to a better understanding of decisions that they have taken. If Ministers are confident about their decisions, there is a good argument for putting as much information as possible on the public record rather than not.

Mr. Benn: Those theoretical arguments are interesting, but will the Home Secretary deal with a practical example from the past? In the post-war Government, Mr. Attlee, the Prime Minister, started building the atom bomb. He did not tell the Cabinet, he did not tell Parliament and he did not tell the public. He also gave to a foreign power—the United States—permanent nuclear bases in Britain. He told Parliament that they were for training missions by American aircraft. Can my right hon. Friend address his mind to the question whether decisions as important as that would have been able to become public as a result of the Bill, which he advocates, recognising that the Prime Minister of the day, having kept it secret, would certainly want to use an Executive override to prevent that information from coming out?

Mr. Straw: I believe that neither under the Bill, nor under any other example that has been shown to me by the Campaign for Freedom of Information, nor under any system operating abroad would information relating to nuclear secrets have been made public. I know of no freedom of information regime that would have done that. All those with which I am familiar ensure that there is a ring around security matters of that kind.

I also say to my right hon. Friend that it was well known that we had a nuclear capability when the Visiting Forces Act 1952 was debated and it would have been open

[Mr. Straw]

to Labour as well as Conservative Members to ask questions. The whole point of the Act was to lay down the conditions under which visiting forces and their equipment could be in this country, and the only ones that we have ever had stationed on our territory have been United States forces.

My right hon. Friend was present for those debates; I was not. I make no point about that, but that is the truth of it. Notwithstanding the fact that the original decisions were made in secret, the House had an opportunity to lay down conditions for the use of such nuclear weapons here by the United States and the circumstances in which the visiting forces could be in this country.

Mr. Greenway *rose—*

Mr. Straw: I shall give way, but then I must get on.

Mr. Greenway: I am most grateful to the Home Secretary for giving way. The examples of factual information that we have discussed all appear to relate to areas covered by a specific exemption. There is an exemption for defence and an exemption for national security; I suspect that that would have answered the point made by the right hon. Member for Chesterfield (Mr. Benn). The Home Secretary, in defence of his argument, has referred only to information relating to public inquiries. That is also exempt. Can he give a clear example of information that a Minister of the Crown would want to keep secret that is not caught by one of the exemptions?

Mr. Straw: If the hon. Gentleman is asking whether I can think of a circumstance in which the exemption could be used, I can think of a series of hypothetical circumstances in which one might be used, some of which I spelled out yesterday. With respect to you, Mr. Deputy Speaker, I would rather stick to the core area that we are discussing today. I do not happen to believe that a Minister would seek to use an exemption certificate to prevent the release of factual and background information when that was ordered by the commissioner.

Mr. David Heath *rose—*

Mr. Straw: If I may, I shall make progress. Time is getting on and there are many other debates to come. I will take a few interventions later.

That is my view. The point is that the override certificate would be used in very limited circumstances and we have raised the threshold of decision making so that that would also apply.

What we debated last night—and I think that we eventually secured considerable agreement on the Labour Benches—has a direct bearing on the question of whether statistical and background information should be made available to members of the public, and to the House.

I want to place on record what the Government have done to secure greater openness in government than we ever saw under the last Administration. One of the White Papers of which I am proudest, not because I was the sponsoring Minister in government but because I took the lead in opposition, is Cm 4412, entitled "Building Trust in Statistics". In our manifesto, we committed ourselves to placing the national statistics service on a more independent basis. The Liberal Democrats shared that commitment, and I am grateful for the support that they gave both before the election—in the joint statement that we issued—and subsequently.

The possession of comprehensive, accurate, reliable data that is beyond reproach, and which generates no suspicion that Ministers or anyone else have interfered, is fundamental to the operation of the politics of integrity. Without that, if there is any argument about whether the data are accurate, there can be no proper democratic debate, and Ministers certainly cannot be held properly accountable. The argument is about the measure of accountability, rather than what has actually been done.

Mr. Brian White (Milton Keynes, North-East): Will my right hon. Friend give way?

Mr. Straw: I must ask my hon. Friend to resume his seat until I have finished this point.

There were worries, to say the least, about the last Government's record on statistics. Some series of statistics were satisfactory, but others were not. We famously remember that, as the unemployment figures rose, the statistical series was reworked, reworked and reworked again. I cannot remember whether there were 22 tax rises or 22 changes in statistics, or both. Perhaps there were 30. In any event, a huge number was involved. It undermined faith in the democratic process, and Conservative Members now recognise the great error that was made.

We introduced the White Paper in order better to underpin the independence of the national statistics service, to establish a clear framework for national statistics, to appoint an independent statistics commission to oversee the operation of the service, and to appoint a high-grade new director. In many Departments, including mine, individual Ministers have already achieved the standard being set, or even surpassed it.

We are not talking just about the law, important though that is; we are talking about practice. When I became Home Secretary, I did not have to wait for three years to put into practice certain principles that I considered to be key to accountability and openness; I ensured that the operation of the research and statistics department was at arm's length, and that the Royal Statistical Society—of which I have the honour to be an honorary Fellow—could advise us about the operation of statistics of integrity.

Let me now reply to the point raised by my hon. Friend the Member for Linlithgow (Mr. Dalyell). A huge amount of research is done in the Home Office. We have established protocols both for the publication of research contracted into the Home Office, and for the publication of research carried out by in-house researchers. The fact that the research is being conducted is published in advance—Ministers cannot interfere with that—and when it is ready for publication, after peer review rather than ministerial say-so, it is published. I believe that similar protocols are followed elsewhere.

Mr. Jon Owen Jones: Everyone, at least on this side of the House, accepts that the last Government were reluctant to allow the public access to statistical information. But why has it taken more than two years—

as we heard yesterday—to reveal the costs of the MI6 and MI5 buildings? That concealment of information took place under the current regime, although not to the extent to which it took place under the last.

6.45 pm

Mr. Straw: Let me say, with respect—I make the same point to my right hon. Friend the Member for Chesterfield—that, although there was not a particularly good argument for not revealing the cost of the Security Service and Secret Intelligence Service buildings, in the end the cost was revealed. I think that it should have been revealed much earlier. I do not happen to believe for a second that anything was disclosed other than what is, I am afraid, a universal truth when it comes to public buildings: the work always takes longer and costs a great deal more than anyone originally anticipated. There is no secret about that.

As for the way in which the Security Service and the SIS—MI6—operate, I think it is a universal truth—I now use the phrase in a different context—about freedom-of-information regimes that there must be a ring of secrecy around them. At the same time, however, they must be made accountable in other ways, not least—I say this to my hon. Friend the Member for Thurrock (Mr. Mackinlay), who usually sits below the Gangway—through the Intelligence and Security Committee established by the House.

Mr. White *rose—*

Mr. David Heath *rose—*

Mr. Straw: I will take two more interventions, but after that I must make progress.

Mr. David Heath: The Home Secretary is explaining his current practice, and I do not hesitate to say that he, within his Department, is exercising very good practice in many ways in regard to the release of information. However, we are not discussing what happens at his behest or in his Department, or in any other Department, or what might happen in a future Government. We are talking about the right of the citizen to receive factual information. Nothing that the right hon. Gentleman has said so far changes the fact that he is proposing a process of attrition for the purposes of a member of the public who wants access to information that a bureaucracy is loth to share.The Executive override is the end of that process, not the beginning. What we want is a right from the beginning.

Mr. Straw: I accept—indeed, the hon. Gentleman anticipated my next remarks—that good faith on the part of government, and evidence of that good faith in the form of practice over the last three years, do not constitute change sufficient to meet the concerns of the House, but they are a necessary part of that change.

I mentioned the practice that I have followed, the practice that many of my predecessors have followed and the practice of the Government as a whole in the context of the changes introduced in what is a very important White Paper, although it has been inevitably much ignored by newspapers, because it aroused no controversy. I wanted to make it clear that we approached the issue—a very difficult issue, when it comes to the detail—in good faith.

It is not that, over the past three years, I have sought to withhold information from the House or from members of the public. In one area after another, I have sought to ensure that the House is properly informed, and that when Members ask questions we always go the extra mile and provide additional information if we can. That contrasts with the practice of the last Government, who adopted a liberal approach to questions and were as unhelpful as possible.

For instance, we have published huge volumes of directives and instruction manuals for the immigration and nationality directorate, and have put them on the internet. I have put the prisons inspectorate on a properly independent basis, with a protocol to ensure that the scandal that occurred under the last Administration will never occur again. When the right hon. Member for Maidstone and The Weald (Miss Widdecombe), was in charge, independent reports by the inspectorate stacked up month after month. A dozen of them a year old were on my desk when I came to the Home Office.

Such improvements have been made in many areas of Government, both because we happen to think it right and because it is sensible, from a Minister's point of view, for there to be an identity of interest between the need for accountability and the reputation of Government. Both require the greatest possible degree of openness.

Mr. Radice: No one doubts my right hon. Friend's record, or the improvement on the previous Government. However, on Second Reading, I asked him:

> Is not it possible to separate policy advice from the information behind that policy advice?—[*Official Report*, 7 December 1999; Vol. 340, c. 723.]

My right hon. Friend said that he had not yet found a formula that safely did as I asked, but that he was happy to continue the search for one. My question is simply whether he has found such a formula yet?

Mr. Straw: I shall answer my right hon. Friend directly, as that point is at the heart of the debate. We have found part of an answer—a safe one in which there is a proper balance in the conflict between the need of the Government to make their decisions in confidence and the understandable need of the public and the House to ensure availability of the maximum amount of factual information. That is the point of clause 13.

As I shall explain to the House in a moment, the Government face a genuine difficulty in putting together a form of words that separates what I think people are talking about—basic statistical data, which are already published; although there are not much such data, there are some—from the analysis of that data and policy advice, which people accept, for reasons that everyone understands, should not be published immediately. The position that we have reached so far is the provisions of clause 13, which we propose to amend with amendment No. 48 and the other amendments that the House accepted yesterday.

I tell my hon. Friend the Member for Cannock Chase (Dr. Wright) and hon. Members who have supported him on amendment No. 10 that there are really quite serious difficulties about the amendment's wording. He described the amendment as the simplest and the crispest of the amendments—some of which are alternative amendments—in this group. The problem with

[Mr. Straw]

amendment No. 10 is that it seeks to ensure that the factual information behind policy advice is made available. It provides no class exemption, and it does not even provide a harm test, which is typically provided in other systems. Nor does it provide a balancing arrangement between the public interest in disclosure of that factual background information and the public interest against its disclosure.

The difficulty with the amendment is essentially a linguistic one, about what is meant by factual information. The word fact encompasses a huge sphere of human activity. "Words and Phrases Legally Defined" states:

> Everything in the cosmos is a fact or a phenomenon.

Occasionally, there are arguments—perhaps I should say happy and comradely discussions—in Cabinet Committees and between Ministers. Although those arguments themselves will be an expression of opinion, it will be a fact that those arguments occurred.

Mr. Fisher *indicated dissent.*

Mr. Straw: I do not say that to make a casuistical point. I shall give my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher) and the House a more specific example.

As is well known, discussions are being held between departmental spending Ministers and the Treasury on bids for the next spending round, which will be announced in July. A huge amount of the information that has been submitted, on paper, to PSX—which is the Cabinet Committee concerned—is factual information on the costs of the various bids submitted by Ministers or on the analysis of that information. The conclusion of those Cabinet discussions will be made public very soon, in July 2000, in the statement of my right hon. Friend the Chancellor of the Exchequer and in the public spending White Paper that will be published with that statement.

As my hon. Friend the Member for Stoke-on-Trent, Central has been a Minister, he will know that there is no way in which a Minister can say that the type of information in the bid letters that I have submitted, or in the briefing that is in my folder for meetings with colleagues, is opinion. It is not opinion: it is raw fact and raw data, and, at best, analysis of them. If we were to accept amendment No. 10, virtually everything that is in my brief for PSX and in those of my colleagues—although it goes to the heart of collective decision making—would be available. There is no question but that we would have to release it. I suggest that that would very seriously affect the collective nature of the Government and our ability—on behalf of our constituents, and to follow our manifesto—to make decisions.

In this debate, every hon. Member has accepted that collective decision making needs to be protected and has to take place in confidence. Everyone has also accepted—as do I—that as much factual and background information as possible should be made available. I have spelt out to the House what we have already done, what we have included in clause 13, how we are strengthening clause 13, and how I hope that we can continue the discussions that I mentioned in answer to my right hon. Friend the Member for North Durham (Mr. Radice).

It would be idle for me or for any other hon. Member to pretend that it is easy to secure a balance. I say with respect to my hon. Friend the Member for Cannock Chase that amendment No. 10 does not achieve such a balance at all.

Fiona Mactaggart (Slough): I accept the Secretary of State's points, but he has forgotten about clause 34—which contains a harm test that specifically deals with those points. If factual information is not covered by clause 33, it would not be covered if amendment No. 10 were passed. However, that factual information would also be considered under the provisions of clause 34, which would exempt information that is likely to prejudice maintenance of the convention on Ministers' collective responsibility. Therefore, because of the provisions of clause 34, I think that his fears are unfounded.

Mr. Straw: I have listened with interest to my hon. Friend's comments, but, with respect to her, I do not think that it would be exempt. That was also not the sense of the amendment that I got from my hon. Friend the Member for Cannock Chase when he moved it. A note that I have just been handed also says that amendment No. 10 would exclude clause 34—which was the point that I was going to make, from recollection, regardless.

Dr. Tony Wright: The Home Secretary's invitation to the House to consider the nature of a fact was an interesting moment. However, is he really suggesting that they know what a fact is in Ireland and in New Zealand, and that they have discovered what a fact is in Scotland, but that we in the United Kingdom have not quite managed to work out what a fact is at all?

Mr. Straw: I cannot speak for New Zealand, for Ireland or, indeed, for Scotland. Nevertheless, in Scotland—as I recall; I am open to correction—the Scottish Executive has published a White Paper. It is easy to say that such matters are easily defined, but much more difficult to define them. That is the difficulty, and that is at the heart of the issue. We are arguing about what is a fact. If my hon. Friend applies himself not only to the Oxford English Dictionary, but to "Words and Phrases Legally Defined", he will discover that there is no complete separation between a fact and an opinion. It is—in fact—a bit like Venn diagrams, in which there is certainly separation at the extremes, but a large area in the middle where things can be both fact and opinion. Additionally, a fact can be made out of the existence of an opinion.

Mr. David Davis: My point follows that of the hon. Member for Cannock Chase (Dr. Wright). The Home Secretary has almost gone into a theological argument in describing the processes of government, but the processes that he has described are common to Canada, New Zealand, Australia and Ireland. They are almost identical structures of government. Why, when those countries can solve the problem without damage, cannot the Home Secretary do so?

7 pm

Mr. Straw: I am interested to hear a member of the previous Government professing expertise on freedom of

information, when the campaign guide on which he fought the election said:

> The only group in Britain who are seriously interested in a Freedom of Information Act are inquisitive left-wing busy bodies.

I shall listen to advice from Labour Members, but, with the exception of the hon. Member for Aldridge-Brownhills (Mr. Shepherd), I take with a pinch of salt the Conservatives' late conversion on the issue.

The answer to the right hon. Gentleman's point is that it is for each Parliament to make its own decisions. We have to debate the matter ourselves. I cannot answer for the debates in Canada or New Zealand, but I am sure that there was a proper debate. The dividing line between fact and opinion is not a theological issue; it is linguistic, because law is based on language, which is of critical importance. Such debates took place in those other countries, but it is for us to decide for ourselves on the basis of our culture and practices and, in particular, the way in which our courts have interpreted words such as "facts" and "opinions".

Bringing the debate to a close, I regret, for the reasons that I have explained, that we cannot accept amendment No. 10 and the others that my hon. Friend the Member for Cannock Chase spoke to, not because we disagree with the principle that he put forward, but because we disagree with the practical effect of the amendments. I sought to explain yesterday and today that we want the greatest possible openness in the operation of government. The proof of that is not in the crystal, it is in the book—in the way in which we have operated and will continue to operate. To answer the point made by the hon. Member for Somerton and Frome (Mr. Heath), I accept that that method of operation should be enshrined in law as far as possible.

During our debates we have strengthened the arrangements for ensuring that as much factual information as possible is brought out. I explained that yesterday in relation to the changes to clause 13. The House will be aware that Government amendment No. 48 affects clause 13 and will ensure that the Minister and commissioner will have to have particular regard to the public interest in making factual information available. I have also told my right hon. Friend the Member for North Durham that the search for a better form of words will be difficult, but it will continue and we shall not close the door on it.

Mr. Radice: Clause 13(6) refers to

> communicating to the applicant factual information which has been used, or is intended to be used, to provide an informed background to decision-taking.

Surely my right hon. Friend might look at that.

Mr. Straw: Indeed we shall continue to look at that.

This has been a lengthy but good debate. In the light of my explanations, I hope that the House will accept the Government amendments and that my hon. Friend the Member for Cannock Chase may feel able to withdraw his amendment.

Dr. Tony Wright: I have listened carefully to the Home Secretary. A couple of centuries ago, that shrewd observer of public affairs, Mr. de Tocqueville, said that an unreformed regime was most at risk when it started to reform. I understand that that is written in bright lights in every Whips office.

The Home Secretary is right to point to the seamless nature of the Bill. Each item is intricately connected with all the others. The issue relates to new clause 6, which we will consider later. We listened with care to what the Home Secretary said on the issue last night, but we were not yet persuaded that it was desirable to allow the exercise of a veto. If we allow a veto, it must come with certain conditions: first, it must be a proper Cabinet veto; secondly, it should not be an across-the-board veto, but must concentrate on certain key areas; and, thirdly, it should not apply to local authorities. Based on what my colleagues were saying last night, I think that that is the position.

I speak with some sadness, because I am a supporter of the Government. I am proud of what they are doing. Indeed, I confess to being a serial loyalist. The problem is that there comes a moment when we have to decide whether we can accept the formula that the Government are offering on issues that affect the workings of our democracy and the rights of our citizens. There are not too many such moments during a Parliament, but this is one on any test.

The question is simple. Individual Members of Parliament have to make a decision—never mind the party line. I celebrate the fact that much of the Bill has cross-party agreement. We have to decide individually.

Mr. Straw: I understand my hon. Friend's feelings, but we are considering amendment No. 10, which would drive a coach and horses through any idea of confidentiality of collective decision making. Does he accept that, under his amendment, all the factual information on public spending going before the Cabinet Committee would have to be made public? That is plainly the effect of the amendment.

Dr. Wright: I shall refer in a second to the amendments, but I should like to continue on the fundamental point. We must ask whether we are prepared to accept clauses 33 and 34. This may seem an abstruse way of putting it to those who have not followed our debates closely, but they are the clauses that say, "Thou shalt not have access even to the factual basis on which Government policy is made." We must make a clear choice on whether that is an acceptable formulation.

I am still not sure whether I am allowed to call someone on the other side of the House an hon. Friend, but my hon. Friend and parliamentary neighbour, the Member for Aldridge-Brownhills (Mr. Shepherd), said extraordinarily eloquently that the answer lies within ourselves. It is as simple as that. There is no great wisdom to be derived from other sources. We simply have to work out whether we think that the formulation given to us in clauses 33 and 34 is how we would like to deal with the issue.

I hope that my right hon. Friend the Member for Chesterfield (Mr. Benn) will not mind me saying that, during the debate, he leant over to me and said that he could not remember an occasion when Parliament had been so roused collectively by an issue across party lines. He said how good it was for Parliament that this was happening. The Home Secretary illuminated the choice in his reply to the debate, as did the Public Administration Committee report on the draft Bill, saying that there was a fundamental choice in approach between open government and freedom of information. Open government happens when a Government decide to

[Dr. Wright]

behave in a more open way. It is a gift, or a grant, from a Government. Freedom of information is achieved when rights are claimed by citizens, and bestowed on them. That is the choice before us in clauses 33 and 34.

Amendment No. 7 would remove what I and other hon. Members consider to be an unacceptable way of dealing with this matter. Other amendments that have been tabled are far more robust, but the minimalist amendment No. 10—on which I hope we will vote later—would simply take factual information out of the list of exemptions. That amendment represents the most minimal approach to making the distinction that many hon. Members believe is necessary.

For the moment, our attention is turned to amendment No. 7, which says in effect that the proposals are unacceptable and that we should proceed in a more acceptable way. I commend it to the House.

Question put, That the amendment be made:—

The House divided: Ayes 202, Noes 311.

Division No. 144] **[7.11 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, Peter *(Hexham)*
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony *(Chesterfield)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Dr David *(S Shields)*
Clifton-Brown, Geoffrey
Clwyd, Ann
Cohen, Harry
Collins, Tim
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cran, James
Dalyell, Tam
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Dunwoody, Mrs Gwyneth
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Fisher, Mark
Flight, Howard
Forth, Rt Hon Eric
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gerrard, Neil
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Graham, Thomas
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hall, Patrick *(Bedford)*
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Hinchliffe, David
Hogg, Rt Hon Douglas
Hopkins, Kelvin
Horam, John
Howard, Rt Hon Michael
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Love, Andrew
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McDonnell, John
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Mackinlay, Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Mahon, Mrs Alice
Malins, Humfrey
Maples, John
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Morgan, Ms Julie *(Cardiff N)*
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Portillo, Rt Hon Michael
Prentice, Gordon *(Pendle)*
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(Mid-Norfolk)*
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Speiman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Thompson, William
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Tyler, Paul
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Willetts, David
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winnick, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Wood, Mike
Wright, Dr Tony *(Cannock)*
Wyatt, Derek
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Adrian Sanders and
Mr. Ronnie Campbell.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*

Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Church, Ms Judith
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cooper, Yvette
Corston, Jean
Cranston, Ross
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McIsaac, Shona
McKenna, Mrs Rosemary
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Short, Rt Hon Clare
Singh, Marsha
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vaz, Keith
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wilson, Brian
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Noes:
Mr. Greg Pope and
Mrs. Anne McGuire.

Question accordingly negatived.

Amendments made: No. 48, in page 8, line 10, leave out—

'also have regard to the desirability of'

and insert—

'in particular have regard to the public interest in'.

No. 49, in page 8, line 13, leave out from beginning to "within" and insert—

'A public authority must comply with this section'.—*[Mr. Mike Hall.]*

Clause 14

FEES FOR DISCRETIONARY DISCLOSURE

Amendments made: No. 50, in page 8, line 18, leave out—

'in pursuance of a decision'.

No. 51, in page 8, line 20, leave out—

'in pursuance of a decision'.—*[Mr. Mike Hall.]*

Clause 15

REFUSAL OF REQUEST

The Parliamentary Secretary, Lord Chancellor's Department (Mr. David Lock): I beg to move amendment No. 52, in page 8, line 35, leave out from "that" to "or" in line 36 and insert—

'by virtue of any provision of Part II the duty to confirm or deny does not arise'.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss Government amendments Nos. 55 to 60, 62, 67, 85 and 86.

Mr. Lock: I can say fairly confidently that I will not detain the House as long on this group of amendments as it was detained on the previous group. They are technical amendments—*[Interruption.]*

Mr. Deputy Speaker: Order. I am sorry to interrupt the hon. Gentleman. Could we please have more quiet? This is a debate and the Minister needs to be heard.

Mr. Lock: The amendments are technical and are tabled in response to matters raised in Committee. I draw the attention of the House to amendments Nos. 55 to 59, which were tabled in response to a concern raised by the hon. Member for Somerton and Frome (Mr. Heath), who inquired whether information made publicly available in London was "reasonably accessible" if the person seeking it resided in Newcastle, for example. The amendments make the information available only if it is reasonably accessible to the individual applicant who seeks it. I am grateful to the hon. Gentleman for raising that matter and the background to it, which is dealt with in amendment No. 60. As the amendments are technical and, I hope, reasonably uncontroversial, I will leave it at that. I will be more than happy to respond if hon. Members want clarification of the purpose behind any of the amendments.

Mr. David Heath: I rise only to thank the Minister for listening to what I said in Committee and incorporating it in the Bill. I am most grateful.

Mr. Hawkins: I can be equally brief. We welcome the fact that the Government have responded to matters raised in Committee. The hon. Member for Somerton and Frome (Mr. Heath) made some good points. My hon. Friend the Member for Ryedale (Mr. Greenway), who took the Bill through the Committee for the Opposition, certainly supported the hon. Gentleman in his concerns and we are delighted that the Government have responded with the amendments.

Amendment agreed to.

Amendments made: No. 53, in page 9, line 1, leave out from "which" to end of line 4 and insert—

'(a) decides under section 13(3) that, in all the circumstances of the case, the public interest in disclosing the fact that the authority does or does not hold information of the description specified in a request for information does not outweigh the public interest in maintaining an exemption, or

(b) decides under section 13(4) that, in all the circumstances of the case, the public interest in disclosing any information does not outweigh the public interest in maintaining an exemption,'.

No. 54, in page 9, line 21, at end insert—

'(7) A notice under subsection (1), (3) or (5) must—

(a) contain particulars of any procedure provided by the public authority for dealing with complaints about the handling of requests for information or state that the authority does not provide such a procedure, and

(b) contain particulars of the right conferred by section 50.'.—*[Mr. Mike Hall.]*

Clause 16

THE INFORMATION COMMISSIONER AND THE INFORMATION TRIBUNAL

Mr. Hawkins: I beg to move amendment No. 110, in page 9, line 22, leave out clause 16.

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 111, in page 56, line 13, leave out schedule 2.

No. 113, in clause 17, page 10, line 4, leave out "Commissioner" and insert "Ombudsman".

No. 114, in page 10, line 22, leave out "Commissioner" and insert "Ombudsman".

No. 115, in page 10, line 24, leave out "Commissioner" and insert "Ombudsman".

No. 116, in clause 18, page 10, line 28, leave out "Commissioner" and insert "Ombudsman".

No. 117, in page 10, line 32, leave out "Commissioner" and insert "Ombudsman".

No. 118, in page 10, line 37, leave out "Commissioner" and insert "Ombudsman".

No. 119, in page 10, line 39, leave out "Commissioner" and insert "Ombudsman".

No. 120, in page 10, line 41, leave out "Commissioner" and insert "Ombudsman".

No. 121, in page 10, line 43, leave out "Commissioner" and insert "Ombudsman".

No. 122, in page 11, line 3, leave out "Commissioner" and insert "Ombudsman".

No. 123, in page 11, line 7, leave out "Commissioner" and insert "Ombudsman".

No. 124, in page 11, line 10, leave out "Commissioner" and insert "Ombudsman".

No. 125, in clause 46, page 25, line 9, leave out "Commissioner" and insert "Ombudsman".

No. 126, in page 25, line 15, leave out "Commissioner" and insert "Ombudsman".

No. 127, in page 25, line 22, leave out "Commissioner" and insert "Ombudsman".

No. 128, in page 25, line 24, leave out "Commissioner" and insert "Ombudsman".

No. 129, in page 25, line 26, leave out "Commissioner" and insert "Ombudsman".

No. 130, in page 25, line 27, leave out "Commissioner" and insert "Ombudsman".

No. 131, in page 25, line 30, leave out "Commissioner" and insert "Ombudsman".

No. 132, in page 25, line 35, leave out "Commissioner" and insert "Ombudsman".

No. 133, in page 25, line 41, leave out "Commissioner" and insert "Ombudsman".

No. 134, in clause 47, page 25, line 44, leave out "Commissioner" and insert "Ombudsman".

No. 135, in page 26, line 6, leave out "Commissioner's" and insert "Ombudsman's".

No. 136, in page 26, line 10, leave out "Commissioner" and insert "Ombudsman".

No. 137, in page 26, line 16, leave out "Commissioner" and insert "Ombudsman".

No. 138, in clause 48, page 26, line 18, leave out "Commissioner" and insert "Ombudsman".

No. 139, in page 26, line 23, leave out "Commissioner" and insert "Ombudsman".

No. 140, in page 26, line 28, leave out "Commissioner" and insert "Ombudsman".

No. 141, in clause 49, page 26, line 32, leave out "Commissioner" and insert "Ombudsman".

No. 142, in page 26, line 34, leave out "Commissioner" and insert "Ombudsman".

No. 143, in clause 50, page 26, line 39, leave out "Commissioner" and insert "Ombudsman".

No. 144, in page 26, line 42, leave out "Commissioner" and insert "Ombudsman".

No. 145, in page 27, line 4, leave out "Commissioner" and insert "Ombudsman".

No. 146, in page 27, line 11, leave out "Commissioner" and insert "Ombudsman".

No. 147, in clause 51, page 27, line 35, leave out "Commissioner" and insert "Ombudsman".

No. 148, in page 28, line 1, leave out "Commissioner" and insert "Ombudsman".

No. 149, in page 28, line 6, leave out "Commissioner" and insert "Ombudsman".

No. 150, in page 28, line 8, leave out "Commissioner" and insert "Ombudsman".

No. 151, in page 28, line 31, leave out "Commissioner" and insert "Ombudsman".

No. 152, in clause 52, page 28, line 33, leave out "Commissioner" and insert "Ombudsman".

No. 153, in page 28, line 34, leave out "Commissioner" and insert "Ombudsman".

No. 154, in page 29, line 3, leave out "Commissioner" and insert "Ombudsman".

No. 155, in page 29, line 11, leave out "Commissioner" and insert "Ombudsman".

No. 156, in clause 53, page 29, line 17, leave out "Commissioner" and insert "Ombudsman".

No. 157, in clause 55, page 29, line 34, leave out "Commissioner" and insert "Ombudsman".

No. 158, in clause 56, page 29, line 39, leave out "Tribunal" and insert "Parliamentary Information Committee".

No. 173, in page 30, line 2, leave out "Commissioner" and insert "Ombudsman".

No. 159, in page 30, line 2, leave out "Tribunal" and insert "Parliamentary Information Committee".

No. 160, in clause 57, page 30, line 4, leave out "Tribunal" and insert "Parliamentary Information Committee".

No. 174, in page 30, line 8, leave out "Commissioner" and insert "Ombudsman".

No. 161, in page 30, line 10, leave out "Tribunal" and insert "Parliamentary Information Committee".

No. 175, in page 30, line 11, leave out "Commissioner" and insert "Ombudsman".

No. 162, in page 30, line 11, leave out "Tribunal" and insert "Parliamentary Information Committee".

No. 163, in page 30, line 13, leave out "Tribunal" and insert "Parliamentary Information Committee".

No. 164, in clause 58, page 30, line 15, leave out "Tribunal" and insert "Parliamentary Information Committee".

No. 165, in page 30, line 16, leave out "Tribunal" and insert "Parliamentary Information Committee".

No. 176, in clause 59, page 30, line 25, leave out "Commissioner" and insert "Ombudsman".

No. 166, in page 30, line 28, leave out "Tribunal" and insert "Parliamentary Information Committee".

No. 167, in page 30, line 30, leave out "Tribunal" and insert "Parliamentary Information Committee".

No. 168, in page 30, line 32, leave out "Tribunal" and insert "Parliamentary Information Committee".

No. 169, in page 30, line 34, leave out "Tribunal" and insert "Parliamentary Information Committee".

No. 170, in page 30, line 36, leave out "Tribunal" and insert "Parliamentary Information Committee".

No. 171, in page 30, line 42, leave out "Tribunal" and insert "Parliamentary Information Committee".

No. 172, in page 31, line 1, leave out "Tribunal" and insert "Parliamentary Information Committee".

No. 178, in clause 60, page 31, line 3, leave out from beginning to "provisions" in line 5 and insert "The".

No. 112, in page 62, line 16, leave out Schedule 4.

New clause 11—*Information Ombudsman and Parliamentary Information Committee*—

'(1) There shall be an officer of the House of Commons called the Information Ombudsman, who shall be appointed by the House of Commons.

(2) There shall be a committee of the House of Commons appointed, to be called the Parliamentary Information Committee.

(3) In this Act the Information Ombudsman is known as "the Ombudsman".'.

Mr. Hawkins: Although that was a long list of amendments, I am happy to be able to tell you, Mr. Deputy Speaker, and the House that I can be relatively brief.

Hon. Members who have been following these debates will realise that we are talking here about the belief of the Opposition—supported, I think, by others who sat on the Opposition side in Committee—that there should be an information ombudsman and a parliamentary information committee. My hon. Friend the Member for Ryedale (Mr. Greenway) spoke about this at length in Committee and I pay tribute to his work on the matter.

Parliament should have a say in ensuring that the public have access to information held by the Government and public authorities. The amendments would ensure that the task of enforcing the provision once it becomes an Act in some form or another—when another place has dealt with amendments such as No. 7, on which we recently voted—is kept separate from the work of the Data Protection Commissioner and the register. The two are distinct roles. One has the role of ensuring that personal information is not misused and the other has to ensure that as much information as possible is released.

In debates, the Government appear to have suggested that it would be unwise to give the Information Commissioner any more powers because of what has been caricatured as information override. In Committee, the Under-Secretary of State for the Home Department, the hon. Member for North Warwickshire (Mr. O'Brien), said that amendments that would allow the Information Commissioner the power to compel disclosure would

artificially and unnecessarily, create a democratic deficit.

We think, however, that the arrangements should be based on the very important work that has already been done, which we seek to extend, with regard to the Comptroller and Auditor General and the Public Accounts Committee. We feel strongly that this House should have a say in ensuring that the public have access to information held by the Government and by public authorities. Ultimately, it should be notfor Ministers, but for Parliament to decide whether information should be released in the public interest. That is why we have tabled these amendments.

7.30 pm

In Committee, the Under-Secretary said:

A democracy must mean something . . . Some of the arguments that we have heard, seeking to shift the balance towards allowing an unelected official to overrule the democratically elected Government, are profoundly undemocratic.—[*Official Report, Standing Committee B*, 8 February 2000; c. 431.]

There is a simple word to describe that very peculiar argument—oxymoron. The peculiar aspect is that it does not recognise the democratic deficit in the legislation. That may explain why the Parliamentary Secretary, Lord Chancellor's Department is responding to this debate rather than the Under-Secretary of State for the Home Department. We feel strongly that this House should have a role.

The Government believe that Ministers and judges must have the final say. We say that the public interest—which is different from what the public are interested in, although the media constantly seek to confuse the two—should ultimately be determined by those who have been elected to office.

Even if the Minister cannot accept the amendment today, I hope that perhaps in another place, or when the Bill comes back to this House after its consideration in another place, the Government will decide that we are right. If the Government accept our proposals, they will, in the long run, have the gratitude of those who seek to use—

Mr. Bercow: I am grateful to my hon. Friend for giving way. I follow the thrust of his argument. Will he confirm that we believe that Parliament, rather than Ministers or officials, should exercise discretion in these matters, but that it would be quite wrong wantonly and recklessly to cede that discretion to the Information Commissioner in the way that the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) seemed to advocate last night?

Mr. Hawkins: My hon. Friend is right. If the Government are introducing what they call a Freedom of Information Bill—the number of Labour Back-Benchers who have just voted against the Government shows that they have not even convinced many of their colleagues—they should do it properly. Because the Bill gives the Secretary of State and, ultimately, officials the final say over whether information should be released, there is undoubtedly a democratic deficit. Our proposals in new clause 11 and the amendments are the logical progression to the code of practice on access to Government information, which we introduced when in office.

Many people, including the Campaign for Freedom of Information, believe that not only have the Government gone back on their proposals in the Bill and the White Paper, but they are now making proposals that provide less freedom of information than the previous Government's code.

Mr. Lock: The Government's proposal is to create a single Information Commissioner, who will take over the actions and duties of the Data Protection Commissioner and will have responsibility for both freedom of information and data protection. The amendments would keep the Data Protection Commissioner doing her job and create a parliamentary information ombudsman to police the freedom of information regime.

Two arguments—incompatibility and resources—have been made for that proposal. Frankly, neither stands examination. On compatibility, the commissioner herself says that data protection rights and freedom of information rights are complementary and mutually supportive in practice, and that she supports having a single commissioner. The Conservative proposal is in direct opposition to the view of those who will have to operate the legislation and are most intimately acquainted with it.

Secondly, the proposals ignore the balance between personal and public data. There has to be a balance between what is confidential and what should be revealed. Under the proposed scheme, mutually inconsistent decisions from two different bodies will define that balance. That is a recipe for confusion and disaster.

Thirdly, the proposals ignore the effect on the public. The public need a single point of application if they want data. Quite often, they will ask for mixed personal data under the Data Protection Act 1998 and public data under the freedom of information legislation. Instead of having one body to approach, the Conservatives propose having two, so people would have to know in advance the precise structure of the legislation. It is a great shame that the Opposition spokesman cannot listen to the reasons why his proposal is not acceptable.

The point about resources is entirely false. Yes, it will take more resources to have a single commissioner, but to be honest, that expenditure has to be incurred anyway. The Opposition propose two bureaucracies, two sets of commissioners and two sets of investigations. Resources will be used much better if there is only one.

The Opposition's wish to divide the Data Protection Commissioner and the parliamentary Information Commissioner is, in one sense, unique. That course of action has been rejected in the common-law jurisdictions of Australia, New Zealand and Ireland. On this occasion, the Conservatives are going the Gallic way. They have been persuaded by the practice in France and are obviously moving further towards the practices of the European Union in this respect. This seems to be the one practice that they have chosen to adopt, having rejected all other aspects of French culture and nationality, and all the other attractions of France. I prefer the system in Australia, New Zealand and Ireland, which keeps the Information Commissioner and the Data Protection Commissioner under one roof.

The amendments would create a parliamentary committee for the exercise of appeal rights instead of the information tribunal that currently exists. That would lead to exactly the same problems as attempting to divide data protection and freedom of information responsibilities. It is constitutionally confused and inept. Such a committee would have to consider many individual cases in which individual pieces of information were being sought. Within the legal structure of the Bill, the committee would have a heavy work load, and would be concerned not with the policy, which is clearly a matter for Parliament, but with the application of that policy to Mrs. Jones who is trying to get information out of her local health authority. Policy is a matter for Parliament; individual decisions are a matter for a tribunal.

In any event, under the tribunal system, an appeal on a point of law will naturally go to the High Court. The Opposition ignore the fact that, if a matter comes before a committee that interprets the legislation wrongly, it will be invidious to ask a High Court judge to overrule a parliamentary committee. That, I am afraid, would be the effect of the process, or ideas, floated in this group of amendments. They simply will not work. There would be a data protection tribunal, which would set a balance between personal data and the disclosure of such matters, and a committee, often dealing with similar information but setting a different balance. The amendments will not work.

It has often been said that we should learn from the experience of other data protection regimes. Those that have succeeded, such as the ones in Australia, New Zealand and other common law jurisdictions, have recognised that the appeal structure in individual cases, rather than the supervision of policy, is a right matter for a tribunal. I agree that the supervision of policy and its practical operation are matters for Parliament and that they should be kept under scrutiny.

However, we were not elected to Parliament to sit on a committee to hear appeals from all over the country about Mrs. Jones who wants information from her local health authority. That would be a decision for a tribunal. The operation of the overall policy is a matter for Parliament. The amendments confuse the distinction between individual cases and policy. I therefore urge the House to reject them. I encourage the hon. Member for Surrey Heath (Mr. Hawkins), now that he has heard about the problems with the amendments as they are currently drafted, to reconsider them. If he wants to pursue the matter, he might consider tabling in another place amendments that avoid the complications that I have outlined.

Mr. Simon Hughes: The Parliamentary Secretary, Lord Chancellor's Department prayed in aid the experiences of other jurisdictions. We are delighted to know that they are a source of inspiration for the Government. On this occasion, we are persuaded that the experience of other Administrations is a good thing. The Liberal Democrats share the Government's view on the structure for the Data Protection Commissioner and for the Information Commissioner.

We do not take the line proposed by the hon. Member for Surrey Heath (Mr. Hawkins) on behalf of the Conservatives. I was not sure whether the hon. Gentleman's amendment was a probing one or one with more potential. I hope that the debate has persuaded him that it was better as a probing amendment, and that he will reconsider the idea. The Conservatives advanced those ideas in Committee; we did not support them. The hon. Gentleman inadvertently suggested that we were on board on the amendment, but that is not so.

Sadly, the hon. Member for Buckingham (Mr. Bercow), who is accurate in many of his assertions, used an argument that I made yesterday on a different point as support for his intervention in relation to the amendment. My separate point—on which the hon. Gentleman may disagree—was in yesterday's debate on override. We were discussing whether there should be a democratic override, as described by the Government—coming back to Ministers appointed by Parliament—or whether the ultimate decision could be taken by an independently appointed authority. In this case, that would be the commissioner. We argued that it would be better to trust someone who was not a member of the Government on matters relating to Government information. Although I understand the Opposition's point of view, I do not accept it, so I hope that the hon. Gentleman will accept that, on this occasion, he was inadvertently misrepresenting me.

Mr. Bercow: On the question of procedural propriety, I readily concede to the hon. Gentleman on this occasion. However, the truth will out: I wanted to attack the hon. Gentleman's position yesterday, but he sat down before I had the opportunity to do so, so I thought I would use my intervention as an excuse for doing so today.

7.45 pm

Mr. Hughes: If all the hon. Gentleman's attacks were 24 hours late, I would not have much to worry about.

[Mr. Hughes]

An important issue in the debate is the citizen's knowledge—how to use the freedom of information system—to which the Minister rightly alluded. We have argued constantly—on Second Reading, in Committee and now on Report—that we need legislation that citizens can understand and of which they are in charge. The more straightforward the system, the better it will be.

It follows from that that the person responsible for the management of the processes whereby people are helped to inquire about the data held about them and the person managing the acquisition of information about public authorities could be the same person and could have the same staff. Indeed, that is the Government's position. The nomination has already been made; we know who is intended to fulfil that function. We support the Government on that matter.

I hope that the fact that we are so happy publicly to support the Government, despite the difference of views in the Chamber, shows how objective we are on each subject under debate. If there is another resurgence of the cross-party view—as I suspect there may be later on—it will be because of the same objective assessment of the facts and of the merits of the case. I hope that the Government will find that especially persuasive—perhaps more so on the amendments on which we have yet to vote than on the previous one, when they were on the defensive and on the wrong side of the argument.

Mr. Greenway: The House should reflect on three aspects of the proposed amendments. First, the cultural mindset of a Data Protection Commissioner is, in essence, one of secrecy; whereas the amendments would introduce, for the first time, a culture of openness. That is not meant to be critical of Miss Elizabeth France, the current Data Protection Commissioner, who will also undertake the role of Information Commissioner under the Government's proposals.

However, the longer we discussed the Bill in Committee, the more it became obvious that much of the current work of the commissioner on matters that relate to the Bill involves ensuring the secrecy of personal information about individuals. The work on freeing up information to be carried out by the new commissioner is a different matter. The Government have not given that point sufficient thought. That is why my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) and my hon. Friend the Member for Surrey Heath (Mr. Hawkins) were right to pursue the matter.

The second point about our alternative proposal is that we feel strongly that there should have been a role for Parliament in overseeing the new freedom of information regime. Our debate on the availability of information—the facts and data that have underpinned and informed Government policy decisions—is another example of Parliament wanting to assert itself. Parliament is saying that we still have a role; we are not just a rubber stamp for everything that the Government or the Whitehall bureaucracy think is good for us. A parliamentary Committee to scrutinise the work of the Information Commissioner would be most beneficial.

The Minister will say, "But how many appeals will that Committee have to deal with?" We are not proposing a Committee in lieu of a commissioner—even if we are talking about an Information Commissioner who is separate from the existing Data Protection Commissioner so as to reflect their two different roles. What we are proposing, however, is a Committee in lieu of the Government's proposed tribunal. How many appeals does the Minister think their tribunal will have to deal with? The impression given throughout the Committee stage was that it would not have to deal with that many—that Ministers will be so reasonable, as will other public authorities, in their interpretation of their responsibilities under the Bill, that appeals to the tribunal will be quite rare. I do not think it would be as onerous a task as the Minister implies for a parliamentary Committee to oversee the work of an independent Information Commissioner.

My third point is a practical one, which we addressed in Committee but which was not answered satisfactorily. There will be a huge programme of work in implementing the Bill. One must question whether it is sensible for the Data Protection Commissioner, at this key point when the Data Protection Act 1998 is coming on stream, also to have the programme of work under the Bill—work with regard to the 2,000 or more public authorities which it is anticipated will be affected by the Bill.

Under the Government's proposal, all that will have to be done by the selfsame Data Protection Commissioner and her staff, so there is still an opportunity for the idea of a separation of roles between data protection and information to be progressed further.

Neither my hon. Friend the Member for Surrey Heath nor I want to detain the House for too long on this point, but one other thing should be said. The Minister said that the Opposition in the other place could think through a better scheme, which the Government could then look at. I was encouraged by that. Perhaps, like the hon. Member for Somerton and Frome (Mr. Heath), I am unnecessarily optimistic, but the Minister has given us some encouragement. He will certainly have given the other place some encouragement to find a way in which to bring forward a scheme that might command more support and a more favourable response from Ministers.

Perhaps we have not given the attention to this proposal that we have given to some of the other meaty issues in the Bill. We have perhaps not thought through all the detail and structure in quite the way that we might have done if this were a Government proposal. I have, however, outlined several issues: the difference in cultural approach, arising from the fact that the Data Protection Commissioner is primarily involved in ensuring secrecy—confidentiality is perhaps a better word; the assertion that there should be a role for Parliament in overseeing the work of the Information Commissioner; and the huge practical work load that the Bill will put on the commissioner. Those issues suggest that the matter should be rethought. I hope that, in the other place, a scheme of arrangements that might commend itself not just to the Government, but to the other place as a whole, will be introduced, so that the Bill can be amended. In the meantime, I urge my hon. Friend to press the amendment to a Division to reinforce our view on the matter.

Mr. Hawkins: Again, I can be very brief. I am grateful to my hon. Friend the Member for Ryedale (Mr. Greenway) for what he has said. I will certainly accept his suggestion that we press the amendments—

which were never intended to be probing amendments—to a vote. I was encouraged by the Minister apparently leaving the door ajar.

Attention has been drawn to the fact that there is a similar regime in France. As a member of the Anglo-French all-party parliamentary group, I am delighted to find that my francophile tendencies are supported by what I am doing as a Front Bencher. I do not, however, accept the Minister's suggestion that the fact that some other Commonwealth countries have not accepted such a proposal is necessarily a criticism of it. As my hon. Friend said both tonight and in Committee, it would be a substantial and useful extra safeguard.

Like many other hon. Members, I am sure, I have always believed that the more parliamentary scrutiny there is, the better. There are far too many occasions when Members of all parties are ridiculed in the press and media. We are all the targets of criticism. We put ourselves up to be shot at. We must come to expect that. Nevertheless, whatever party we represent in this place, we all, I hope, have a genuine belief in the value of parliamentary scrutiny.

That is what the new clause and amendments are intended to achieve. We believe that they are right. We do not say that they are necessarily perfect. I was encouraged when the Minister suggested that, in another place, the issue might be returned to. It should be. Ultimately, it will be something that the Government will have to concede—I think the other place will insist that the Government do so. In the meantime I intend to press the amendments and the new clause to a vote.

Question put, That the amendment be made:—

The House divided: Ayes 116, Noes 373.

Division No. 145] **[7.56 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Cran, James
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heseltine, Rt Hon Michael
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hunter, Andrew
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Leigh, Edward
Letwin, Oliver
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mates, Michael
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Keith Simpson and
Mr. John Randall.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Martin *(Tatton)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corston, Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair

Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Graham, Thomas
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keetch, Paul
Kemp, Fraser
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McIsaac, Shona
McKenna, Mrs Rosemary
Maclennan, Rt Hon Robert
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tynan, Bill
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mrs. Anne McGuire and Mr. Greg Pope.

Question accordingly negatived.

Schedule 2

THE COMMISSIONER AND THE TRIBUNAL

Mr. Shepherd: I beg to move amendment No. 177, in page 58, line 42, leave out paragraph 19.

Schedule 2 makes the commissioner subject to a new prohibition on disclosure of information about to come into force under the Data Protection Act 1998. The commissioner and her staff would face criminal charges for disclosing certain information under the Bill. Disclosures could be made only if they were "necessary" for their functions or "necessary" in the public interest. The "necessary" test is a strict one which may prevent disclosure by the commissioner in many circumstances. The present Data Protection Commissioner, who will become the first Information Commissioner, has expressed concern.

Under section 59 of the Data Protection Act, the Data Protection Commissioner is subject to a statutory prohibition on the disclosure of certain information. Schedule 2(19) of the Bill extends that prohibition to the Information Commissioner. The effect may be to prevent the commissioner and her staff from disclosing information about how or whether they are handling particular complaints, where this involves the release of information about identifiable businesses. That may become relevant where an authority has refused to disclose information about a particular company to an applicant.

In some cases, businesses may be public authorities in relation to certain functions. For example, under clause 4(1)(a), private bodies with public functions can be brought within the scope of the Bill by an order in relation to specified functions. That might apply to companies such as Group 4 in relation to prison contracts. The registrar has disputed this view because article 28.7 of the data protection directive states:

> Member states shall provide that the members and staff of the supervisory authority are to be subject to a duty of professional secrecy with regard to confidential information to which they have access.

However, the Data Protection Commissioner has said:

> The Registrar does not believe that the Directive requires the criminal provisions provided by clause 54 [now section 59]. She believes that the existing law combined with appropriate conditions and staff contracts will satisfy the requirements of Article 28.7.

Whatever the legal position in relation to the Data Protection Act, the offence cannot be required in relation to the commissioner's freedom of information functions. That is relevant to the arguments that were adduced by hon. Friend the Member for Surrey Heath (Mr. Hawkins) a few minutes ago, as those functions do not flow from the directive or other Community obligations or assert the primacy of Community law over our domestic legislation.

The rationale for extending the offence appears to be based merely on an unnecessary preference for consistency. I shall not read out the prohibition on disclosure in section 59 of the DPA, which will apply to the Information Commissioner, as I know that the Department is well apprised of the matter.

The effect of that provision is to expose the commissioner to risk of prosecution if she discloses information obtained under the Freedom of Information Bill about an identifiable individual or business—the latter will be the real issue—without their consent, unless the information was supplied in order for her to publish it or the disclosure was for the purpose of legal proceedings. In any other circumstance, the commissioner would have to show that one of two conditions could be met.

The first is that the disclosure is "necessary" for the discharge of any of the commissioner's functions. It is a strict test. If the function can be discharged without releasing the information, disclosure may not be necessary. It may not be possible to show that it is necessary for the commissioner to identify a company that opposes the disclosure of information about defective products, safety problems or discriminatory employment practices, if the commissioner can still discharge her function by referring to it anonymously.

The second condition is that the disclosure is necessary in the public interest, having regard to

> the rights, freedoms or legitimate interests

of any person. This would no doubt protect a disclosure made to the applicant or someone else with a direct interest, but it would leave open the possibility of an offence if disclosure were made to the press or public generally. Again, the problem is that "necessary" means that

> the rights, freedoms or legitimate interests

of any person would be harmed if the information could not be disclosed and that that would be contrary to the public interest.

8.15 pm

Disclosure in the interests of the accountability of the authorities to whom freedom of information requests are made, or the accountability of the commissioner herself, may not pass the "necessary" test. A purposes clause which made clear that the Bill was intended to promote accountability could provide some statutory safeguard. However, the Government have resisted such a provision.

The most objectionable element of the restriction is that it contains no "harm" test. The offence is not limited to the disclosure of trade secrets or commercially damaging information, but could be caused by a harmless disclosure of information about an identifiable business. The perverse consequence would be that information about a business which an authority would have to disclose under the Bill, because it did not reveal a trade secret or prejudice the commercial interests of the business concerned, could result in the commissioner being convicted of a criminal offence if she disclosed it.

At the time of the Data Protection Bill's passage through the House, the registrar commented:

> The effect of clause 54—

which is now section 59—

> is potentially to criminalise disclosures of information relating to an identifiable business in circumstances where it could not sensibly be maintained that this could cause any harm. For example, where a journalist queries the lawfulness of a company's processing activities, a member of the Commissioner's staff could commit a criminal offence simply by confirming that the company had discussed the processing in question with the Registrar because this disclosure is clearly not absolutely necessary for the discharge of the Commissioner's functions under the Act. The Registrar has always sought to be as open as possible with the Press. She is aware of no evidence that this has caused any individual or company significant harm. She is therefore concerned that this clause could require her and her staff to be unnecessarily guarded in future.

[Mr. Shepherd]

Such a restraint on the Data Protection Commissioner's dealings with the press would be undesirable; to restrain the Information Commissioner would be unthinkable. It could undermine her ability to explain the basis of her approach. Any suggestion of secrecy on the part of the commissioner could damage the credibility of the legislation itself.

During the Data Protection Bill's passage through the House, the Government suggested that the Data Protection Commissioner's general power to disseminate information—the Information Commissioner would have the identical power—would protect the commissioner in making the necessary disclosures. However, the Minister himself suggested that this would allow the publication of "anonymised" information, implying that the disclosure of company-specific information would be constrained.

A similar general power to publish information, coupled with the specific prohibition of disclosures, appears in the Health and Safety at Work, etc. Act 1974. The Health and Safety Commission and the Health and Safety Executive have long maintained that it prevents them from disclosing information obtained under their powers unless disclosure is strictly necessary for health and safety purposes.

Mr. Dalyell: I apologise for interrupting the hon. Gentleman, who is making a very well-sculpted speech, but could he share with us whose view this is? He is reading out a highly technical, carefully worded legal view. Whose view is it?

Mr. Shepherd: I am grateful to the hon. Gentleman for raising that point. Of course it is the view of the Data Protection Registrar, as was. It was put forward during the DPA's passage through the House, but it did not obtain a satisfactory response. That is why it has had to be raised again. I apologise to the House for the sheer technicality of the explanation, but we never succeeded in getting a Minister to focus on it. I gave Ministers advance notice of my previous endeavours to raise the matter and I accept that it is highly technical.

Mr. Lock: May I speed things up by saying that I have seen the freedom of information brief, that the hon. Gentleman can assume that I am aware of what it says, and that I shall respond to that brief as to his speech?

Mr. Shepherd: I was referring to the earlier stages when the Data Protection Bill was passing through this place. This speech is almost a repeat of the previous speech so it is in the machinery of Government, and the Whips Office has it—the Minister may relax.

It was hoped that the debate would not be a dialogue of the deaf, in which I would read a highly technical script and the Government would brush it aside. There is a point of importance in this, and, in that sense, I am grateful for the Minister's intervention. If he has something material to say, I shall conclude my speech. He has the information; he has the brief; he is apprised of the argument; and we would like a response and action.

Mr. Lock: I shall not detain the House by explaining the background to the debate and the purpose and effect of section 59 of the Data Protection Act 1998, other than to say that it requires the Data Protection Commissioner not to disclose information save in specified circumstances. Section 59 is required by article 28(7) of the European data protection directive, and—this may be a crucial point—schedule 2 of the Bill applies the relevant parts of the Data Protection Act 1998 to the Bill; and paragraph 19 of the schedule extends the duty of confidentiality and the related offence in section 59 of the DPA to information obtained by the commissioner for the purposes of the Bill. The effect of amendment No. 177 would be to disapply that extension.

I heard what the hon. Member for Aldridge-Brownhills (Mr. Shepherd) said, but the Government's view is that the amendment would lead to an impossible situation for the commissioner and her staff, because we do not believe that it is possible for section 59 to bite for one regime and not for another. We have already said that we believe that the vast majority of requests for information and, consequently, complaints to the commissioner, will involve both personal and non-personal information. Therefore, the information obtained by the commissioner will not fall neatly into one regime or the other—one to which section 59 would apply, and another to which it would not. So, because we have to have section 59 for the purposes of the data protection regime, the only practical way forward is to have it also for the purposes of the freedom of information regime.

However, the Data Protection registrar expressed two concerns. She has expressed concern, first, that she would be unable to share information with other investigatory bodies—such as various public sector ombudsmen—which she may have been in contact with in the course of investigating a complaint; and secondly, that the prohibition on disclosure without lawful authority could act to prevent the commissioner from disclosing the fact that she had received a complaint and that she was investigating it, which would be contrary to the principles of freedom of information.

I tell the hon. Gentleman that we have listened very carefully to both those complaints. We accept the strength of the argument for an amendment to the Bill to allow information to be shared by and between the commissioner and other proper regulatory investigatory bodies, and we shall table an amendment to that effect in another place to deal with that perfectly legitimate concern.

We have considered the second objection, and we are not satisfied that schedule 2 would have the effect claimed. From the Government's perspective, nothing in the Bill seeks to prevent the release by the Information Commissioner of information about the handling of complaints where that disclosure was made with the consent of the individual or company to whom the information, obtained in accordance with section 59 of the Data Protection Act 1998, relates.

I have heard the hon. Gentleman's argument, but where information is sought, the application has been made and the person making the application does not wish it to become public at that time that they are making the application, in the Government's view it is right that the Information Commissioner, who is carrying out a statutory function on behalf of that individual, should not be able to overrule that view and routinely disclose the information that she was looking into that complaint. The Information Commissioner's office is not intended to be

an alternative source of information that is available under the Bill for public authorities, and there is no need for the commissioner to disclose information obtained from a public authority if that information is obtainable under the Bill.

Furthermore, the commissioner can lay reports before Parliament about the exercise of her functions under the Bill and will do so, as clause 49 provides. Any disclosure of information in such reports would obviously be done for the purpose of, and be necessary for, the exercise of the commissioner's functions, and there would therefore be lawful authority for that. If the commissioner is worried about any matter that comes up in an individual complaint, the right body to report it to is Parliament through the laying of a report under clause 49; it would not necessarily be right for the commissioner to report the matter to the press against the view of the individual who was submitting the complaint.

Thus we accept that section 59 of the DPA will inhibit the exercise of the commissioner's functions save in the one respect that I have mentioned, and the Government will table an amendment in the other place. I acknowledge the problem, and the balance that has to be struck, but I hope that that concession concerning the operation of the interrelations between the commissioner and other regulatory bodies is enough to satisfy the hon. Gentleman that we have taken the issue seriously and cause him to ask leave to withdraw his amendment.

Mr. Shepherd: I am very grateful to the Minister for his detailed reply. There clearly is a conflict in the understanding of what is happening here. I am not the arbitrator on this, but my instinct is that when the former registrar, who will be the commissioner, has an anxiety about a matter, that must be weighed most carefully. I hope that, during the Bill's passage through this place and another place, the Minister will reflect very carefully on other representations that will undoubtedly be made to him.

In the spirit and light of the observations that he and I have made, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 19

INFORMATION ACCESSIBLE TO PUBLIC BY OTHER MEANS

Amendments made: No. 55, in page 11, line 15, leave out "members of the public" and insert "the applicant".

No. 56, in page 11, line 18, leave out "members of the public" and insert "the applicant".

No. 57, in page 11, line 20, leave out "members of the public" and insert "the applicant".

No. 58, in page 11, line [illegible] leave out from "to" to "whether" in line 24 and insert—

'communicate (otherwise than by making the information available for inspection) to members of the public on request'.

No. 59, in page 11, line 27, leave out "members of the public" and insert "the applicant".—*[Mr. Lock.]*

Clause 21

INFORMATION SUPPLIED BY, OR RELATING TO, BODIES DEALING WITH SECURITY MATTERS

Mr. Shepherd: I beg to move amendment No. 92, in page 12, line 1, leave out clause 21.

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 93, in clause 22, page 12, line 33, leave out from "if" to end of line 34 and insert—

'its disclosure would, or would be likely to, prejudice national security'.

No. 94, in page 12, leave out lines 36 and 37 and insert—

'compliance with section 1(1)(a) would, or would be likely to, prejudice national security'.

No. 95, in page 12, line 38, leave out subsections (3) and (4).

No. 96, in page 13, line 1, leave out clause 23.

No. 97, in clause 82, page 39, line 23, leave out from beginning to "or" in line 24.

Mr. Shepherd: Everyone who has read the Bill will notice that one of its interesting features, as listed in the schedules, is the fact that the security services are not included. The purpose of amendment No. 92 is to delete clause 21, so that it would not be possible to withhold information merely because it related to, or had indirectly come from, one of the listed bodies.

Amendment No. 97 would bring the security and intelligence services within the Bill's scope by amending the definition of "government department" in clause 82.

Amendments Nos. 93 to 96 would revise the Bill's exemption for national security. Instead of a ministerial certificate, information would be withheld only where disclosure would, or would be likely to, prejudice national security.

I know that the House always treats with the greatest deference the whole concept of those big words "national security" and "the security services", but in truth this is meant to be a freedom of information Bill, and it should reach in and touch every area of our national life if it is to have meaning.

I know of no one in the House who dissents from the proposition that we have national security needs, and that they are taken very seriously. However, one has only to read the Security Service Act 1996 and look at the remit of the security services to see that it is now vast and comprehensive, moving into areas that we would not readily and easily associate with the general concept of the security of the nation. They have economic functions. They work in Departments in a way that means that information crosses the desks of Departments of state that are listed in the Bill.

I am mindful of the fact that others have a view on this issue. For example, a recent book reports:

> The police complain that giving MI6 a greater policing role places areas such as drugs trafficking off limits to democratic accountability. The Police Foundation's Barrie Irving has argued that such policies are "short-sighted". MI6 contends that "it needs to operate in secret, but once you change the role to criminal justice you blur the distinction between state security and criminal justice. It seems unconstitutional to conduct policing in this way."

8.30 pm

I do not want to make a meal of this matter. I know that the House wants to get to the nitty-gritty of what we understand by freedom of information legislation. However, in earlier discussions in the House, we heard an assertion about where we stand in relation to the great organisations of the state. The security services, their remit and the legislation covering them enabled them, on a certificate, to act outside the call of the courts in many instances. Officers of the security services were even totally excluded from being able to admit that they were once officers, and absolute offences were attached to the nature of the service itself and to its personnel.

About 10 or 12 years ago, some of us judged that that was offensive and that it struck at the principle that the security services should be a valued and important part of the apparatus of securing the well-being of our country and our citizens.

The amendments say that the security services have a series of responsibilities. They include housekeeping and simple functions relating to the costs of buildings. The Home Secretary, no less, told us that he thought that information on the cost of the headquarters of MI5 and MI6 should be available to the House. The Chairman of the Public Accounts Committee told us how difficult it had been for him, his very distinguished predecessor, and the Chairman of the oversight Committee to act together to bring such information into the public domain.

Does such information cause a threat or any damage or prejudice? That is the question that I want to be able to ask. However, under the provisions of clauses 21 and 22, we are not able even to ask such a question. There is a total exemption for such information.

I do not want to dramatise the role of the security services. Much of their work is mundane, but it touches on social security and the economic interests of the country, among other things. That goes to the heart of what many of us believe public debate should involve. The amendments would provide the lowest possible harm test threshold. Would making such information available cause harm, or "prejudice", to use the Government's word? It is a terribly weak test.

I have been a Member of the House for some years and I see others who were here when even to acknowledge that we had security services would cause grim faces and the grinding of teeth. Ministers would regularly say from the Dispatch Box that they did not comment on such matters.

The move to put the security services on a statutory basis was forced by judges who said that the services were effectively operating outside the law. They brought them within our cognisance. Today, the security services advertise for recruits and the heads of the services conduct interviews and public lectures. The exemption in the Bill belongs to the past. It seeks an absolute exemption for everything no matter how "small" or "trivial", words that appear in the Security Service Act 1989. There is no de minimis provision governing a security officer reporting something.

When information crosses a desk, the commissioner should be able to assess whether it involves prejudice. If the Government do not like the response, they have the route under the Bill—we have not discussed new clause 6 yet—of appeal to a tribunal and, as they keep telling us, of judicial review.

There is merit in my modest proposal. However, the words "national security" have such a heavy import for the House. Over many years, we have been greatly misled and deceived as to whether an issue was of great national interest or security. The old barriers are coming down and many members of the services did not want to be perceived in the way they were. It simply enabled any rumour or suspicion to be made up about them.

To defend ourselves, we should apply a weak test to matters of prejudice, even though everything can be construed as causing prejudice. Information, such as costs, should not be exempt, and there will be a proper system of appeal by the Minister to a tribunal. I therefore suggest that the amendments are of no small merit. I would be grateful if the Government reflected seriously on them. The Home Secretary made much of this exemption, and he could not have been sterner. He said no to a prejudice test for social security matters, and for police matters—until we had a report, Macpherson's, that actually suggested a high prejudice or harm test.

I hope that the proposals will form part of our growing up as a society and the Government as a Government. Distinctions must be made. Frauds and bounders exist and poor processes take place within the security service, as in all walks of life. Making them more effective does not involve secrecy. I notice that a distinguished member of the oversight committee is present, but I am not entirely satisfied by the fact that it must meet in secrecy. Even its reports are subject to editing and white spacing of some of the points that it makes. The House knows almost nothing about what goes on in the committee.

We shall come to important amendments on the harm test that were tabled by the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan). However, I suggest that it would be easy to accept these amendments. Despite all the clangs of yesteryear and all the loud words on nuclear espionage, the security services often produce essential but mundane information that does not give rise to a threat to the security of this country. Because their remit reaches issues of daily life, such as social security and fraud, the amendments should be accepted.

Mr. Fisher: I had not intended to speak, but as I listened to the hon. Member for Aldridge-Brownhills (Mr. Shepherd) make his case, it occurred to me that, so often over the past 20 years, his has been the sole voice of sanity on these issues, and his was a lone and courageous voice attacking the Conservative Government and the Official Secrets Act that they passed. I do not want to detain the House, and I am sure that he would have answered the case on its merits, but I did not want my hon. Friend the Minister to think that the hon. Gentleman was again speaking from the isolated position of an obsessive. The fact that the hon. Gentleman has pursued these matters with such consistency and determination over the years is not the result of obsession; his is an entirely proper interest and it is to the discredit of other Members of Parliament that they do not often join him in his campaigns.

The hon. Gentleman's point about the degree of protection afforded by the provisions being out of tune with the times and the rest of the Bill is correct. There was a time when the security services were not mentioned at all. Ministers would refer to them as "the friends", because they could not be named—they were the shades

who could not be looked at directly and who were but shadowy figures in government. Fortunately, things have changed over the past 10 years. We now know the names of the heads of MI5 and MI6; they give press conferences and they are public figures. Their headquarters are, at last, a publicly recognised building. The fact that that building is one of the most appalling pieces of architecture ever to blot the London skyline, and that disgraceful sums were spent on it, is a separate matter. I hasten to add that I have a great liking and respect for the excellent architect, even if it is one of the worst buildings of his distinguished career.

The building's public profile is symbolic of the fact that we now recognise the existence of MI5 and MI6, but by putting such a huge rampart around all their activities, the Bill does not afford them the same degree of recognition. Even the most innocuous and simple matters of public expenditure within that building, such as tenders for furniture and services, maintenance costs, and the number of people on full-time contracts, are outwith parliamentary scrutiny. That cannot make sense. No risk is posed to national security by allowing a degree of scrutiny of innocuous matters—scrutiny that is carefully controlled through a prejudice test that would filter out questions that might prejudice our security, which is something that no Member of Parliament or citizen of this country would want to do.

The Government have slightly misjudged the changes surrounding the security services—changes that they and the previous Government made. I hope that, between consideration here and in the other place, Ministers will consider, even at this late stage, the possibility that they are being too cautious. Nobody wants information about the security functions of the security services, but they have plenty of other functions and are connected with plenty of other matters of public concern and public expenditure that fall properly within the public domain.

Mr. Dale Campbell-Savours (Workington): Under existing systems, that material can already enter the public domain. It is filtered through a Committee, and the only material that is excised from the reports of that Committee relates essentially to the security of the state and operational matters. Hence I cannot understand my hon. Friend's concern.

Mr. Fisher: I am grateful for my hon. Friend's intervention, because he makes my point for me: the information is available, so the Bill that gives us the right of access to information should recognise that. The import of my hon. Friend's remarks is that we have nothing to fear—the information is already out. My argument is that that should be recognised in the Bill.

The Bill will codify the degree and the extent of the access that we as a nation have to information. It is wonderful that the Committee of which my hon. Friend is a distinguished member brings such matters to our attention, and that it has functions other than action as a conduit for information. However, we and that Committee would be strengthened if we recognised the reality of the security services as they are today. We should incorporate them in the Bill in a proper sense, not in the slightly neurotic sense revealed by the Bill's current wording.

Mr. Mike O'Brien: I agree with much that was said by the hon. Member for Aldridge-Brownhills (Mr. Shepherd) and my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher). I had the privilege to be a member of the Select Committee on Home Affairs when, in 1992, for the first time, the Committee decided to go and see the then director-general of MI5 and thereby started the process of opening up those issues. Many other Members of Parliament, especially the hon. Member for Aldridge-Brownhills, have played a far more substantial role in that process than I have ever played.

8.45 pm

It is my view and that of my right hon. Friend the Home Secretary and many members of the Government that much can be done more openly with the various security services—the Secret Intelligence Service, the Security Service, and the Government communications headquarters—to ensure that we have a more accountable intelligence operation. However, I do not agree that the Bill and the at-a-stroke approach that the hon. Gentleman advocates are the way to do that.

Over recent years we have been feeling our way towards more openness. The various security services have taken the view that they want to be more open, and they have moved quite a long way in that direction. No doubt we are only part way through the process, and in years to come we will move further.

The hon. Member for Aldridge–Brownhills says that the words "national security" are heavy words. Indeed, they are. This country has been subject to bombing and terrorism, and it has had a great need for a very effective intelligence service to protect our national security. It is right, therefore, that we treat with great respect the work that is done by our national security services.

I take this opportunity to pay tribute, which I am sure the House would echo, to the work done by the security services in dealing with Northern Irish terrorism in particular, but also terrorism from other parts of the world, to which our country has been subjected.

For the sake of my family and the families of all my constituents and others in this country, I want to be sure that our security services are able to do the work that we have asked them to do. It is extremely sensitive and difficult work, and it is right that in that context, there has always been a consensus in the House that we should treat with great care any intrusion into the operational activities of our security services.

I am grateful for the support of the then Conservative Front-Bench spokesman, the hon. Member for Ryedale (Mr. Greenway), who said when we discussed clause 21 in Committee that the Opposition

> also agree with the Minister and the Government that clause 21 should be an absolute exemption.—[*Official Report, Standing Committee B*, 20 January 2000; c. 211.]

We propose to keep it as such.

Mr. Fisher: I am grateful to my hon. Friend. He says, rightly, that the Government and he, during his career in the House from 1992, have been involved in creating greater openness. Everyone welcomes that, and when he moved the amendment, the hon. Member for Aldridge–Brownhills (Mr. Shepherd) recognised the big shift that has taken place. However, my hon. Friend seems to be sliding into the misunderstanding that has bedevilled debate on the Bill in Committee and now on Report, confusing greater openness with freedom of information.

[Mr. Fisher]

The Government have been much more open in this area, as were the previous Government. That is welcome, but it is quite different from what we are doing through the Bill—that is, establishing rights to access to information. Openness and freedom of information are two completely separate matters, and my hon. Friend is making the mistake of answering one with the other.

Mr. O'Brien: I certainly do not mean to make a mistake, and I am not sure that I have done so.

As clause 76 makes clear, there is nothing in the Bill that requires secrecy. There is nothing in any clause that will require the security services or any other organisation to keep information confidential that they could put into the public arena.

My hon. Friend says that he seeks to establish rights for members of the public, some of whom may be genuine and some of whom may bear our country ill will, to obtain information about the security services. I would approach that area with a great deal of caution. I do not think that there is sufficient caution in the amendments. Let me set out the reasons for that.

Mr. Oliver Heald (North-East Hertfordshire): The Minister mentioned the Opposition's view. I wish simply to place on record that we retain that view.

Mr. O'Brien: I am grateful to the hon. Gentleman for confirming that at least the Front-Bench Members, and probably the majority of hon. Members, believe that we should allow the security services to do the job for which we pay them and that they do so well.

Some protection and, indeed, secrecy is necessary to retain and foster the exchange of information that underpins the intelligence effort. Clause 21 removes from the scope of the Bill all the information supplied by or relating to the work of the agencies listed in subsection (3).

It has been suggested that it is highly unlikely that information on security matters would be disclosed because of the way in which some of the exemptions operate. However, the amendments would encourage applicants to believe that such information would be disclosed. In practice, that expectation would be unreasonable, given the nature of the information. We do not wish to feed such expectations.

The amendments would significantly weaken the protection in the Bill for information supplied by or relating to the work of the security and intelligence services. I ask the House to reject the amendments on that basis.

Amendments Nos. 93 to 95 would change the operation of clause 22. Amendments Nos. 93 and 94 would limit exemption to information that did not fall within the scope of clause 21, but the disclosure of which would or would be likely to prejudice national security. Amendments Nos. 95 and 96 would remove the certification process from clauses 21 and 22. However, there are good reasons for the way in which the clause is drafted. The amendments would negate them.

We do not believe that a single omnibus harm test, which amendments Nos. 93 and 94 propose, is appropriate for all exemptions. We must frame the exemption to fit the information and thus properly protect the public interest. I am sure that the hon. Member for Aldridge-Brownhills agrees that unless the public interest demands its disclosure, such information should not be disclosed if its retention is required to safeguard national security. The clause ensures that that is the case.

The exemption applies only when it is required; the test is of necessity, not desirability. The clause is drafted in similar terms to section 28 of the Data Protection Act 1998. The two provisions have the same purpose. It is therefore sensible for them to be drafted in similar language. Any difference in approach between the provisions could lead to them being interpreted differently. Clearly, that is not the intention. Government policy is clear on the sensitive subject that we are discussing. Any move from the existing formulation would suggest that the Government intended the provision to be interpreted differently. The Government will not accept any amendment that would risk reducing the protection.

Let us consider evidential certificates. That information is extremely sensitive, and access to it must necessarily be restricted to the smallest number of people possible. Disclosure in the course of enforcing freedom of information must be to the extent necessary to ensure that the exemption is not being abused, and no further.

In that unique instance, it is not appropriate for the Information Commissioner to have a role in assessing whether the exemption applies. Without any disrespect to the Information Commissioner or her staff, disclosure to her of such sensitive material is not appropriate. For example, the material requested might be a small piece of a jigsaw. Determining the seriousness, importance or sensitivity may require the Information Commissioner to know the whole context. That of itself would be undesirable. Furthermore, such disclosure would not be necessary to ensure that the exemption was not abused.

First, the certification procedure would restrict the power to sign such a certificate to a Cabinet Minister, the Attorney-General, the Attorney-General for Northern Ireland or the Advocate-General for Scotland. A certificate could be signed only at the highest level. Furthermore and crucially, it is important to be clear that those certificates would not operate as ministerial vetoes. The certificates that may be issued under clause 21(2) and clause 22(3) would be nothing more than evidential certificates. The Minister would certify that the information was of the kind specified, not that it should or should not be secret, although that would bear on the eventual use of the certificate. The commissioner or the applicant could challenge the certificate in the tribunal, which would have the power to determine whether it was reasonably issued or, in the case of a certificate issued under clause 21, whether it related to the information of the kind specified. Therefore, that would not be a ministerial veto.

There are good grounds for formulating clauses 21 and 22 as they stand and for the existence of a procedure, with relevant safeguards, for certifying that the information falls within the clauses. However, that does not mean that the security services need secrecy where that is unnecessary. No doubt my hon. Friend the Member for Workington (Mr. Campbell-Savours), other members of the Committee that oversees the security services and others will introduce a procedure, as the years pass, under which they are able to be more open where that is

appropriate, but only where that is appropriate. It is not appropriate to make those changes at a stroke under the Bill. We need to ensure that we protect those who protect us at any difficult time—now as much as any other—when our national security could be threatened. We have a duty to them to do so just as they have a duty to us in the work that they carry out.

Mr. Shepherd: Well, I got an answer that could have been written 10, 12, 14 or 20 years ago. No one in the Chamber is trying to abuse the national security services. As I tried to suggest, the very words "national security" have a weighty presence. Think of this. I quote a letter from a former Under-Secretary of State for Social Security published in *The Guardian* on 24 September 1997. He confirmed the role of MI5 in connection with his Department's work:

> Currently, the security service is involved in an audit of security procedures in the DSS as part of its publicly acknowledged role as principal adviser to government on protective security and practice. This involves the examination of the department's internal management and systems controls.

I knew that the Minister would go heavily on arms, on the war that we fight with terrorists and so on, but there are many functions in the remit of the security services.

In that instance, MI5 effectively carried out management consultancy for the DSS, but the results of that work, which presumably was no different in substance to that which would otherwise have been done by an outside consultancy, would have been exempt merely because they were produced by MI5 staff rather than the staff of KPMG. There is a blanket response every time that one tries to talk about what should be accessible under the terms of a freedom of information Act. We get the solemn and correct intoning of reliance on a service that virtually no one in the Chamber knows anything about. I know almost nothing about the security services.

Over the years in which I have tried to advance some of the arguments to bring the security services in from the cold, if that is not a Jeffrey Archer title—[HON. MEMBERS: "No."] No indeed. One of the arguments is that this is a question of confidence for the House. We respect those who protect us, but we know that because of its remit, which we have discussed on the Floor of the House, the service has been concerned with all manner of things.

9 pm

The service has a long history, which is relevant to the Bill. The Bill almost suggests that someone could say, "If I want to exclude a piece of information, I can ask the security services to pass it across my desk". Under the Bill as it is now drafted, an umbrella of absolute exclusion would then be erected.

I thought that, in presenting freedom of information proposals, the Government were recognising that, although much was already open, we needed such measures as harm tests. Whether the threshold should be higher or lower is not the point at issue. We are saying that some of the great organisations of state—the police, the armed forces, the national health service and organisations whose members rescue people on the roads—should be excluded because of the phrase "national security".

We know the background to some of the stories. The Minister will have observed my assiduity in not going into certain horror stories with which I am acquainted, whether or not they are true. I am thinking of Greenham common, and incidents involving the Campaign for Nuclear Disarmament. We learn that the Home Secretary himself, no less, was on a list that included the Secretary of State for Northern Island. However, I make nothing of that.

That was yesterday; we now look forward to tomorrow. This is not an attempt to undermine any aspect of the proper and legitimate defences of this country, which are a responsibility of Executive Government, and a very solemn one. I recognise and respect that, but I am not happy about a blanket ruling. What if there is a rogue element? Under the Bill as it stands, if the Secretary of State for Social Security's friend from the security services passes a piece of paper across the desk, and if it relates to something about which the Secretary of State does not want to know, that will be subject to a total exclusion. This is what is really behind the measure.

I understand why the Minister responded as he did. He read a brief that has been read many times here—but there were moments when I thought that, if my memory had been better, I could have joined him and we could have performed as a duo. The same thing often applies to our arguments about freedom of information, and our arguments about the security services, which I know will continue. In many instances the employees of the security services are brave and bonny people, but they should never be out of sight of those who are commissioned and paid for by the state, and are loyal citizens of that state—indeed, fellow citizens.

That is what this is about. It is not about any of the big things such as bombs and sensitivities about Northern Ireland; it is about the mundane, common things that affect every Department that serves this nation of ours.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 24

DEFENCE

Mr. David Heath: I beg to move amendment No. 15, in page 13, line 13, after "to,", insert "substantially".

Mr. Deputy Speaker (Mr. Michael Lord): With this it will be convenient to discuss the following amendments: No. 16, in page 13, line 21, after "to,", insert "substantially".

No. 17, in clause 25, page 13, line 24, after "to,", insert "substantially".

No. 18, in page 13, line 41, after "to,", insert "substantially".

No. 19, in clause 26, page 14, line 18, after "to,", insert "substantially".

No. 20, in page 14, line 26, after "to,", insert "substantially".

No. 21, in clause 27, page 14, line 29, after "to,", insert "substantially".

No. 22, in page 14, line 35, after "to,", insert "substantially".

[Mr. Michael Lord]

No. 39, in clause 28, page 15, line 4, at end insert—

'and if its disclosure under this Act would, or would be likely to, prejudice any of those purposes'.

No. 23, in clause 29, page 16, line 10, after "to,", insert "substantially".

No. 24, in page 17, line 10, after "to,", insert "substantially".

No. 25, in clause 31, page 18, line 4, after "to,", insert "substantially".

No. 26, in page 18, line 9, after "to,", insert "substantially".

Mr. Heath: Amendment No. 15 stands in my name and in the names of an array of Members of the progressive faction.

All but one of the amendments deal with the same notion, while amendment No. 39 deals with a separate notion, which I intend to discuss separately. If I do so reasonably briefly, that does not mean that I am undermining the importance of the amendments; it simply means that I believe that the House wants to reach a conclusion on the Bill at some stage. Moreover, many of the arguments were dealt with at length in Committee. It is a shame that the hon. Member for Ryedale (Mr. Greenway) is not present, because he was very much involved in our debate in Committee and expressed clear views.

The amendment seeks to qualify the prejudice test by inserting the adverb "substantially". That, we think, is a fairly important aspect of making legislation effective, and not over-prescriptive or over-restrictive.

In Committee, we had a long and rather fruitless debate—which I am sure the Minister will recall—on whether the word "harm" was synonymous with the word "prejudice" and whether the words differ in connotation. Ultimately, we had to accept that the Minister prefers the word "prejudice" simply because he prefers it, and we left it at that. We should debate that point again today, but should consider whether there needs to be a slightly higher threshold.

Hon. Members will recall that the White Paper was very explicit on the issue, proposing a test of substantial harm. It was critical of the code for not providing a threshold of substantial harm. Although I do not know whether prejudice is a higher test than harm, the White Paper proposed that the Bill should be

set in specific and demanding terms.

The background papers to the White Paper, which were very instructive on the issue, noted that substantial harm

would clearly be more stringent (and so provide greater openness) than the Code of Practice on Access to Government Information (which normally exempts on the basis of simple "harm" or "prejudice") and would be closer to the "real damage" test of PII. Practical experience of applying a "real damage" test in litigation indicates that it results in a substantial reduction in the volume of material which would be withheld.

Therefore, from discussions both preceding and following publication of the White Paper, we have had a clear indication that a test of real damage should be used in disclosing information. The Home Secretary was clearly similarly minded. In his statement on the draft Bill, he expressed his preference for the word "prejudice" and said that, in practice, the prejudice has to be

real, actual or of "substance".—[*Official Report*, 24 May 1999; Vol. 332, c. 22.]

That is the crucial point. The Minister contends that that is the meaning of prejudice and that it needs no further qualification. He also contends that, even if prejudice does not mean that, that is how—because of Pepper *v.* Hart, which the Home Secretary had in mind—it would be interpreted.

The difficulty with that construction is that, as Pepper *v.* Hart makes clear, a Minister's comments would be taken into account only if the provision were

ambiguous or obscure or the literal meaning

would lead "to an absurdity". Even then, the Minister's comments would be taken into account only if they addressed the issue. However, it is difficult to imagine circumstances in which the courts would test the ambiguity in the word "prejudice". If they were to do so, would they take into account the Home Secretary's gloss on the word? I suspect that they would not. The Bill contains nothing that equates with the Home Secretary's test of

real, actual or of "substance".

Like other hon. Members, I think that, if the Bill is to do its job properly and we are to avoid exemptions that cover much wider classes of information than need to be covered, we need that type of threshold.

Amendment No. 39 would amend clause 28, which provides a blanket exemption protecting all information on investigations by police and regulators, even if disclosure could not harm legal proceedings. The list of regulators is quite broad. It includes not only police, but—as the Minister advised us, for which we are grateful—the Health and Safety Executive, environmental health officers, trading standards officers, fire authorities, the drinking water inspectorate, the Environment Agency, the Director General of Water Services, the Maritime and Coastguard Agency, the Civil Aviation Authority, the Inland Revenue, Customs and Excise, the Crown Prosecution Service, the Benefits Agency, the Department of Trade and Industry, the Ministry of Agriculture, Fisheries and Food, the Housing Corporation, the National Criminal Intelligence Service and the Serious Fraud Office. Thus a wide range of bodies are covered.

That extraordinary blanket exemption does not take into account all the factors that would justify revealing information. It does not apply the harm test which we might imagine would be inherent in any such provision. It simply says that all information held by those bodies in that context would be exempt.

Amendment No. 39 would allow the withholding of such information only if disclosure would prejudice the purpose for which it is held. That is not unreasonable. The reason for withholding information should be that its disclosure would disadvantage the investigating authority or the police in the execution of their duties. That is not a problem in other countries' freedom of information legislation.

There is a genuine concern about the circumstances in which material would be exempt. A local authority might refuse to release information on investigations into children's homes or even to admit to there having been

an investigation. That is not a healthy situation. That is setting aside the effect on the police. The Macpherson report, which has been given careful attention in the House, says explicitly that there should be no class exemption for the police. It argues that re-establishing public confidence in the police requires

> a vigorous pursuit of openness and accountability across Police Services.

The report goes on to say that

> we consider it an important matter of principle that the Police Services should be open to the full provisions of a Freedom of Information Act. We see no logical grounds for a class exemption for the police in any area.

There could be no more explicit endorsement of my case. That view is shared by the Law Society, which has said that it fully supports the amendment.

The argument that the amendment would prevent the police or regulatory authorities from doing their job effectively is untenable. Even if clause 28 were changed much more radically than the amendment would change it, there would always be clause 29, which clearly says:

> Information which is not exempt information by virtue of section 28 is exempt information if its disclosure under this Act would, or would be likely to, prejudice—
>
> (a) the prevention or detection of crime,
>
> (b) the apprehension or prosecution of offenders,
>
> (c) the administration of justice

and a list of other roles of regulatory authorities.

This is a serious group of amendments. The Minister must explain why he has chosen to reduce the threshold. Amendment No. 39 is crucial. He must also explain why there should be a blanket exemption for that critical area of public service. I shall listen carefully to the Minister. I suspect that the House will wish to give an opinion on both matters.

Dr. Tony Wright: I shall say but a word on the amendments. The Minister argued against an omnibus harm test. We have heard that a lot during debates on these issues over the years. If we accept the logic of that argument, we could also say that there are areas in which it makes sense to say "substantial" and others in which it makes sense not to. That is the point about not having an omnibus test. That was precisely the argument used by the Select Committee on Public Administration when it examined the draft Bill. The Minister has argued that there is no need for an omnibus test. According to his argument, it should be possible to have a substantial test for those matters for which such a test would make sense. I am disappointed that the Government have not been minded to consider that.

9.15 pm

It is getting late and we are all tired; that inevitably influences our debate. I do not want to detain anyone, so I shall confine myself to amendment No. 39 to clause 28—the clause that deals with investigations. If the House were in more vigorous mood, it would be mightily exercised by this part of the Bill.

There is no question but that the blanket exemption for investigations has caused enormous disquiet among consumer organisations and those concerned with public safety. There seems no reason at all for it. I can only believe that, because the Government want to ensure that the police and other organisations are covered, they have decided to extend the provision to all investigatory bodies. The effect will be to place all investigations carried out by them into the exempt category.

That is quite unnecessary. Jenny Bacon of the Health and Safety Commission expressed the same view in evidence to the Select Committee. She said that the commission's work did not need to be in that category, and that it needed no more than a prejudice test to safeguard those matters that needed to be safeguarded.

I wish that the Government had considered the matter more closely. The preposterous possibility arises that a trading standards inspector might visit a premises and give it a clean bill of health, but that that information could not be disclosed. That would be because, under the Bill, he would represent an investigatory body that has the power to conduct an investigation. That is a silly and unnecessary conclusion, and the clause should be qualified in the way suggested by the amendment.

If I were in a more vigorous mood, I would talk at greater length about these matters. However, I place on record my enormous disquiet about this proposal.

Mr. White: The Government believe that open government consists of them releasing information under clause 13, but nothing demonstrates more clearly than clause 28 their unwillingness to accept that citizens have a right to demand that information for themselves. The Bill is supposed to ensure freedom of information, so it should give citizens the right to have access to the information that they want, once any prosecution is complete and the information has been released from sub judice requirements. The test should revolve around prejudice to an investigation, and I urge my hon. Friend the Minister to consider the amendment again.

Mr. Mike O'Brien: Amendments Nos. 15 to 26 would all have a similar effect, so it is sensible for me to deal with them separately from amendment No. 39, which deals with a slightly different matter.

I well remember that the hon. Member for Somerton and Frome (Mr. Heath) and other hon. Members in the Committee discussed at some length—almost to the point of angels dancing on pins—the various meanings of words and how those meanings could be defined. I shall not burden the House with a dissertation on why we have chosen one word in preference to two.

However, my hon. Friend the Member for Cannock Chase (Dr. Wright) Chairs the Select Committee on Public Administration and I refer those hon. Members interested in this matter to the Committee's very well argued report on the draft Bill, volume 1 of which looked in some detail at the word "prejudice" and other harm tests in UK law. It is a valuable reference work on some of these issues—indeed, I used it in Committee.

Amendments Nos. 15 to 26 would change the harm test in the exemptions for defence, international relations, relations within the UK, the economy, law enforcement and audit functions, which at present include a test of prejudice, to include a test of "substantial prejudice".

As I have said in other contexts, it is difficult to place a specific meaning on the word "substantial" and to determine what practical effect this would have in the Bill. For example, if the term means "a great deal of" or "a lot of", the amendments would mean that information that

[Mr. Mike O'Brien]

was deemed damaging to a lesser extent—that would involve some lesser prejudice—would have to be disclosed without the need to show that the public interest required that such damage be caused. That would not properly balance the public interest in disclosure with that of maintaining the exemption.

In addition, the qualification of the term is unnecessary. The Government have consistently stated their view that prejudice means prejudice that is

actual, real or of substance.

Prejudice is an ordinary word that is found without qualification in many pieces of legislation. It is a word that is familiar to the courts as well as to others involved with the day-to-day interpreting of legislation.

Moreover, we must not forget that the judgment of whether disclosure of information would be prejudicial to a given interest will not merely rest with the authorities. The commissioner and the tribunal will be required to consider individual cases that may be referred to them and may overturn the decision of the authority where they consider that the test is not met.

Amendment No. 39 would convert clause 28(1) into a prejudice-tested exemption. That would mean that the information held for the purposes of investigations into offences and any criminal proceedings that may flow from those would be exempt only where disclosure would be prejudicial to the investigation or proceedings.

The Government believe that the removal of a class exemption for such information would undermine the effectiveness of both the police and the prosecution services and that it is vital to retain the protection of a class exemption for that category of information.

The amendment would result in information about criminal investigations being released in advance of court proceedings, which would have a damaging effect on the case. The Government believe that it is essential to ensure that criminal proceedings are not jeopardised by the premature disclosure of information and that the criminal courts are preserved as the sole forum for determining guilt. Information which is, or may be, disclosed in court will continue to be placed in the public domain through that process.

The right hon. and hon. Members who tabled the amendment may say that surely a prejudice test would meet the concerns. We do not think so. First, in areas of criminal activity and individual liberty, one needs to be very wary of being too quick to assume that no prejudice would be caused. Introducing a prejudice test would lead to a search for demonstrable prejudice, with a real risk of injustices being caused or criminal activity being facilitated where such prejudice cannot immediately be pointed to.

Furthermore, it is right that the law enforcement agencies should not be subject to the commissioner's view of what would constitute prejudice in this field. The commissioner cannot be an expert in law and order and so must defer to the views of those agencies in this regard. Thus, to introduce a prejudice test would achieve little.

However, the clause as drafted will not prevent the disclosure of information about criminal investigations where it is in the public interest for such disclosures to be made by virtue of clause 13. Public authorities will release such information when the public interest in releasing it outweighs the public interest in maintaining the exemption. Therefore, in our amendments, we have met some, if not all, the concerns of hon. Members. I should also make it clear that general information about the conduct of investigations, as opposed to the information relating to particular investigations, is covered not by the class exemption but by the prejudice tested exemption in clause 29.

It is essential that, for information held for the purposes of investigations or criminal proceedings, we retain the protection afforded by a class exemption. It is not appropriate to subject this category of information to a prejudice test, and the Government amendments to clause 13 will in any case ensure that, where there is an overriding public interest in the disclosure of the information, it will be released.

I therefore ask the hon. Member for Somerton and Frome to withdraw the amendment.

Mr. David Heath: The Minister has simply repeated what he previously said about prejudice. I expected nothing else from him—he is being admirably consistent, and so am I. I still do not believe that the threshold is sufficiently high. We shall have to agree to differ, and see who rallies to our standards.

We have a very serious disagreement with the Government on amendment No. 39. I do not understand why the Minister suggests that it would lead to premature disclosure of information to the detriment of judicial proceedings. Clause 29 deals specifically with all the areas that would no longer be covered by the exemptions in clause 28. There is no circumstance in which that would not catch information that would prejudice, or would be likely to prejudice, the administration of justice, the prevention or detection of crime, or anything else about which the Minister is concerned. We share those concerns, of course, and would not have tabled an amendment if we believed that it was likely to do that.

We will seek the opinion of the House on this matter. If the opportunity arises, we should also like to seek the opinion of the House on amendment No. 39.

Question put, That the amendment be made:—

The House divided: Ayes 37, Noes 336.

Division No. 146] **[9.27 pm**

AYES

Allan, Richard
Ashdown, Rt Hon Paddy
Ballard, Jackie
Bell, Martin *(Tatton)*
Brake, Tom
Brand, Dr Peter
Breed, Colin
Burstow, Paul
Campbell, Rt Hon Menzies *(NE Fife)*
Cotter, Brian
Davis, Rt Hon David *(Haltemprice)*
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Harris, Dr Evan
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kirkwood, Archy
Llwyd, Elfyn
Maclennan, Rt Hon Robert
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Oaten, Mark
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Shepherd, Richard

Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve
Willis, Phil

Tellers for the Ayes:
Mr. Ronnie Fearn and
Mr. John Burnett.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beggs, Roy
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corston, Jean
Cousins, Jim
Cranston, Ross
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donaldson, Jeffrey
Donohoe, Brian H
Doran, Frank
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Graham, Thomas
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter

Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thompson, William
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Mr. Gerry Sutcliffe and
Mr. Jim Dowd.

Question accordingly negatived.

Clause 28

INVESTIGATIONS AND PROCEEDINGS CONDUCTED BY PUBLIC AUTHORITIES

Amendment proposed: No. 39, in page 15, line 4, at end insert—

'and if its disclosure under this Act would, or would be likely to, prejudice any of those purposes'.—*[Mr. Simon Hughes.]*

Question put, That the amendment be made:—

The House divided: Ayes 61, Noes 321.

Division No. 147] **[9.39 pm**

AYES

Allan, Richard
Ashdown, Rt Hon Paddy
Ballard, Jackie
Bell, Martin *(Tatton)*
Brake, Tom
Brand, Dr Peter
Breed, Colin
Burnett, John
Burstow, Paul
Campbell, Rt Hon Menzies *(NE Fife)*
Clark, Rt Hon Dr David *(S Shields)*
Clwyd, Ann
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Cousins, Jim
Davis, Rt Hon David *(Haltemprice)*
Dunwoody, Mrs Gwyneth
Fearn, Ronnie
Fisher, Mark
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Gerrard, Neil
Graham, Thomas
Harris, Dr Evan
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hinchliffe, David
Hopkins, Kelvin
Hughes, Simon *(Southwark N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kirkwood, Archy
Llwyd, Elfyn
McDonnell, John
Maclennan, Rt Hon Robert
McWilliam, John
Mahon, Mrs Alice
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Morgan, Ms Julie *(Cardiff N)*
Oaten, Mark
Öpik, Lembit
Prentice, Gordon *(Pendle)*
Rendel, David
Sanders, Adrian
Simpson, Alan *(Nottingham S)*
Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Bob Russell and
Mr. Brian Cotter.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beggs, Roy
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corston, Jean
Cranston, Ross
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donaldson, Jeffrey
Donohoe, Brian H
Doran, Frank
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Elliman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith

Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Shipley, Ms Debra
Short, Rt Hon Clare
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Noes:
Mr. Gerry Sutcliffe and
Mr. Jim Dowd.

Question accordingly negatived.

Clause 31

AUDIT FUNCTIONS

Amendment made: No. 60, in page 18, leave out lines 1 and 2 and insert—

'(b) the examination of the economy, efficiency and effectiveness with which other public authorities use their resources in discharging their functions.'.—

[Mr. Mike Hall.]

Clause 33

FORMULATION OF GOVERNMENT POLICY, ETC.

Amendment proposed: No. 10, in page 18, line 32, at end insert—

'(1A) Information is not exempt by virtue of subsection (1) or section 34 insofar as it consists of factual information.'.—
[Mr. Simon Hughes.]

Question put, That the amendment be made:—

The House divided: Ayes 190, Noes 317.

Division No. 148] **[9.51 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, Peter *(Hexham)*
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Dr David *(S Shields)*
Clifton-Brown, Geoffrey
Clwyd, Ann
Collins, Tim
Cook, Frank *(Stockton N)*
Corbyn, Jeremy

Cotter, Brian
Cousins, Jim
Cran, James
Dalyell, Tam
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Dunwoody, Mrs Gwyneth
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Fisher, Mark
Flight, Howard
Forth, Rt Hon Eric
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gerrard, Neil
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hall, Patrick *(Bedford)*
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heseltine, Rt Hon Michael
Hinchliffe, David
Hogg, Rt Hon Douglas
Hopkins, Kelvin
Horam, John
Howard, Rt Hon Michael
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McDonnell, John
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
McWilliam, John
Madel, Sir David
Mahon, Mrs Alice
Malins, Humfrey
Maples, John
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Mates, Michael
May, Mrs Theresa
Michie, Bill *(Sheff'd Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Morgan, Ms Julie *(Cardiff N)*
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Portillo, Rt Hon Michael
Prentice, Gordon *(Pendle)*
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(Mid–Norfolk)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Andrew Stunell and
Mr. Tom Brake.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corston, Jean
Cranston, Ross
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John

Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Killoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Short, Rt Hon Clare
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Noes:
Mr. Gerry Sutcliffe and Mr. Jim Dowd.

Question accordingly negatived.

BUSINESS OF THE HOUSE

It being after Ten o'clock, further consideration of the Bill stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),

That, at this day's sitting, the Freedom of Information Bill may be proceeded with, though opposed, until any hour.—*[Mr. Mike Hall.]*

Question agreed to.

As amended in the Standing Committee, again considered.

Clause 34

PREJUDICE TO EFFECTIVE CONDUCT OF PUBLIC AFFAIRS

Mr. Maclennan: I beg to move amendment No. 12, in page 19, line 12, leave out from "if" to "disclosure" in line 13.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 27, in page 19, line 15,, after "to,", insert "substantially".

No. 28, in page 19, line 20,, after "to,", insert "substantially".

No. 43, in page 19, line 23, leave out from "deliberation" to end of line 25.

No. 29, in page 19, line 24,, after first "otherwise", insert "substantially".

No. 30, in page 19, line 24, after "to", insert "substantially".

No. 13, in page 19, line 28, leave out from "that" to "compliance".

No. 14, in page 19, line 31, leave out from beginning to end of line 34 on page 20.

Government amendments Nos. 61, 87 and 88.

Mr. Maclennan: Clause 34 is probably the most obnoxious clause remaining to be considered in detail tonight. Our amendments are designed to prevent the purposes of the Bill being vitiated in an all-embracing fashion by the elimination of the test of harm being determined by reference to the

reasonable opinion of a qualified person.

[Mr. Maclennan]

That is a bizarre provision, which could sabotage the entire Bill if it is allowed to stand. The provision would allow Government Departments to claim, without any significant harm test, that disclosures would be harmful to public affairs, whereas there are provisions that would allow—*[Interruption.]*

Mr. Deputy Speaker: Order. General conversations are taking place throughout the Chamber. Hon. Members must listen to the right hon. Gentleman who is addressing the House.

Mr. Maclennan: There are provisions that would allow the Secretary of State for Defence, for example, to withhold information, wrongly claiming that disclosure would prejudice the country's defences. In that circumstance, under clause 24 the commissioner could overturn the decision. Other major matters might be those handled by the Chancellor of the Exchequer, and prejudice to the economy could be claimed. Those matters could be reviewed objectively by the commissioner.

This catch-all provision is designed to prevent that scrutiny being effective. Its purpose is to enable the so-called "qualified person" to give a view, the reasonableness of which can be challenged only by judicial review criteria.

In my judgment and that of hon. Members on all sides of the House, this is one of the most unattractive measures in the Bill. It is a belt-and-braces provision. It covers broadly the same matters as clause 33 and is wholly unnecessary. If amendment No. 12 is accepted, as I profoundly hope it will be tonight, or something similar to it on another occasion, it will restore the objectivity of the test of harm. That is a core necessity.

The test would be applied to information which, in the authority's "reasonable opinion", would inhibit the frankness of advice or exchange of views, or otherwise

prejudice the effective conduct of public affairs.

The language of the clause makes it plain how broad that exclusionary provision is.

The matter has been considered by a number of bodies. It was considered by the Select Committee on Public Administration, which asked that the "reasonable opinion" test be dropped and gave its reasons, which were forceful and commended themselves to those who are advancing the amendment.

The House of Lords Select Committee also concluded that the exemption "goes too far" and that

the test should be an objective one, reviewable by the Information Commissioner.

If the Minister can produce any new arguments, I have no doubt that the House will listen with enormous interest. So far, the catch-all provision has been defended with arguments that have not carried weight with those who scrutinised the Bill closely in draft form. Those arguments did not carry weight in the Committee that considered the Bill and should not carry weight tonight.

Dr. Tony Wright: I shall be brief. Although time presses, it would be remiss to allow the relevant provisions to pass without the comment that they deserve. If we were considering them at a different hour, they would receive more attention than they will receive in the next few minutes.

We are considering profoundly important provisions. Those who were here many hours ago would have heard me describe the four barricades that the Government had erected in clauses 33 and 34 to prevent access to policy areas. The amendment would simply remove one of the barricades. Three barricades would remain.

The exemption in clause 34 allows any public authority, including Departments, local authorities and quangos to assert that

in the reasonable opinion of a qualified person—

a Minister or an official—

disclosure would . . . prejudice . . . the effective conduct of public affairs.

That means that the commissioner could not challenge that opinion unless it was irrational. That is a strong test. An official could advance all sorts of reasons to show that the opinion was not irrational.

The Government rightly emphasise the interlocking character and the seamless quality of the Bill. One has to understand one bit of it in order to understand another, and to understand the impact of the commissioner's power on the exemptions. The Bill keeps crucial provisions from the commissioner because it incorporates the test of irrationality. It thus needlessly erects a barrier to access. Such a barrier should not exist. Amendment No. 12 simply asks the Government to remove one of the four barricades that they have erected and move more seriously towards openness and access.

Mr. Quentin Davies (Grantham and Stamford): I start by disagreeing with one of the comments of the hon. Member for Cannock Chase (Dr. Wright). I entirely agree with his remarks about the substance of clause 34 and the amendments. However, he suggested that we should consider the matter only perfunctorily because of the late hour. The issues that we are examining and the question whether we are, to use the Prime Minister's words before the last election, entering a new era of fundamental change in the relationship between the Government and the public, in which we have the courage to establish new standards of information disclosure and openness in government, are sufficiently important for us to consider the Bill through the night or beyond. We should not therefore be inhibited by considerations of the hour.

Dr. Tony Wright: Will the hon. Gentleman give way?

Mr. Davies: I shall, but I want to move on to the hon. Gentleman's important substantive points.

Dr. Wright: I should like to correct the hon. Gentleman. I did not say that we should, but that we would, pay less attention to the Bill because of the lateness of the hour.

Mr. Davies: I am happy to stand corrected and to withdraw any aspect of my remarks that might have been regarded as disparaging or critical of the hon. Gentleman. I accept the exegesis of his remarks in the spirit in which they were delivered. I do not want to develop the bad habit that seems to have been established between the

hon. Gentleman and me of disagreeing about secondary or tertiary matters, because we agree on the substance of what is at stake.

The Bill was sufficiently restrictive of the public's right to know what happens on their behalf behind the green baize door of government before we reached clause 34. Clause 33 excludes a vast range of Government activities, including

> the formulation or development of government policy, Ministerial communications, the provision of advice by any of the Law Officers . . . the operation of any Ministerial private office.

10.15 pm

Other provisions refer to the security services and there are all sorts of other specific exclusions under which information that falls into certain categories could not even be expected and no case for disclosure to the public, ab initio, could be considered. As if that were not enough, the clause contains the catch-all that, even if information was not in an exempt category, the mere decision of a so-called qualified person—that refers not only to Ministers of the Crown, but to all sorts of other people—could override what ought to be the Government's primary obligation: giving the public a fair and true account of events.

That is thoroughly unsatisfactory and I very much support amendment No. 12, which would remove the obnoxious phrase

> in the reasonable opinion of a qualified person . . .

Anybody could say that his opinion was reasonable, which strengthens the argument against the words

> would, or would be likely to, prejudice—
>
> (i) the maintenance of the convention of the collective responsibility of Ministers . . . frank and free provision of advice . . . the frank and free exchange of views . . .

Anybody could make a case for any information being withheld on those vague, broadly drawn grounds. At least the amendment would tighten that a little. If the phrase

> in the reasonable opinion of a qualified person . . .

were deleted, subsection (2) would state:

> Information to which this section applies is exempt information if disclosure of the information . . . would, or would be likely to, prejudice . . .

Presumably, that would mean that the Information Commissioner would be the arbiter of whether there would be prejudice if the information were revealed. That is a more satisfactory and objective solution.

We are once again dealing with a great theme of the Bill: Ministers would argue and decide in their own case, without any further appeal, that a matter or information should not be revealed. They are being given amazingly broad grounds: pick one, choose any—there is a whole list with which they could justify the withholding of the information. The amendment represents the absolute minimum requirement if we are even to begin to accept that there is any sincere intention on the Government's part to open up proceedings in the Executive branch and to give real substance and meaning to the Bill.

Mr. Fisher: If we do not amend the clause, the great danger is that it is likely to be one of the most used. Any of the 340 public authorities that did not want to release information that was not exempt would find it easy not to master the Bill or to see its way through the thicket of harm tests and other matters, but simply to home in on the clause and say that a senior executive thinks that the release of information would prejudice the frank and free exchange of information or the efficient conduct of the body. Anything could be caught. If it is to approve the measure, the House must understand the power that it will give to all those bodies to avoid the Bill's intention, which is to give the public a right of access to public information.

We are meant to be giving people rights to have information that should be theirs—they pay for it and actions are taken on their behalf. The clause will frustrate that—it is bound to do so—and I fear that it will be used again and again. I draw the House's attention to what my hon. Friend the Under–Secretary of State for the Home Department said in Committee:

> The Government consider that only a qualified person can have a full understanding of the issues involved in the decision-making processes of a public authority.

That is an extraordinarily bold and broad remark. He went on to say:

> we do not consider that it would be right for the prejudice caused by that sort of information to be determined by the commissioner.—[*Official Report, Standing Committee B*, 27 January 2000; c. 321.]

That is even more disturbing. The commissioner, who is the one guardian of the rights for the public on which we are legislating, has almost been weighed down with praise from both sides of the House. She is an admirable woman, and everyone is delighted that she has got the job, but she will not be trusted by the Government. The Government do not consider that her opinion should be even weighed in the balance, let alone have priority over the self-validation of senior people in the public authorities.

The Government's proposal really does not make sense. I trust that if we cannot frustrate this misconceived clause here, those in another place will view it with much more rigour and with less charity.

Mr. Simon Hughes: Earlier, we discussed whether the final decision should remain with this place or with Ministers accountable to this place—the hon. Member for Buckingham (Mr. Bercow), among others, used the phrase "democratic accountability—or whether it should lie with an authority outside this place.

Anyone reading the Bill, especially clause 34, would surely agree with my right hon. Friend the Member for Caithness, Sutherland and Easter Ross (Mr.. Maclennan) and others that the flaw in the Government's proposal is that it allows someone speaking for the body in question to decide what should be disclosed. In relation to non-public authorities—other elements of public life—it would be reasonable for Parliament, Ministers, chief executives, the Speaker, the Clerk of the House or the presiding officer to make decisions. When it comes to the vested interests of the body involved, it is clearly unhelpful to the public access intentions of the Bill for the person making the decision to be the person who approaches that decision from the point of view of the organisation whose information is to be released. Self-evidently, that person will take the view of the organisation.

Let me give an obvious example. The amendment seeks to remove the fact that the "qualified person" who would make the decision on the basis of having a "reasonable opinion" and of being appropriately qualified, in relation to

[Mr. Simon Hughes]

a Government Department, would be any Minister of the Crown. Advice would be given by civil servants. The civil servants would say, "Minister, this could prejudice"—that is the test—"the maintenance of collective responsibility", or

the free and frank provision of advice.

The Minister, on the basis of the advice given, would be entitled without question to take the view that that was reasonable advice which he or she was bound to follow, but no court could deal with that. The whole point is that, under administrative law, it is outwith the ability of the court to say that a perfectly reasonable decision had not been made. The decision is reached from the prejudiced point of view of the organisation against which, as it were, someone is seeking information. We are trying to establish a mechanism to provide an objective assessment that is not performed by someone within the organisation. What we are discussing is whether an outsider or an insider decides whether prejudice is involved. The history of the debate, in this country and everywhere else, suggests that someone outside must adjudicate, with all the checks and balances that the legislation provides.

The hon. Members for Cannock Chase (Dr. Wright) and for Grantham and Stamford (Mr. Davies) suggested that, although we had been debating these matters for nearly two working days, we had not given the matter the attention that it deserved. I am sure no one who has looked at the Bill fails to realise that the clause and the amendments are hugely significant. As the hon. Member for Cannock Chase said, this is where the block will come. This is the clause that allows people to say, "No, you cannot have the information", and no one will be able to have that reviewed or overturned. This is the blocking mechanism that can be used by an individual who will act on advice, perhaps in good faith but not necessarily so. I hope that the House will support the amendment.

I do not know the official Opposition's position on amendment No. 12, but I hope that they will support us on it. Still, I pay tribute to them—they have moved, now that they are in opposition, from thinking that there should not be a statute governing these matters to a somewhat more progressive view. In this debate, of all the forces ranged around the argument, it is the Opposition parties and Labour Members who are not Ministers—

Dr. Lynne Jones: Not likely.

Mr. Hughes: I truly believe that, one day, the enlightened will be vindicated, and that even the day of Government enlightenment will dawn. I hope that the hon. Lady and I will be there, walking through the gates, when that happens.

I hope that Conservative Members will join us in the Lobby. It is important that we should not provide a blocking mechanism to those who have an interest to protect. We have to take the right to decide away from those who could themselves cause the most harm to freedom of information.

Mr. Greenway: The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) has tempted me to say that, in Committee, on behalf of the Opposition, I proposed that clause 34 should be deleted entirely. That is not an appropriate proposal to make on Report. Nevertheless, I agree with all that he said about the clause's provisions—which the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan), if I heard him correctly, described as belt and braces: the belt is clause 33, and the braces are clause 34. Conservative Members have consistently taken the view that we should not have both.

I suspect that my hon. Friend the Member for Surrey Heath (Mr. Hawkins) may be tempted to suggest that our problem with amendment No. 12 is that—other than the fact that it does not really deal with the pernicious nature of the clause, which we should prefer to be deleted from the Bill entirely; I hope that the other place comes to the same conclusion—it is predicated on the narrow basis of whether there should be a test of reasonableness. I am not entirely sure that I know quite where the balance of the argument lies on that issue. On what basis is the decision maker—be he a Minister, local authority chief executive or the chief executive of any of the many quasi-autonomous national government organisations caught by the Bill—to decide that the release of information is likely to prejudice the effective conduct of public affairs?

I think that Ministers—to be fair to them—have reached the judgment that there should be a test of reasonableness. If they have reached that judgment, the Bill should make it clear that that is the test. It should also make it clear that it is open to the commissioner to rule that someone who is qualified to decide on the release of information—on the basis that it would prejudice the conduct of public affairs—made that decision unreasonably.

The provision is therefore not quite as draconian as Liberal Democrat spokesmen have suggested. It will be possible to ask the commissioner to challenge the reasonableness of a decision not to release. If she concludes that a decision was unreasonable, she can—on my reading of the Bill—issue both her decision and an enforcement notice requiring release of that information.

10.30 pm

In Committee, we argued that the clause should be deleted, because it is an unnecessary addition to the Bill. I was one of the earliest speakers in the debate, but I endorse everything that was said by those who spoke later about the quality of the debate and the release of information that informs and advises Ministers on Government policy. If the clause has the validity that Ministers believe that it has in not requiring all information to be released, I fail to understand why it is necessary, given all the other exemptions in the Bill. We would rather it was deleted, but if it is to stay, there has to be a test.

Mr. Hawkins: My hon. Friend the Member for Ryedale (Mr. Greenway), who dealt with the issue in Committee, has set out our position. We have some sympathy with the amendment, but we shall not join the Liberal Democrats in the Lobby if they press the matter to a vote.

Mr. Lock: The clause rightly focuses on the first test of whether information should be exempt. Should it be the decision of a commissioner on whether disclosure would be likely to inhibit the free and frank provision of

advice or exchange of views for the purpose of deliberation, or should it be the reasonable opinion of a qualified person? The issues involved in the decision-taking process of public authorities are so near the heart of government that we believe that only a qualified person, as defined by the Bill, can have a full understanding of them. Although the issues in clause 34 are less sensitive than those in clause 33 and a class exemption is not justified, the Government do not believe that it would be right for the commissioner to substitute her view for that of the authority on the question of prejudice; hence the test of the reasonable opinion of a qualified person.

The hon. Member for Ryedale (Mr. Greenway) is right. The commissioner may still overturn the decision of a qualified person if she believes the decision to be unreasonable. I confirm his reading of the Bill. That means that the information would not be exempt and would be disclosable.

Mr. Simon Hughes: If the commissioner ruled that the ministerial decision was unreasonable, would it still be open to the Government to seek a judicial review of that decision?

Mr. Lock: With the greatest respect to the hon. Gentleman, of course it would. Any decision taken in an administrative capacity is subject to judicial review, because the person who takes it is obliged to act within the law. Any decision made by a Minister can be subject to judicial review to determine whether it was lawful. The issue is not what another person would have done had they been the commissioner. The question is whether, applying the Wednesbury irrationality test, the commissioner has acted correctly.

The clause balances the right to know against the public's right to effective public administration. The amendment strikes at the heart of good administration. The Government believe that there must be a compromise measure between the power of the commissioner to order the disclosure of information and effective public administration. The clause delivers that compromise through the concept of a reasonable opinion of a qualified person. The amendments would overturn that balance and the Government cannot accept them.

There is a further reason why we cannot accept the amendments. There has been an assumption in some speeches tonight—including that of the hon. Member for Grantham and Stamford (Mr. Davies), who seems not to be here to listen to the answer to his speech—that clause 13 applies to clause 34. We heard a great deal about clause 13 last night and the Government have moved significantly to strengthen provisions on what happens when there is exempt information. The fact that information has been certified as prejudicial in the reasonable opinion of a qualified person is not the end of the series of tests. The tests are not barriers so much as hurdles that a Government Department must get over in trying to keep information confidential. So those tests—the balancing act in clause 13, the Information Commissioner's opinion as to whether that balancing act has been carried out correctly, and the scheme involving the intervention of the Secretary of State outlined last night by my right hon. Friend—will all apply to the provisions under clause 34.

The right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) is very well informed in these matters, so I am sure that when he introduced the debate he gave the House only the first line of the argument. However, his introduction did not take account of the subsequent hurdles that Government Departments will have to get over to maintain confidentiality. The balance in clause 34—the reasonable opinion of a qualified person—is thus entirely reasonable.

Mr. Simon Hughes: By definition, these are untested waters in this country. Can the Minister describe the experience in other Administrations that are similar to ours? How often have provisions such as this produced a decision against Ministers? In my experience of administrative law, Ministers would be upheld nine times out of 10, because their decisions would be judged to be within the parameters covered by the word "reasonable".

Mr. Lock: I hear the hon. Gentleman's question, but I am not in a position to answer it tonight. I do not have full details of the experience in other countries, and I am not sure that they would be of significant use, as they might not be exact parallels of the proposals in the Bill or of the circumstances in this country. However, I will write to the hon. Gentleman with some relevant examples, and will copy that information to any other hon. Member who might be interested.

Finally, Government amendments Nos. 61, 87 and 88 are necessary to ensure that references to the Bill's application to Northern Ireland are correct. I shall not say more about them now, but will answer any questions of detail from hon. Members.

Mr. Maclennan: I forecast that the Minister would have little new to say to us, and that has been proved accurate. I chose not to quote in extenso the opinion of the Select Committee on Public Administration, so I have failed to drive home sufficiently clearly the point that using the device of the qualified person as a preliminary hurdle, and allowing that person's reasonable opinion to be the test of whether there is prejudice, precludes the commissioner from reaching an effective judgment. We believe that the commissioner's judgment of what is prejudicial should be substituted.

My hon. Friend the Member for Southwark, North and Bermondsey (Mr. Hughes) asked an entirely apposite question about judicial review. It will be much more difficult to overturn the view of a qualified person than it would be if the commissioner did not have that obstacle in the way.

That would, perhaps, not matter if clause 34(2)(c) did not contain an appalling catch-all phrase. The qualified person can take the view that the disclosure concerned

> would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.

That means almost anything: it is as wide as the channel.

It is not true—indeed, it is misleading to suggest, as I think that the Minister did—that the matters covered in the clause are issues close to the heart of Government. That is plainly inconsistent with the language used in that subsection. The reality is that it is a device that could sabotage the whole purpose of the Bill. I predict that it could be used time and again to stop the public exercising a right to know.

[Mr. Maclennan]

The clause is most dangerous—it is probably the most dangerous in the Bill—because it could have such a wide and sweeping effect on the right to know. For that reason, I hope that it will be studied with great attention in another place and that there will be a strong disposition there to support the view that was taken by its Committee when it considered the issue and sought a more objective test of prejudice.

I hope that the House will think it right to express forcefully its view on this matter tonight.

Question put, That the amendment be made:—

The House divided: Ayes 55, Noes 324.

Division No. 149] **[10.42 pm**

AYES

Allan, Richard
Ashdown, Rt Hon Paddy
Ballard, Jackie
Brake, Tom
Brand, Dr Peter
Breed, Colin
Burnett, John
Burstow, Paul
Campbell, Rt Hon Menzies *(NE Fife)*
Clark, Rt Hon Dr David *(S Shields)*
Clwyd, Ann
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Dalyell, Tam
Davey, Edward *(Kingston)*
Davis, Rt Hon David *(Haltemprice)*
Dunwoody, Mrs Gwyneth
Fisher, Mark
Foster, Rt Hon Derek
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Harris, Dr Evan
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hinchliffe, David
Hopkins, Kelvin
Hughes, Simon *(Southwark N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kirkwood, Archy
Llwyd, Elfyn
McDonnell, John
Maclennan, Rt Hon Robert
Marshall–Andrews, Robert
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Oaten, Mark
Öpik, Lembit
Prentice, Gordon *(Pendle)*
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Shepherd, Richard
Simpson, Alan *(Nottingham S)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve
Willis, Phil
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Sir Robert Smith and
Mr. Ronnie Fearn.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beggs, Roy
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cranston, Ross
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donaldson, Jeffrey
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony

McWilliam, John
Maginnis, Ken
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Cleliand and Mr. Clive Betts.

Question accordingly negatived.

Amendment made: No. 61, in page 20, line 10, at end insert—

'( ) in relation to information held by any public authority which does not fall within paragraph (b), (f) or (j) and whose functions are exercisable wholly or mainly in or as regards Northern Ireland and relate wholly or mainly to transferred matters, means the First Minister and deputy First Minister in Northern Ireland acting jointly, or any Northern Ireland Minister nominated in relation to that public authority by those Ministers so acting.'.—*[Mr. Mike Hall.]*

Clause 39

INFORMATION PROVIDED IN CONFIDENCE

Amendment made: No. 101, in page 22, line 24, after "that" insert "or any".—*[Mr. Mike Hall.]*

Clause 42

PROHIBITIONS ON DISCLOSURE

Amendment made: No. 62, in page 23, line 4, leave out "is excluded" and insert "does not arise".—*[Mr. Mike Hall.]*

Clause 43

POWER TO CONFER ADDITIONAL EXEMPTIONS BY ORDER

Amendment proposed: No. 35, in page 23, line 7, leave out clause 43.—*[Mr. Simon Hughes.]*

Question put, That the amendment be made:—

The House divided: Ayes 158, Noes 325.

Division No. 150] **[10.54 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, Peter *(Hexham)*
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver

Heath, David *(Somerton & Frome)*
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jenkin, Bernard
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Maginnis, Ken
Malins, Humfrey
Maples, John
Mates, Michael
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Thompson, William
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Andrew Stunell and
Mr. Brian Cotter.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cousins, Jim
Cranston, Ross
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric

Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Clelland and Mr. Clive Betts.

Question accordingly negatived.

Amendment made: No. 63, in page 23, leave out lines 38 and 39 and insert—

'(6) Before laying before Parliament a draft of an order under subsection (1) or (2), the Secretary of State shall—

(a) consult the Commissioner, and

(b) publish any written representations made to him by the Commissioner with respect to the proposed order, except so far as those representations contain information which is, or if the order were made would be, exempt information.'.—*[Mr. Mike Hall.]*

Mr. Straw: I beg to move amendment No. 64, in page 26, line 18, leave out clause 48.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this, it will be convenient to discuss the following: Government amendments Nos. 65 and 66.

Amendment No. 5, in clause 50, page 27, line 27, leave out subsection (7).

Government amendments Nos. 6 and 69 to 71.

Government new clause 6—*Exception from duty to comply with decision notice or enforcement notice.*

Mr. Straw: I hope not to detain the House long, as the substance of the amendments was debated at some length yesterday evening when we discussed amendment No. 1, which was moved by my hon. Friend the Member for Cannock Chase (Dr. Wright), and earlier today when we discussed amendment No.7, which was also moved by my hon. Friend.

To refresh the recollection of the House, under the original scheme, at the point where the commissioner or tribunal had said that a public authority was not under a duty to disclose information because it was not covered by an exemption or exception under part II of the Bill, there was a procedure for what was described as "discretionary disclosure". The public authority would have to balance the public interest in disclosing the information against the public interest in its not being disclosed. There could be what amounted to an appeal to the commissioner by an applicant whose application had been unsuccessful at that stage, but, as the Bill originally proposed, the commissioner would not make a decision or issue an order, but simply make a recommendation. Hon. Members are aware that, as a result of representations that were made to us, we have changed the Bill, partly in its text and partly by tabling amendments on Report so that the commissioner will have a power to order disclosure subject only to Executive override in the limited circumstances which I described yesterday and to which I referred earlier today.

I shall pick up any questions about the detail of the amendments, but, as they improve the Bill in the eyes of my hon. Friends and, I believe, the House, I hope that there are not too many questions at this stage.

An issue was raised with me about whether I intended to move Government new clause 6 in light of the announcements that I made yesterday that we would amend the scheme in new clause 6. I have considered that, and I understand the argument that some of my hon. Friends have made to me outside the House about that, but I shall now explain why I consider that it is more satisfactory than not to have new clause 6 in the Bill as it goes to the other place, albeit I have given, and shall repeat, the most categorical undertakings that the new clause will be amended in the other place in the terms in which I have given those undertakings.

I suggest that it is our duty to the House to ensure that the Bill goes to the other place properly reflecting the decisions that we have taken, as far as that is possible.

[Mr. Straw]

The Government have put before the House—and this proposition has achieved the approbation of the House—the scheme to amend the original proposal for discretionary disclosure in the manner that I have described. That scheme is balanced by amendments to clause 13, and by new clause 6, which contains the power of Executive override.

I believe that, from the Government's point of view, it would be disingenuous for us to send the Bill to the other place having incorporated the change to the position of the commissioner—who would have a power to make an order for disclosure rather than simply what is at the moment a provision for recommendation—without also having on the face of the Bill the balancing arrangement by which there could, in limited circumstances, be an Executive override. For that reason, we do intend to move new clause 6.

Mr. Simon Hughes: I am following the argument and understand it, but does the Home Secretary accept that it would be equally proper, and equally clear, for him to tell the House, in a way that is reported to the other place, that, in the light of the speech that he made last night and the undertakings that he gave, the Government are minded to change course; that it is therefore pointless to take the time of the House to add things that support the proposition that he is now discarding; and that the House need not be troubled by those because the Government will seek to amend the Bill and, as they have done in relation to other legislation—indeed, in this Session—as it were, draw the line after last night and then come forward with their new proposals? That would be equally proper, and more consistent with the statement that the right hon. Gentleman made last night.

Mr. Straw: It is a matter of balance; there is not a huge issue of principle here, but that is the judgment that I have reached. If the whole of new clause 6 had to be recast, I would think that the balance was the hon. Gentleman's way rather than the way that I have suggested.

However, the following amendments will need to be made to new clause 6 in respect of the undertakings that I have given. In subsection (4)(a),

> in relation to a government department, means any Minister of the Crown

needs to be redrafted roughly in the terms of clause 23(3), which says

> a Minister who is a member of the Cabinet.

In relation to local authorities, new clause 6 will need to be recast to take account of decisions, and it may be, although I cannot give a firm undertaking on this, that after consultation with my Cabinet colleagues, not least the Deputy Prime Minister, because this should be a matter of collective decisions, and also with the local authority associations—I am not saying that we automatically follow their view, but we need to ask their view—those references to local authorities are removed altogether. The amendments would be easy to make and would be consistent with the basic scheme of new clause 6.

I repeat the undertakings that I gave yesterday. In place of subsection (4)(a), the clause will contain a provision making it clear that the "accountable person" is a Cabinet Minister or the Attorney-General, with appropriate other consequential amendments. I have described the situation for local government and said that we shall take our time to reflect on that. However, I well recognise the points that have been made.

11.15 pm

I also told the House yesterday that we would ensure that written into the memorandum of guidance for Ministers was clear guidance as to how they ensured that, except in the area of quasi-judicial decision-making, decisions would be subject to collective agreement. I wish to inform the House that we are giving further and urgent consideration to whether it will be possible to write such provisions into the Bill. If we can do that, we will.

Mr. Simon Hughes: Will the Home Secretary give way?

Mr. Straw: Yes, but I hope that the hon. Gentleman will be brief.

Mr. Hughes: I want clarification. If the Home Secretary is to fulfil what he said last night, he will have to reconsider. More than subsection (4)(a) and the local government clause will need to be amended. He will need to amend subsection (4)(b), which is about Ministers, and the subsection on the Greater London Authority. Does he accept that the amendment will have to be much more significant?

Mr. Straw: I should not have given way, but I said that there would need to be some consequential amendments. The key point is that the scheme of the new clause is contained in subsections (1), (2) and (3) and the accountable person is defined in subsection (4). As I have said, it is a balanced argument.

My final point is that if new clause 6 appears in the Bill for the reasons that I have suggested, it in no sense will prejudice those in the other place or back in this House who want to take a different view about areas other than the one that I have already said that we shall change. For reasons that I have given, and because this is part of a balanced but important change, I hope that the House will accept my explanation for proposing new clause 6.

Mr. Maclennan: I am very much in favour of flexibility on the part of the Home Secretary, and he displayed that last night. However, I am not in favour of legislation on the hoof. His statement tonight on new clause 6 suggests that he thinks that it is better to have a patently defective clause in the Bill, which in no way conforms with his expressed intention, than it is to have a lacuna to be filled. I do not understand the logic of proceeding in that way.

Furthermore, I suggest that the new clause is defective because it makes a presumption that is counter to what the Home Secretary said last night. He said that he would consider various ways of giving effect to his decision. That includes even the possibility that a decision to withhold information following the use of Executive override might take place along the lines of other countries that use Executive override, such as introducing it by order. Of course, there is no provision for that in new clause 6.

It would be wrong to send a signal to the other place that new clause 6 in any way reflects the Government's considered view on how they might exercise in practice their Executive override provisions. Because the new clause is so obnoxious, it would be reasonable to withdraw it now. It no longer reflects the Home Secretary's thinking.

In his remarks tonight, the Home Secretary has stepped back a little from what he said last night.

Mr. Straw *indicated dissent.*

Mr. Maclennan: With respect, he has. Last night, the Home Secretary made it absolutely plain that he was prepared to consider other ways of giving effect to an Executive override, including introducing it by order. I took him at his word, as I am sure he intended the House to do. I realise that events were happening and minds were moving quickly; as I said, that is welcome. However, I hope that he will not suggest that the structure of new clause 6 is the one he had in mind.

Mr. Straw: What I said last night is on the record and there it remains; I do not see the point of going over yesterday's debate. I do not resile from what I said yesterday. Of course we shall consider the points that were made, and of course new clause 6 will be amended in the other place. However, I have said why I think it important that the Bill goes to the other place containing not only our amendments to clause 13, but the principle of an Executive override. It would be disingenuous to imply that the absence of that concept in the Bill when it goes to the Lords means that it is not the Government's recommendation that, subject to certain clear limitations, it should form part of the Bill.

Mr. Maclennan: I do not resile from the points that I have already made. The new clause sets out a scheme that is not conformable with the Secretary of State's intention.

A more fundamental point is that many Members of Parliament, on both sides of the House, take the view that an Executive override provision is undesirable. We would prefer that it not be proceeded with at all and that the decision be left to the commissioner. For that reason, I hope that the House will not give its assent to new clause 6. The other amendments could be broadly conformable with a scheme that we could live with, but new clause 6 is unacceptable. I hope that the House will decide that it makes more sense not to support the new clause. To do so would not frustrate in any way the Home Secretary's wishes.

Mr. Radice: For those of us who have argued for the New Zealand model of having an Executive override operated at high level and based on collective decision making, which I understand the Government have accepted, it would be logical to support new clause 6, provided that the Home Secretary gives assurances that it will be amended as promised last night and reiterated this evening, and that the Government will seriously consider putting the principle of collective decision making in the Bill, where appropriate.

Mr. Greenway: It was obvious throughout the Committee proceedings that this part of the Bill would have to be altered. Some of the amendments that the Home Secretary has now tabled, especially Nos. 64 and 65, are the very amendments that his hon. Friend the Under-Secretary of State resisted in Committee. We are prepared to offer a word of welcome to, and our thanks for, those amendments.

However, as the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) points out, the fact remains that, with new clause 6, we are being asked to signal the acceptability to the House of the concept of Executive override or veto. In more than four months' deliberations—indeed, until yesterday—that concept had never been discussed or debated. It must be obvious to the Home Secretary that he is asking us not only to send a Bill to the other place containing a clause that he accepts is defective—hardly a satisfactory state of affairs—but to underpin a concept that we have not discussed, while failing to meet our argument that the commissioner should have the final say on whether information is released.

Even without new clause 6, and even if the Home Secretary accepted what I believe to be the considered view of the House, if the commissioner makes a ruling with which any Minister feels uncomfortable, there is still a right of appeal to a tribunal. Following the appeal to a tribunal, there is a right of appeal through judicial review on the question whether the information should be released.

Anyone outside this place listening to our deliberations might begin to wonder why the Home Secretary should want to include in the Bill provisions that effectively leave the final say with Ministers. They might think that national security might require that the Minister has the final say. The answer would be that national security is exempted in the Bill anyway. Other considerations might be defence of the realm or confidentiality in respect of major inquiries and investigations.

I shall not detain the House with the list. I simply make the point that every valid argument that anyone could advance as to why a ministerial override is necessary falls because every clause by way of exemption covers all the eventualities that we have ever been asked to consider as issues that would justify a ministerial veto.

In an earlier debate, I asked one of the Ministers—I think that it was the Home Secretary himself—whether he could give an example in which a Minister would be required to override the release of information and which had underpinned Government policy making, and he could not give me one. The only examples about which we have heard during this debate and throughout Second Reading and Committee are all covered in the Bill by way of exemption.

We have devoted many hours to consideration of these matters over the past three or four months, during which I led for the Opposition in Committee, and have done so with an open and constructive approach. I am sure the Under-Secretary would agree that that characterised the Committee stage. However, we have ended up at this late stage with an admission by the Home Secretary not just that the Bill is defective, but that the scheme of affairs that he brought to the House on Second Reading all those weeks ago was defective at that stage as well.

The Home Secretary's contortions on the measure make him appear quite ridiculous. In recent weeks, he has gained something of a reputation for being a political Houdini. On this occasion, he has tied himself up in knots.

[Mr. Greenway]

It would be far better if we sent the Bill to the other place without new clause 6, to give him and his hon. Friends the opportunity to introduce measures that have been thought through for proper consideration.

Dr. Tony Wright: I dissociate myself from those last remarks. If one thing has distinguished our deliberations over the past two days and previously, it has been the way in which the Home Secretary has been prepared to engage with the debate and respond to concerns that have been raised. I shall go further and say publicly what I said to him privately this evening: he is probably the only Minister in the Government who could have engaged with the House of Commons in quite the way that he did last night. He displayed an openness and a willingness to appreciate different points of view. The House does not usually conduct its business in that way. All of us who have been, in Whips' language, difficult should be the first to acknowledge that.

11.30 pm

Deciding who has the last word has lain behind most of our discussions on the Bill. Will a Minister, a public official, who has a potential vested interest, or an independent person have the last word? For many of us, the credibility and integrity of the Bill depended on the answer.

We have made progress on that fundamental issue. The Bill that we are considering represents progress when compared with the original draft and we have been told that further progress will be made in another place. We must record those achievements. We must also record the fact that the question about the last word remains. Why do Ministers believe that they need a comfort blanket and that they cannot relinquish the final word to an independent commissioner? That is not a rhetorical question; I simply do not know the answer. That is why we wanted to veto the veto. The case for the veto has not been made. That is fundamental because of the way in which the Bill is constructed.

In a spirit of reasonableness, and

in the reasonable opinion of a qualified person

I was prepared to consider a method that would tackle my fundamental objections through the approach that the Government clearly wanted to press. The Home Secretary has moved some way down that route. However, I want to press him a little harder.

A compromise would have to contain the three ingredients that I mentioned earlier. First, there would have to be a collective Cabinet decision. Secondly, the scope of the veto would have to be substantially narrower. It should resemble the Irish legislation, under which certificates can be served, and which covers key state interests. Thirdly, the veto would have to be removed from local authorities. I want the Home Secretary to assure me that those three conditions will be reflected in the altered new clause 6.

I should like to believe that we have reached a common position. However, I fear that that has not yet happened. The question about the last word remains. I am willing to be as emollient as possible, but I fear that if the Home Secretary can say no more tonight, I cannot support new clause 6 in its current form.

Mr. Shepherd: The hon. Member for Cannock Chase (Dr. Wright) has played a magnificent part in the proceedings on this Bill. I am therefore diffident about any split in approach. As Chairman of the Public Accounts Committee, he marshalled the arguments—

Mr. David Davis: Public Administration Committee.

Mr. Shepherd: As Chairman of the Public Administration Committee, he brought the arguments together. We are considering new clause 6. I heard the expression "Executive override" for the first time last night. I thought to myself, "What does it mean?" For a moment, in the lull that occurs in debates, I wondered whether it was a new title by Jeffrey Archer. I see that the distinguished and hon. Member for Hampstead and Highgate (Ms Jackson) is present. No doubt she has experience of some of the wilder reaches—

Ms Glenda Jackson (Hampstead and Highgate): Not of Jeffrey Archer. *[Laughter.]*

Mr. Shepherd: I do not want to have too big a josh at Lord Archer's expense, but the concept of Executive override, which the Home Secretary introduced to the debate last night, should make us pause. What does he mean by Executive override? It sounds awfully grand. It is American, is it not? There is lots of chrome—or Croham—on it, and it is surrounded by outriders and CIA agents: it is presidential. It must appear somewhere in the American constitution, no less. But no—it does not mean anything quite like that. It means, "I shall be judge and jury in my own case." That is all. It is a simple concept. No, no, no—I shall not let the Home Secretary do this.

Anything that touches on the heart of the state is excluded from the Bill—remember that—and my hon. Friend the Member for Ryedale (Mr. Greenway) made the best of all points on that: all the instances given by the Home Secretary last night in his 40-minute exegesis on new clause 6 revolved round the health of General Pinochet. The right hon. Gentleman said that, prospectively, had the Bill been in existence—it is not: remember that also—and had the commissioner ordered the release of Pinochet's medical records, he would have needed an Executive override to ensure that the commissioner could not receive them.

All that was prospective and fantastical. Across the Floor of the House and from a sedentary position, I said, "What about data protection?" The Home Secretary said, "No one brought that to my attention." I asked myself, "Is that naivety? Was the Department unaware of it?" Of course no one would have brought data protection to his attention: the Data Protection Act 1998 did not come into force until 1 March, so that was not a weighing consideration. Those provisions are now in place and, one day, the Bill will also be in place. Then there will be a tussle between the instances that the right hon. Gentleman gave yesterday, as if they somehow reinforced his argument.

When I say that the argument floats, this is what I mean. We already have a belt-and-braces approach, and the Home Secretary can seek judicial review if the Government do not like a decision on these things, which are not very important matters in terms of the security of

the state: he can even refer a matter to a tribunal. Those are the stages that relate to the little request from Mrs. Brown in Aldridge-Brownhills to see some information. The new clause has nothing to do with all the excluded matters. It was tabled only a few days ago, after all the consultative processes, all the listening by the Home Secretary and all the work by the Home Office unit. Let us consider it again.

Executive override! I am so dazzled by it that I should perhaps accept it as a bargain. But what is in it? Who are these Executive overriders? The Home Secretary suggests that the Labour, Conservative and Liberal Democrat parties—in other words, the House of Commons—should support the new clause going forth to the Lords unamended, containing all these contentions and propositions. That is absurd, and we know that it is because the Home Secretary has told us that the new clause will soon look nothing like this.

Mr. Greenway: It is defective.

Mr. Shepherd: Absolutely. As my hon. Friend says, it is defective. Yet I can see that we have often been nodding donkeys: we agree on the balance of the argument and say, "The Home Secretary is a good and humane man. Is it not rather exciting to have an Executive override? We must go along with the proposition." That is what we are being invited to do. With the best of intentions towards the prospective mayor of London, did anyone think that, under a freedom of information Bill, we would pass to local councillors the right to cut off our access to information?

I do not want to over-dramatise the point; I want to look at the process involved in the Bill. Just a few days ago, at the end of last week, new clause 6 emerged from all the process of generous thought that produced the Labour party's flagship Bill. The construction of yesterday's debate enabled the Home Secretary to lecture us for 45 minutes on its intent, but we did not have a debate on it, although it was pertinent to the general debate.

The hour is late. I know the devices: I have sat on the Government Benches, and I have heard similar arguments—in truth, we all have. Because of that, we are now having a muted and half-baked debate. Few Members are rising to speak—although, having been through the Division Lobbies with members of all parties, I know of their deep discontent with the Bill. All parties—mine today, but yesterday, and for a long yesterday, the party of government—are frustrated about the fact that we are marched through Lobbies, and that the policy, indeed the polity, is determined by a majority vote in one of the Houses of our Parliament.

Do we really want to deliver a defective Bill that shows just how craven we are? We have not had a proper debate in this place, although we have heard the Home Secretary's arguments in great detail and we have read *Hansard*. The clause sends a very weak signal about who we are. Moreover, it does not send a strong enough signal that the House expects the Bill, and the clause in particular, to be radically altered.

I know that many Labour Members feel that the clause should be amended. I feel that it should be deleted: it is as simple as that. There is no—what were we told about?—dancing by angels on the pins of needles, or pins of needles on the heads of angels. The fact is that we have not had a proper or serious debate on Executive override. All it stands for, in the end, is "I shall be judge and jury in these matters that do not even touch on the intimate security of the state and the intimate well-being of the defence and protection of this island."

Dr. David Clark: Like my hon. Friend the Member for Cannock Chase (Dr. Wright), I am grateful to the Home Secretary for the way in which he listened to the debate yesterday evening. I feel that we have had a good debate on new clause 6, and I think that the Home Secretary showed his stature yesterday by being prepared to open his mind. Indeed, I understand from what he has said this evening that he has gone a stage further.

I do not like the Executive override, but, given that there is to be an override on the part of Ministers, I disagreed with the previous arrangement for two reasons. First, it was the result of a decision by an individual Minister. I felt that, if there was to be an objection, it should be made on the basis of a formal collective arrangement. I also felt that the objection should be in the Bill, and should not be subject to some code or ministerial guideline. If the Home Secretary catches your eye yet again, Mr. Deputy Speaker, perhaps he will confirm that he intends, if possible, to specify in the Bill a way in which any override would be exercised by Cabinet Ministers in that formal collective way.

11.45 pm

Mr. Quentin Davies: The Home Secretary, in his speech moving amendment No. 64 and speaking to new clause 6, essentially invited the House to engage with him in a slightly complex negotiation. I think that it is right for the House to be alert and to count our change pretty carefully when we receive such an offer at this stage in a Bill's consideration. I say that despite the considerable charm of manner that the Home Secretary has displayed to the House in the past two days. Judging by his body language and expression in this debate, the effort of that charm of manner may be beginning to tell. We must be none the less grateful for what we have had up to now.

What we must do, however, is to make a distinction between manner and substance. The House's concern must be with the substance, and also with procedure. We are confronted with great complexity of substance and singular convolution of procedure. What essentially has happened is this. First, the Government made some high-sounding promises at the general election and produced a White Paper which, as we all know, was pretty encouraging. Secondly, the Government introduced the Bill, which to say the least was extremely discouraging, since the great bulk of the substance promised in the White Paper had been removed. Thirdly—under pressure largely from Labour Back Benchers but also from Opposition Members—the Home Secretary made a concession, which was to remove clause 48 and to substitute for the discretionary disclosure recommendation the principle that the commissioner can instruct that disclosure should occur. Fourthly, the Home Secretary introduced his new clause 6, which effectively negates that concession by allowing it to be overridden by the mechanism of Executive override. Fifthly, after upsetting everyone by negating his own concession, the right hon. Gentleman offered a thimbleful of new concessions—which amount to changing the reference

[Mr. Quentin Davies]

from Minister of the Crown to Cabinet Minister, while not acceding to the request of Labour Back Benchers and Opposition Members to include the very different concept of collective Cabinet responsibility, which has a constitutional significance of its own.

The right hon. Gentleman's action has been a wonderful example of giving something with the right hand, but taking it away with the left. We have to be very careful before we continue in this vein, and must wonder about what type of deal we will ultimately be left with.

I think the solution is extremely clear. There would have been consensus among hon. Members on both sides of the House in support of the right hon. Gentleman if only he had left matters at the third stage—if he had removed clause 48 and replaced it with a right for the Information Commissioner to give an instruction. Why could he not leave it there? If he did that, we would all be extremely happy. By negating his own concession, he can only arouse the worst suspicions about the Government's real intentions and good faith in the matter.

Mr. Fisher: I do not think the hon. Member for Grantham and Stamford (Mr. Davies) fully understands what happened last night or the current state of the Bill. As my hon. Friend the Member for Cannock Chase (Dr. Wright) said when speaking to Government amendment No. 64, the final say in all freedom of information legislation is crucial. Although every piece of freedom of information legislation has exemptions, barriers and caveats—those are in the nature of this type of legislation—the final say of the arbiter, who is the commissioner, is crucial. That is why so many Labour Members and Opposition Members felt that new clause 6, with its ministerial veto, was so wrongheaded and offensive.

Let us be clear about the veto. It was to override the final decision of the Information Commissioner. That made it deeply offensive. It was remarkable, proper and admirable that the Home Secretary listened to our criticisms in a good debate last night. While he was on his feet, he redrafted his approach to the issue and accepted the idea of a compromise, suggested by my right hon. Friend the Member for North Durham (Mr. Radice) and other Labour Members, between those of us who wanted to leave everything to the Information Commission and his belief that some form of ministerial last word was essential. The obvious compromise was the New Zealand model. The Home Secretary went a long way towards that last night. What he is offering the House is not as strong as the New Zealand model, which has greater in-built ritual and more formality. That ritual is one reason why, since the veto became a collective responsibility, it has not been used in New Zealand.

Mr. Shepherd: That point interests me and should interest the House. New Zealand is governed by a coalition, as Scotland will be. The Cabinet override is an important check, because the tensions that are manifested through party make it very difficult to impose an agreed veto across a coalition.

Mr. Fisher: The hon. Gentleman is mistaken, because the change from a decision by a single Minister—the original system in New Zealand that was so abused in the first year—to collective responsibility happened in 1987. There have been single-party Governments since then. The important point is the nature of the agreement. It has nothing to do with the balance of power in Parliament. My right hon. Friend the Home Secretary had already gone a long way and went further tonight by saying that the provision would be in the Bill—or at least that he would try to put it in the Bill. Given the distance that he has moved in the past 24 hours, if he says that he is going to do that, the House owes it to him to have some confidence in him.

However, the praise that is rightfully the Home Secretary's because of the way in which he has moved makes it all the more baffling that he is now asking the House to vote for a clause that he has turned on its head, having promised us something very different. It would be extraordinary for us to vote for a clause that the House objects to and that the Home Secretary recognises is wholly deficient.

The Home Secretary made an interesting comment in his opening remarks. I made a careful note of his words. He said that the Bill should go to the other House properly reflecting the changes that we have made. We have not yet made the changes that the Home Secretary mentioned last night, but he knows that, because of the good will that he engendered last night, the whole House wants those changes to be made. The will of the House is that we should introduce a collective responsibility to minimise the extent of individual ministerial vetoes. If we vote for new clause 6, the Bill will not go to the other House reflecting those changes, but precisely the opposite.

I understand the Home Secretary's political problem, but we are not sending a clear message to the other House. I have complete confidence in my right hon. Friend delivering on his promises of last night and today and, I hope, making them even stronger. They need strengthening in some areas—for example, in respect of local authorities. However, I cannot vote for a clause that the whole House will be glad to see the back of and that, thanks to the Home Secretary, we shall see the back of.

Mr. Hawkins: The official Opposition will support the cross-party group's amendment No. 5, and oppose Government new clause 6, for the reasons set out by my hon. Friends the Members for Ryedale (Mr. Greenway), for Grantham and Stamford (Mr. Davies) and for Aldridge–Brownhills (Mr. Shepherd).

History repeats itself first as tragedy, then as farce. The "Yes, Minister" scriptwriters once produced an episode called "The Right to Know". Tonight, the House should say, "No, Minister."

Mr. Dominic Grieve (Beaconsfield): I listened carefully to what the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) said, and I agree with him, but one matter remains untouched. According to the procedures of the House—and if the Government so chose—it would be perfectly possible for this Report stage to be adjourned. The House could reconvene, at short notice and by agreement between the parties, to debate a replacement to new clause 6 that covered the points raised by the Home Secretary in yesterday's debate.

I for one have some sympathy with some of the problems encountered by the Home Secretary and the Government over these matters. However, I have very

little sympathy with legislating in this fashion. We should not send to the other place a Bill that is totally unsatisfactory and which contradicts what the Government intend on one important matter.

I wish that we could improve the House's procedures so that in future we could legislate properly. The Government have admitted that the Bill is unsatisfactory, and we should not send it on to another place as it stands.

Mr. Straw: I shall respond briefly to the points made in the debate. I can tell the hon. Member for Ryedale (Mr. Greenway) that a very small area of Government activity is excluded from the Bill, and that includes matters relating to the royal family and the security and intelligence agencies.

One way or another, the rest of Government activity is covered by the Bill, including many aspects to do with safeguarding national security. The hon. Gentleman suggested that, according to the examples I gave, those aspects would always be covered by the exemptions. That is true, but, over the past two days, I have tried to explain that, when a Minister claims an exemption or exception for a piece of information—in other words, when he claims that it should not be disclosed—and when the commissioner and tribunal agree that it should not be disclosed under the exemptions and exceptions in part II, the Minister is still under a duty to consider, under the mechanism of clause 13, whether that information should or should not be disclosed.

The effect of clause 13 is felt right through the Bill, except in respect of matters mentioned in one of its subsections, and that subsection was the subject of amendment No. 1, which the House discussed yesterday. That is why the mechanism of clause 13 is so important.

My hon. Friend the Member for Cannock Chase (Dr. Wright) said that any compromise on what has been called Executive override depended on three key conditions. I enjoyed the rather delicious and apposite description of Executive override by the hon. Member for Aldridge-Brownhills (Mr. Shepherd), with his references to paraphernalia out of the American constitution, chrome and Croham.

The three conditions raised by my hon. Friend the Member for Cannock Chase were that there should be a collective Cabinet decision, that the area of veto should be made narrower than at present, and that local authorities should be removed altogether from the provisions.

If the House agrees new clause 6, I have already made it clear that, when the Bill goes to the other place, the new clause's provisions will have been amended to ensure that the decision will be made by a member of the Cabinet. There is already a definition of that in clause 23.

12 midnight

Secondly, I can answer my right hon. Friend the Member for South Shields (Dr. Clark) on a collective Cabinet decision. I said yesterday that that would be written into the code to Ministers, which is a public document. I mentioned the possible exception for quasi-judicial functions. I have considered the matter further today and I am happy to answer yes to my right hon. Friend's question. If it is at all possible—I will be happy to discuss this with him outside the House—we will write the requirement of collective decision making into the Bill. If it is not possible for constitutional law reasons, and after serious advice from parliamentary counsel, I will explain that to him outside as well as inside the House.

I hope that that deals with the first limb of the argument of my hon. Friend the Member for Cannock Chase. His second limb was that the area of veto should be narrower. I think that he will accept that I did not give undertakings on that. They are obviously a matter for debate. I do not give undertakings in that respect, although I am open to argument on it—no more than that.

On the matter being removed from local authorities altogether, I repeat that I understand the arguments and promise that we will actively consider the idea. I hope that it will be well understood that we need to secure a collective Cabinet decision on the matter and that we need to consult the local authorities. However, I understand my hon. Friend's argument. To some extent, it fits in with his second point, which is that the level of decisions and, therefore, of documents and information held by local authorities is not of a sufficiently high pitch to justify an Executive override, to paraphrase his argument.

The other arguments concerned whether it is right to vote on the new clause tonight. The simple truth is that whether we include new clause 6 or not, the Bill as it is transmitted to the other place will not completely reflect the decisions of the House, given the undertakings that I made yesterday.

The hon. Member for Aldridge-Brownhills (Mr. Shepherd) seemed—

Mr. Shepherd *rose—*

Mr. Straw: I will not accept an intervention from the hon. Gentleman—

Mr. Shepherd: You never do!

Mr. Straw: I always do. I would say to the hon. Gentleman, gently and with great affection, that he should not seek to have it both ways: to complain that we have not listened to an argument and then to complain about the consequences when we have listened and have agreed to amend the Bill.

The truth is that, given my undertakings yesterday, the Bill—whether or not new clause 6 is in it—does not wholly reflect the opinion of the House. However, it is my judgment, as I explained to the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), that the new clause is better in the Bill because then the complete scheme of change in principle—the change from discretionary disclosure to a power to the commissioner and a duty to abide by that save for the circumstances of Executive override—is there. Amending the new clause will not disturb the principles, which will be there. That is a less disingenuous way to present the Bill to the other place than to leave out new clause 6.

I hope that the undertakings that I have given are satisfactory and I urge the House to support the amendments and the new clause.

Amendment agreed to.

Clause 50

APPLICATION FOR DECISION BY COMMISSIONER

Amendments made: No. 65, in page 27, line 26, at end insert—

'( ) Subsections (5) and (6) do not apply in relation to a decision notice which relates to a failure to comply with section 13.'.

No. 66, in page 27, line 27, leave out subsection (7) and insert—

'(7) This section has effect subject to section (*Exception from duty to comply with decision notice or enforcement notice*).'.—*[Mr. Mike Hall.]*

Clause 51

INFORMATION NOTICES

Amendment made: No. 67, in page 28, line 32, at end insert—

'(8) In this section "information" includes unrecorded information.'.—*[Mr. Mike Hall.]*

Clause 52

ENFORCEMENT NOTICES

Amendments made: No. 6, in page 28, line 39, leave out subsection (2).

No. 69, in page 29, line 10, at end insert—

'( ) Subsections (3)(b) and (4) do not apply in relation to a decision notice which relates to a failure to comply with section 13.'.

No. 70, in page 29, line 12, at end insert—

'( ) This section has effect subject to section (*Exception from duty to comply with decision notice or enforcement notice*).'.—*[Mr. Mike Hall.]*

Clause 56

APPEAL AGAINST NOTICES SERVED UNDER PART IV

Amendment made: No. 71, in page 30, line 3, at end insert—

'( ) Subsection (1) does not confer any right of appeal in relation to a decision notice which relates to a failure to comply with section 13; and subsection (2) does not confer any right of appeal in relation to an enforcement notice which relates to such a failure.'.—*[Mr. Mike Hall.]*

Schedule 6

FURTHER AMENDMENTS OF DATA PROTECTION ACT 1998

Amendments made: No. 89, in page 64, line 24, at end insert—

'. In section 7 of the Data Protection Act 1998 (right of access to personal data), for subsection (3) there is substituted—

"(3) Where a data controller—

(a) reasonably requires further information in order to satisfy himself as to the identity of the person making a request under this section and to locate the information which that person seeks, and

(b) has informed him of that requirement,

the data controller is not obliged to comply with the request unless he is supplied with that further information.".'.

No. 90, in page 64, line 26, leave out—

'the Data Protection Act 1998'

and insert "Act".—*[Mr. Mike Hall.]*

Clause 74

POWER TO AMEND OR REPEAL ENACTMENTS PROHIBITING DISCLOSURE OF INFORMATION

Amendment made: No. 72, in page 36, line 40, leave out—

'in pursuance of a decision under section'.—*[Mr. Mike Hall.]*

Clause 75

OFFENCE OF ALTERING ETC. RECORDS WITH INTENT TO PREVENT DISCLOSURE

Amendment made: No. 73, in page 37, line 18, after "section 1", insert "or 13".—*[Mr. Mike Hall.]*

Clause 77

COPYRIGHT

Amendment made: No. 74, in page 37, line 39, leave out Clause 77.—*[Mr. Mike Hall.]*

Clause 78

DEFAMATION

Amendment made: No. 75, in page 38, leave out lines 3 and 4 and insert—

'under section 1 or 13'.—*[Mr. Mike Hall.]*

Clause 81

ORDERS AND REGULATIONS

Amendments made: No. 76, in page 38, line 34, leave out from beginning to "section" and insert—

'A statutory instrument containing (whether alone or with other provisions)—

(a) an order under'.

No. 77, in page 38, line 34, after " 4,", insert " 6(3) or (7),".

No. 78, in page 38, line 34, leave out from " 74" to "has" in line 35 and insert—

'or

(b) regulations under section 9(3),

shall not be made unless a draft of the instrument'.

No. 79, in page 38, line 37, leave out "containing" and insert—

'which contains (whether alone or with other provisions)'.

No. 80, in page 38, line 38, after " 3(1)", insert—

'or (*Exception from duty to comply with decision notice or enforcement notice*)(4) or (6)'.

No. 81, in page 38, line 38, leave out "or 6(3) or (7)".

No. 82, in page 38, line 39, after "Act", insert—

'not specified in subsection (2)(b)'.

No. 83, in page 38, line 40, at beginning insert—

'and which is not subject to the requirement in subsection (2) that a draft of the instrument be laid before and approved by a resolution of each House of Parliament,'.

No. 84, in page 39, line 1, after " 4", insert "or 6(7)".—*[Mr. Mike O'Brien.]*

Clause 82

INTERPRETATION

Amendments made: No. 85, in page 39, line 26, after first " "information" ", insert—

'(subject to sections 51(8) and 74(2))'.

No. 86, in page 39, leave out lines 30 and 31.

No. 87, in page 39, line 32, leave out from first "Minister"" to end of line 35 and insert—

'includes the First Minister and deputy First Minister in Northern Ireland'.

No. 88, in page 40, line 2, at end insert—

'"transferred matter", in relation to Northern Ireland, has the meaning given by section 4(1) of the Northern Ireland Act 1998;'.—*[Mr. Mike Hall.]*

New Clause 6

EXCEPTION FROM DUTY TO COMPLY WITH DECISION NOTICE OR ENFORCEMENT NOTICE

'.—(1) A decision notice or enforcement notice which relates to a failure to comply with section 13 in relation to any one or more requests for information shall cease to have effect if, not later than the twentieth working day following the day on which the notice was given to the public authority, the accountable person in relation to that authority gives the Commissioner a certificate signed by him stating that he has on reasonable grounds formed the opinion that the authority did not fail to comply with section 13 in relation to that request or those requests.

(2) Where the accountable person gives a certificate to the Commissioner under subsection (1) in relation to a decision notice, the accountable person shall, on doing so or as soon as reasonably practicable after doing so, inform the person who is the complainant for the purposes of section 50 of the reasons for his opinion.

(3) The accountable person is not obliged to provide information under subsection (2) if, or to the extent that, compliance with that subsection would involve the disclosure of exempt information.

(4) In this section "the accountable person"—

(a) in relation to a government department, means any Minister of the Crown,

(b) in relation to a Northern Ireland department, means the Northern Ireland Minister in charge of that department,

(c) in relation to the House of Commons or the National Audit Office, means the Speaker of that House,

(d) in relation to the House of Lords, means the Clerk of the Parliaments,

(e) in relation to the Northern Ireland Assembly or the Northern Ireland Audit Office, means the Presiding Officer of that Assembly,

(f) in relation to the National Assembly for Wales or an Assembly subsidiary as defined by section 99(4) of the Government of Wales Act 1998, means the Assembly First Secretary,

(g) in relation to the Greater London Authority or a functional body within the meaning of the Greater London Authority Act 1999, means the Mayor of London,

(h) in relation to a local authority or, in Northern Ireland, a district council within the meaning of the Local Government Act (Northern Ireland) 1972, means a member, committee or sub-committee of that local authority or district council designated by the Secretary of State by order,

(i) in relation to any public authority not falling within paragraph (b), (e) or (h) whose functions are exercisable wholly or mainly in or as regards Northern Ireland and relate wholly or mainly to transferred matters, means the First Minister and deputy First Minister in Northern Ireland acting jointly, or any Northern Ireland Minister nominated in relation to that public authority by those Ministers so acting,

(j) in relation to any public authority specified in Part II of Schedule 1 which is not a local authority but whose members include members of local authorities, means—

(i) a committee or sub-committee of the public authority designated by the Secretary of State by order, or

(ii) a member of a local authority who is also a member of that public authority and is designated by the Secretary of State by order, and

(k) in relation to any other public authority, means a Minister of the Crown designated by the Secretary of State by order.

(5) An order under subsection (4)—

(a) may designate specified persons or persons falling within a specified description,

(b) may designate different persons in relation to the same authority in relation to different cases, and

(c) may make any designation subject to conditions.

(6) The Secretary of State may by order provide for the exercise of the functions conferred by subsection (1) on the accountable person (whether designated by subsection (4) or by an order under that subsection) in the event of any vacancy in the office held by the accountable person or in the event of the illness or absence of the accountable person.

(7) In this section—

"local authority" means—

(a) a local authority within the meaning of the Local Government Act 1972,

(b) the Common Council of the City of London, or

(c) the Council of the Isles of Scilly;

"working day" has the same meaning as in section 9.'.—*[Mr. Mike Hall.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The House divided: Ayes 302, Noes 173.

Division No. 151] **[12.6 am**

AYES

Ainger, Nick	Brown, Russell *(Dumfries)*
Ainsworth, Robert *(Cov'try NE)*	Browne, Desmond
Anderson, Donald *(Swansea E)*	Buck, Ms Karen
Anderson, Janet *(Rossendale)*	Burden, Richard
Armstrong, Rt Hon Ms Hilary	Burgon, Colin
Atherton, Ms Candy	Butler, Mrs Christine
Atkins, Charlotte	Byers, Rt Hon Stephen
Austin, John	Cabom, Rt Hon Richard
Banks, Tony	Campbell, Alan *(Tynemouth)*
Barnes, Harry	Campbell, Ronnie *(Blyth V)*
Barron, Kevin	Campbell-Savours, Dale
Bayley, Hugh	Cann, Jamie
Beard, Nigel	Caplin, Ivor
Beckett, Rt Hon Mrs Margaret	Casale, Roger
Begg, Miss Anne	Caton, Martin
Benn, Hilary *(Leeds C)*	Cawsey, Ian
Bennett, Andrew F	Chapman, Ben *(Wirral S)*
Benton, Joe	Chaytor, David
Berry, Roger	Clapham, Michael
Best, Harold	Clark, Rt Hon Dr David *(S Shields)*
Blackman, Liz	Clark, Dr Lynda *(Edinburgh Pentlands)*
Blears, Ms Hazel	Clark, Paul *(Gillingham)*
Blizzard, Bob	Clarke, Charles *(Norwich S)*
Boateng, Rt Hon Paul	Clarke, Tony *(Northampton S)*
Bradley, Keith *(Withington)*	Clelland, David
Bradley, Peter *(The Wrekin)*	Coaker, Vernon
Bradshaw, Ben	Coffey, Ms Ann
Brown, Rt Hon Nick *(Newcastle E)*	

Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cranston, Ross
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hodge, Ms Margaret
Hoey, Kate
Hoon, Rt Hon Geoffrey
Hope, Phil
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Killoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michie, Bill *(Sheff'd Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Primarolo, Dawn
Prosser, Gwyn
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Shipley, Ms Debra
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vaz, Keith
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Don Touhig and
Mr. Clive Betts.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton–Brown, Geoffrey
Clwyd, Ann
Collins, Tim
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cran, James
Dalyell, Tam
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*

Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Dunwoody, Mrs Gwyneth
Faber, David
Fabricant, Michael
Fearn, Ronnie
Fisher, Mark
Flight, Howard
Forth, Rt Hon Eric
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gerrard, Neil
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Hopkins, Kelvin
Howard, Rt Hon Michael
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jenkin, Bernard
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Love, Andrew
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McDonnell, John
MacGregor, Rt Hon John
McIntosh, Miss Anne
Mackinlay, Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
McWilliam, John
Madel, Sir David
Mahon, Mrs Alice
Malins, Humfrey
Maples, John
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Mates, Michael
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Morgan, Ms Julie *(Cardiff N)*
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Prentice, Gordon *(Pendle)*
Prior, David
Randall, John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Willetts, David
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Wright, Dr Tony *(Cannock)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Sir Robert Smith and Jackie Ballard.

Question accordingly agreed to.

Clause read a Second time, and added to the Bill.

New Clause 7

INFORMATION ALREADY DISCLOSED

'.—(1) Information is not exempt information if it is substantially similar to any disclosed information.

(2) In this section "disclosed information" means any information which has been lawfully disclosed in accordance with the provisions of any statutory or other scheme requiring or authorising the disclosure of information within any administration in the United Kingdom, but does not include personal data relating to the individual to whom it was disclosed.

(3) In this section "administration in the United Kingdom" has the same meaning as in section 26.'.—*[Mr. Shepherd.]*

Brought up, and read the First time.

Mr. Shepherd: I beg to move, That the clause be read a Second time.

The House will see that the new clause is in my name and that of my right hon. Friend the Member for Haltemprice and Howden (Mr. Davis). Its purpose is to learn from the experience of others. It highlights the fact that we may have three freedom of information regimes within this island. The basic, simple, bottom-line argument is that, if a piece of information is available, albeit under the different regime of the devolved authority of the Scottish Parliament, for example, that information should become available in the United Kingdom. Let us remember that we are talking primarily about things such as education and local government, so the processes are common throughout the island. The new clause highlights the fact that Scotland seems, in its White Paper, to be using stronger tests and giving greater accessibility, and it would be profoundly inconsistent if information were available in Scotland that was ruled to be unavailable in England. I suggest that the new clause would strengthen the comity of the island, help us to learn from the experiences of other places and reinforce unity. In a spirit of comity, therefore, I commend the new clause to the House and hope that hon. Members will see value in it and support it.

Mr. Quentin Davies: My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) explained that when drafting the new clause he had in mind the extraordinary anomaly that would arise if information were disclosed under Scottish freedom of information legislation which could not lawfully be disclosed in another part of the United Kingdom. Clearly, that would contribute to the loss of any sense of legitimacy that the Bill will have if it becomes an Act. It would be one of many aspects that will undermine the Bill's credibility.

If, however, the new clause were adopted, it would have a wider impact, because subsection (1) makes it clear that it would be possible to argue that a Department should disclose information if it was substantially similar to information that it, or another Department, had already disclosed. One can easily foresee situations in which a Department might regret having disclosed information or might subsequently seek to detract from the effect of a disclosure, so it might well refuse to confirm its original disclosure or to release other documents that would confirm it.

The new clause would be extremely useful in preventing any Department even from being tempted to do that, because once information had been disclosed, that would be the end of the matter. That would clearly be part

[Mr. Quentin Davies]

of the jurisprudence, because if all the papers relating to a subject had been disclosed and other information emerged which was substantially similar—to use the phrase in the new clause—that would automatically be disclosed without further let or hindrance. That would clarify matters and increase the scope of freedom of information, and one would like to think that that was the Bill's purpose.

Mr. Mike O'Brien: I entirely agree with the hon. Gentleman's sentiments, and if he will allow me to do so in a moment, I will explain to him precisely how the Bill delivers what he and the hon. Member for Aldridge-Brownhills (Mr. Shepherd) want.

Mr. Davies: In the light of the Minister's assurance, which is one of the more encouraging assurances that he has given during our proceedings, I certainly do not want to keep the House in suspense, so I shall immediately terminate my contribution.

Mr. Hawkins: I would advise my hon. Friend the Member for Grantham and Stamford (Mr. Davies) not to be too confident, because we have not yet heard the Minister. I shall not detain the House for long, but, before the Minister replies, it is only right that Labour Members who have supported the Campaign for Freedom of Information should be aware that it has expressed several concerns.

In particular, the proposed Scottish freedom of information Act will allow Scotland's information commissioner to make legally binding rules on disclosure in the public interest, where harm-tested exemptions are involved. The campaign has shared with Opposition Front-Bench Members its concern about the precise issue that my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) and my right hon. Friend the Member for Haltemprice and Howden (Mr. Davis) are raising via the new clause.

The fact that we may have two different regimes is a cause for concern. Now that Scotland has issued its own proposals for freedom of information, which we suggest—so does the Campaign for Freedom of Information—will enable much more information to be released than under the Bill, and which will positively encourage the release of factual information on policy making, we feel that there is a severe danger that the whole system will be brought into disrepute if information that is secret in England is available to the public in Scotland. I do not know whether the Minister will be able to square the circle, but it seems that once again the Government are tying themselves in knots.

Mr. Mike O'Brien: There is no circle to square. The amendment is unnecessary because the Bill would prevent the withholding of information that had been released by another Administration. It is quite simple. A balance must be struck in respect of the public interest in disclosing information in any case where an exemption applies. I can think of no circumstances in which it would be possible to maintain an argument for the public interest in withholding a particular piece of information if, in practice, that information had already been placed in the public domain under the scheme operating under another Administration. Nor, I suggest, would the Information Commissioner be convinced by any argument that the public interest in withholding minor or trifling details of substantially similar information would justify maintaining the exemption in the public interest. The information would enter the public arena in any case.

The new clause is ambiguously worded. It includes the phrase "substantially similar" information. However, if despite the substantial similarity there were additional information, not already disclosed but which if disclosed would be contrary to the public interest, it should be capable of being lawfully withheld. Therefore, not only is the new clause unnecessary because the Bill will deliver what the hon. Member for Aldridge-Brownhills wants, but the ambiguity in its wording could cause some mischief that I am sure he would not intend. On that basis, I hope that the hon. Gentleman will feel able to withdraw the motion.

Mr. Shepherd: I am grateful to the Minister. I did not intend to delay the House, but he brings an interesting fact to our attention. There may well be different harm tests, so it may be easier to secure information under regimes in Scotland or Wales. That puts a question mark over the purpose of some of the arguments behind the Bill.

I am glad that the Minister believes that the provision I was seeking is already available. I shall read his remarks carefully; in those circumstances, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 10

DUTY TO PUBLISH MANUALS ETC.

'(1) A public authority to which this section applies shall, subject to subsection (2), publish any manuals, instructions, precedents and guidelines used by it for the purpose of—

(a) interpreting any enactment, or

(b) administering any scheme for which the authority is responsible.

(2) A public authority is not required by subsection (1) to publish any exempt information unless the public interest in disclosure outweighs the public interest in maintaining the exemption.

(3) The public authorities to which this section applies are—

(a) any public authority in respect of which an investigation may be made by:

(i) the Parliamentary Commissioner for Administration, the Scottish Parliamentary Commissioner for Administration and the Welsh Administration Ombudsman

(ii) the Northern Ireland Parliamentary Commissioner for Administration (or the Parliamentary Ombudsman for Northern Ireland)

(iii) the Health Service Commissioner for England; the Health Service Commissioner for Scotland; or, in respect of health service bodies in Northern Ireland, the Commissioner for Complaints

(b) any other public authority which has been notified in writing by the Information Commissioner that it is subject to the provisions of this section.'.—*[Mr. Shepherd.]*

Brought up, and read the First time.

Mr. Shepherd: I beg to move, That the clause be read a Second time.

I feel that I am the night man here. The new clause was discussed in Committee and the Government are well aware of it. It deals with the duty to publish guidelines. I shall not go through the details, but it involves a right that was established under the code of practice. I know that some hon. Members have denigrated the code of practice, but it had that one great value.

The Government said that, as it was drafted in Committee, the new clause was too burdensome. So it was redrafted to meet that valid point and now it applies only to the status quo. It is an important principle, however, and I hope that the Government will agree to accept it.

Mr. David Heath: I certainly do not intend to detain the House, except to say that the Liberal Democrats support the spirit of the new clause and we hope that the Minister will provide a satisfactory answer so that there is no retrogression from the provision under the codes of conduct in respect of bodies that are currently subject to investigation by the Parliamentary Ombudsman or the health service ombudsman.

Mr. Quentin Davies: I hope that the Government will accept the new clause. If they do not accept the new clause, come up with a practically identical proposal, or at least give a firm undertaking to introduce the provision in another place, it will be quite clear that part of their hidden agenda is to regress from the position established by the previous Government's non-statutory code. That would be a pretty horrifying state of affairs.

12.30 am

As each year goes by, it becomes more and more important that the manuals of practice and precedents and guidelines used by various parts of the bureaucracy in interpreting legislation should be made public, because in this country we have the phenomenon of government not merely by secondary as well as primary legislation—which is worrying enough to all Members of the House—but increasingly, by tertiary administration, whereby parts of the bureaucracy interpret the law and have their own practice manuals according to which they tell their staff which way to interpret matters, how to pursue certain types of activity and not others, and so on.

The Revenue works on the basis of practice manuals the whole time. It is thus enormously important that such manuals be made available. They are, in effect—I regret this state of affairs, but we have to acknowledge it—part of the law of the land. Citizens can find that they have transgressed the law without knowing that they have transgressed something which some manual said somewhere was a matter that should be pursued or prosecuted. If these manuals can then be changed, unknown to the public, the citizen might believe that, because the precedents suggest that a certain pattern of activity is accepted, he can quite legitimately arrange his affairs in such a manner—only to find that the law has been changed surreptitiously and that he is now on the wrong side of the law as a result. That is an intolerable situation for any citizen to find himself or herself in, in a free society based on the rule of law.

The new clause is enormously important. It goes beyond even the importance of freedom of information that all the practice manuals and other documents referred to in the new clause should be incorporated in the Bill. I have to warn the Minister that there will be the most extraordinary degree of concern in this country if the Government cannot accept the new clause, and it is not a matter on which we should be content with any kind of shilly-shallying, of which we have already had far too much from the Treasury Bench in our debates in the last two days.

Mr. Mike O'Brien: I can understand the hon. Gentleman's trying to claim the high ground on this matter, but it was the Conservative Government who refused to publish the immigration guidelines, and it was the present Government who did publish them, after the Home Secretary took up office, so I will take no strictures from the hon. Gentleman or his colleagues on this.

New clause 10 has been amended as a result of the discussion in Committee, but I think not enough, and I am not convinced that it has any real value. The information that is being sought in the new clause is available on request in any event, and it is not as though such manuals were kept secret, because lists are published of the manuals that are published by the Government. Some of those manuals—such as internal directories with numbers for a telephone system that has no gateway for public access—will be of absolutely no public interest; and the requirement that they all be published at great public expense is an unnecessary burden when anyone who seriously wants them would be able to gain access to them. Moreover, if there were a likelihood that the public wanted access, there would be a requirement, under the publication scheme that any public authority must have, to make them public anyway, and that publication scheme must be approved by the Information Commissioner.

On all those grounds, the new clause would be completely unnecessary. The information is available anyway; if it is likely to be requested by the public, it would be in the publication scheme approved by the Information Commissioner; and if it is unlikely to be requested by the public, they could request it anyway if they happened to want it out of interest. There is no restriction on such manuals because the exemption does not apply to them.

There is also a defect and a technical problem with the new clause. It refers to a number of bodies in Scotland and Northern Ireland and responsibility for those bodies rests with the Scottish Parliament and the Northern Ireland Assembly. It would not be right for this House to seek to legislate for them without their consent.

For all those reasons, I ask the hon. Gentleman to withdraw the new clause.

Mr. Shepherd: I am grateful for the Minister's swift response, but I have been slightly pole-axed at this late hour to learn that there is a defect in the drafting of my new clause. Naturally, I do not want the House to support it and send it to the House of Lords, because, unlike the Home Secretary, I cannot assure the House that it will be amended in a form that is satisfactory; I have no such powers.

I am disappointed to hear that the new clause is defective and, for the moment, I accept the Minister's judgment on that. The issue will be pursued in another place, because, as my hon. Friend the Member for Grantham and Stamford (Mr. Davies) pointed out,

[Mr. Shepherd]

the availability of, and access to, manuals is important for people to understand their rights and where they stand in relation to the law. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Order for Third Reading read.

12.36 am

Mr. Straw: I beg to move, That the Bill be now read the Third time.

I will not detain the House by more than a couple of minutes. One of the paradoxes of the discussions that we have had—and great discussions they have been—is that, unlike many debates about Bills on which there is a clash of argument about the principle, everyone, I believe, agrees that we need a Freedom of Information Bill. I would therefore find it extraordinary if anybody voted against Third Reading.

In what I hope is a spirit of generosity, I welcome the conversion of many Conservative Members on this issue. They have come a long way even since the general election, when we were told that freedom of information Bills were simply the domain of left-wing eccentrics. The hon. Member for Grantham and Stamford (Mr. Davies) is welcome to the fold.

This is an important Bill. It fulfils one of the important manifesto commitments that we made at the general election. It has genuinely been improved as a result of discussion and debate in Committee, and on the Floor of the House over the past two days. I commend it to the House.

12.38 am

Mr. Hawkins: At this late hour, I want to respond with only one or two points. When I paid tribute much earlier to the hon. Member for Leyton and Wanstead (Mr. Cohen), I referred to a document that was prepared by the Campaign for Freedom of Information and that mentions responses to the Government's Bill that are still relevant on Third Reading.

The document quoted not my words but an editorial about the Bill. It said that

> so long as the Commons public administration Committee, chaired by Dr. Tony Wright, remains troubled about the Bill, the Commons ought to be troubled too.
>
> The real test of this Bill will come in Committee, where, according to usual parliamentary practice, Labour's legion of doubters should be sturdily represented.

They were, and not least by the hon. Member for Stoke-on-Trent, Central (Mr. Fisher). It continues:

> If the Bill remains as inadequate as we still think it, a wider range of dissenters will have to stand up for their doubts at report stage.

They have done so, led by the hon. Member for Cannock Chase (Dr. Wright) and the hon. Member for Stoke-on-Trent, Central. The editorial in *The Guardian* continues:

> More freedom, of some information, won't do. We want the full monty they promised us when they were seeking our votes . . . Two years in power has finally suppressed the clearest ideal that Labour formed during its years of impotence. The freedom of information bill marks its definitive transition from a party dedicated to changing the world, into a Government determined its own world shall not be changed . . . The purpose of this reform, as canvassed in opposition, was to alter the balance of power between citizen and state . . . The bill now disgorged is a spectacular betrayal of any such idea.

The Home Secretary has turned himself into, not Houdini, nor a character invented by Lord Archer of Weston-super-Mare, but Jim Hacker.

12.41 am

Dr. Tony Wright: I was not going to say a word on Third Reading, but I have been provoked by the speech I just heard. The hon. Member for Surrey Heath (Mr. Hawkins) got the tone wrong last night and he has got it wrong tonight. All that was required from the Opposition during consideration of the Bill on Report was a little humility, to reflect that the fact that the Conservatives consistently opposed any such legislation throughout all its years in office.

My first experience of serious business in the House of Commons was as a member of the Standing Committee on the private Member's Bill promoted by my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher), the Right to Know Bill. We won all the arguments in the Committee, but then the Government of the day ruthlessly moved to kill my hon. Friend's Bill in the Chamber. I always carry with me that example of the Conservatives' lamentable record on freedom of information. The Conservatives have not shown the required degree of humility, with the honourable exceptions of some hon. Members I see sitting over there—one of the virtues of the process we have just been through has been what someone described as the progressive coalition.

The Labour party has been committed to legislation on freedom of information since 1974. In the past, Oppositions have said that they would legislate, but they have failed to do so once in government. What is unique about the current Government is that they are doing in government what they said they would do when in opposition. Those who say that the Bill is so lamentable that it would be better not to have it at all are wrong. The Bill has defects and flaws; we have corrected some of those through our consideration of the draft Bill and in Committee; we have corrected yet more in the past 24 hours, and Third Reading is not the end of the story.

Even at this unearthly hour, let us celebrate this historic piece of legislation. Let us congratulate the Government on introducing it. Let us then increase our resolve to make it as good as it can be.

12.43 am

Mr. Maclennan: That we are debating the Bill is in large part owed to the effort of many heroes of Opposition, among whom I count the hon. Member for Stoke-on-Trent, Central (Mr. Fisher), Roy Hattersley, my hon. Friend the Member for Roxburgh and Berwickshire (Mr. Kirkwood) and the hon. Member for Aldridge-Brownhills (Mr. Shepherd). That the Bill is a Government Bill is due to the deliberations that took place prior to the election between the Labour party and the Liberal Democrats, in the effort to gain wide support throughout the country for a change that had defeated parties in government in the past. That dialogue was maintained after the election, and for that we are grateful. I believe that it has had some merit and produced some benefits. There have been useful exchanges of view.

I must admit candidly that I sometimes felt that the entire process was going backwards. Most of us could have signed up with enthusiasm to the White Paper introduced by the right hon. Member for South Shields (Dr. Clark). We would simply have tinkered at the margins of his Bill, whereas in the present Bill, as the hon. Member for Cannock Chase (Dr. Wright) honestly admitted, there were real flaws, and they still deface the Bill.

There are departures from the Government's expressed intentions, particularly the intention expressed in the White Paper that decisions on disclosure would be based on a presumption of openness. That is the principle from which the Government have been stepping back throughout. The right to know has been so hedged round by conditions—by categories of exemption—that were explicitly and almost outspokenly rejected by the Government in their White Paper.

Those backward moves have been a depressing feature of the process. At the same time, it is honestly fair to the Home Secretary to say that although he started from a very different point from his right hon. Friend the Member for South Shields, he has courteously and openly allowed us to make our case and our arguments. The door has not been closed.

We have seen definite and substantial improvements, but many are still required if the Bill is to fulfil the hopes that were well expressed by the Prime Minister in the preface to the Government's White Paper, in which he wrote about changing the relationship between the citizen and the Government. If that is to be more than a pious expression of hope, a rebalancing of the Bill is required. I hope that we shall have an opportunity to return to that before too long.

12.48 am

Mr. Shepherd: I had hoped that the Third Reading of the Freedom of Information Bill would be one of the greatest occasions of my life. *[Interruption.]* The man is a foolish man who shouts out, "It is", when I have an argument to set out and a case to make. It is absurd for a Whip to tell me what I should think or say. *[Interruption.]* I apologise if I misdirected my remark, but let us have none of that.

This was a great occasion. From 1974 onwards, the Labour party was committed to freedom of information, for it had seen that in such a measure lies our emancipation as a people. It was a changing of the guard from those who had been cursed by war, who knew the need for secrecy and became obsessive about it. That secrecy filtered through every layer of our society.

I had hoped, and I believed, that when the Labour Government proclaimed that they were committed to a Freedom of Information Bill, we would have one. There was no reason to dissent from that judgment. The White Paper gave us every expectation and every reason to believe that it would be delivered.

I cannot dissent from the generality of the observation that in some measure the Bill does advance freedom of information, but it is not what we understood in those brave and bonny days, when a White Paper was published. It is not. I would not want the Bill to go from the House in its present form, and I would not want the other place to think that it was finished business.

Having marched through the Lobby on these issues over many years, I believe that deep, deep within the feeling of the House, and certainly within the new generation that marches, marking the changing of the guard for each and every Parliament, there is a desire for true freedom of information that will give us equality with an Executive. It was within our grasp; it may still be within our grasp. However, as it leaves this House—in a defective state, as the Home Secretary admits—to be amended in another place, I ask why it could not have been created in our House, the democratic, elected and accountable Chamber in our Parliament.

12.50 am

Mr. Quentin Davies: I shall be extremely brief. I simply want to make three rapid points. First, we owe a great debt to the cross-party group of colleagues who played such a major part in keeping the campaign going for many months and in the debates of the past 48 hours. In particular, I thank my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), the right hon. Member for South Shields (Dr. Clark) the hon. Members for Stoke-on-Trent, Central (Mr. Fisher), and for Cannock Chase (Dr. Wright) and the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan).

Secondly, the Home Secretary, who was again in a conciliatory mood, said that we had had a great discussion in the past two days. I agree, but it has not achieved the results for which I hoped. Perhaps the most momentous and salient aspect of the discussion was that, apart from Ministers' contributions, not a single contribution was made in favour of the Government's position. It is extraordinary to hold a debate for two whole days on a matter of such enormous interest to the House—the Chamber is still full at 1 am—when no one was inspired, not even members of the Labour party with its massive majority, to support the Bill in its current form. I trust that the moral of that will not be lost on those who need to note it.

Thirdly, the Bill is not worse than nothing; it is better than nothing. I said that about the previous Government's non-statutory code. However, as the hon. Member for Cannock Chase said, this cannot be the end of the story. Although the Bill is better than nothing—I am sure that many colleagues agree about that—it is far from being an adequate Freedom of Information Bill.

We live in a democracy, and the Government depend on the people and are accountable to them. A proper Bill would therefore begin with a purpose clause, which stated that information should be available to the public unless the Government explained precisely why, in the national interest, it should not be revealed. The onus should be on the Government to explain.

The Bill should provide for a proper method of dispassionate arbitration when the Government refuse to divulge information, to ascertain whether that refusal is genuinely in the national interest. The Information Commissioner should have that power. Without fulfilling those conditions, the measure is not a Freedom of Information Bill worthy of the name. We do not have such a Bill, but I hope that, in another place, we may be able to build on the small foundations that we have been able to lay in the past two days and create a satisfactory measure.

[Mr. Quentin Davies]

Against the background, it would be churlish and foolish of us to kill the Bill and not allow their lordships to do the task that, despite all our efforts, is sadly uncompleted.

Question put and agreed to.

Bill accordingly read the Third time, and passed, with amendments.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

SOCIAL SECURITY

That the draft Pneumoconiosis etc. (Workers' Compensation) (Payment of Claims) (Amendment) Regulations 2000, which were laid before this House on 20th March, be approved.—*[Mr. Jamieson.]*

Question agreed to.

British Sign Language

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jamieson.]*

12.54 am

Mr. Tom Levitt (High Peak): It is appropriate that this Adjournment debate on British sign language should take place after a two-day debate on freedom of information. As I shall show, sign language could be considered to be a freedom of information issue. I must first acknowledge that we are following the path that has been taken by the Welsh Assembly and the Scottish Parliament, which debated sign language on 30 September 1999 and 16 February 2000 respectively. Both debates took place at an hour rather more conducive to argument and discussion.

This is the third debate that I have initiated on issues to do with deafness and I believe that there is scope for many more. However, I want to focus on British sign language and its use, the provision of interpreters and the right of those for whom it is the first language to have it recognised in a practical, effective and useful manner. We need first to explain exactly what we are talking about.

British sign language is a genuine language with its own grammar, tenses and expression, but a year or so ago in the other place this was said:

> It is correct that . . . sign language . . . is a distinct language, but it is based on . . . English.—[*Official Report, House of Lords*, 18 February 1999; Vol. 597, c. 749.]

It is not. Sign language is a genuine language, but not an international language, which has also been suggested. Indeed, its history mirrors that of spoken languages and each country has its own. There are regional sign language dialects in this country, as one would expect of a spoken language. In particular, the ways of describing colour and counting differ considerably.

Sign language is a visual language in every respect. It is partly iconic, partly abstract and partly derivative. It is capable of sensitivity, great detail and great delicacy. It is a language not only of the hands, but of the whole upper body. It is easy not only to misunderstand the effectiveness of sign language as a language, but to consider it not to be a language at all. It must not be confused with finger spelling, which is simply the spelling of the English language on the fingers, or with sign-supported English, which is the speaking of English with the support of signs borrowed from sign language.

Also in the other place, a former chairman of the BBC board of governors said that

> individuals have their own system; there is no common language in signing.—[*Official Report, House of Lords*, 6 December 1999; Vol. 607, c. 1133.]

Again, that is simply not true, but it is typical of the misunderstanding that leads to sign language not having the recognition that it richly deserves. Sign language is the first language of one in every 1,000 people in this country. At least 50,000 people have British sign language as their only or main functional language. That is more than the number who have Welsh, Cornish, Scottish Gaelic or any other indigenous British language as their first language, although it represents only a fraction of the 8 million people in this country who have impaired hearing.

We must also recognise that people who are born deaf or who lose their hearing profoundly before developing speech and spoken language have to rely on a language that does not depend on hearing. They should be given opportunities to develop their first language—sign language—wherever possible. We could have a different debate about the role of sign language in education, but it helps to explain why people who cannot develop language skills through hearing have to do so through other senses. They perhaps tend not to grasp English as well as hearing people unless they are given the facility to develop their first language. I can provide an example.

A friend of mine—a deaf man—was told that he had the best voice and was the best speaker of English in the whole of a school for the deaf. He was very proud when he left and went straight to a job on a shop floor. However, on the first day, his voice provoked so much ridicule and teasing from his workmates that he did not speak again from that day on. That was 40 years ago. He has not tried to speak aloud ever since. It was unreal and unreasonable to expect someone whose first language was sign language to be able to function in the world of speech.

Until 20 years ago, sign language could only be used locally: there was no way in which it could be used to communicate over distances. It was used on television occasionally, but only the advent of videotape, signed television and cheaper video cameras enabled people to use their own language to communicate over distances. Then it was as easy as sending a letter.

Let me say a little more about the grasping of English by those who have been profoundly deaf since birth. It is often assumed that all deaf people can lip-read, but they cannot: if someone is not speaking properly, that person cannot be lip-read, and people for whom English has never been the first fully functional language cannot be expected even to start using the complex skills that lip-reading requires.

There are 50,000 people in this country whose first or only functional language is sign language. They are profoundly prelingually deaf. Most are born to hearing parents. In many cases, meningitis in the early years of life has been the cause; there may be genetic reasons, or reasons connected with rubella during pregnancy, for them to have been born deaf.

The gentleman I met in 1986 who opened my eyes to the world of signing around us was born deaf, and went to a deaf school where he learned sign language. His parents were told that sign language was just a phase that he was going through. They were told that it was not worth their while to learn the language of the deaf because, after all, it was not a proper language. They were told, in essence, that they would never, and should never, have a language in common with their son. Again, that was 40 years ago, when he was at school.

I am afraid that some of the attitudes that I have described are deliberate, rather than arising from negligence.

I believe that all children must be given the opportunity to be fluent in their first language, and in the language of the community in which they grow up. There is a slight incongruity, in that, as I have said, most profoundly deaf children are born to hearing parents. Nevertheless, if they have no hearing they cannot be expected to function fully in a hearing world during the process of language acquisition.

Let us assume that a person grows up developing sign language and living in a deaf community. After all, deaf communities in this country tend to centre around areas in which services to deaf people are well advanced. They are thriving and lively communities, often built around deaf clubs, in which the person who speaks is the odd one out and sign language is, as it were, the lingua franca. How, then, do we bridge the communication gap between what those people need in order to function as citizens, and the language of the society around them?

Unfortunately, according to the 1998 figures, there were only 102 trained and qualified working sign-language interpreters for those 50,000 people—20 fewer than 10 years earlier. The current total is only about 132, plus 170 training to be interpreters for the whole of England, Wales and Scotland. There are 132 qualified interpreters for 50,000 potential clients.

It is essential for deaf people to have access to high-quality interpreters when they face life-or-death experiences such as getting a job, going to the doctor, going to hospital, going to court or being interviewed by the police.

Ms Candy Atherton (Falmouth and Camborne): In my rural area of Camborne, which has a large deaf community, there is a real problem with access to interpreters. People have to travel up to 150 miles to take part in debates or go to the deaf club. It costs me nearly £250 to hold a surgery to which my deaf community can have access.

Mr. Levitt: I commend my hon. Friend for holding surgeries in a deaf club—and for doing so at considerable cost to herself because of the need to bring interpreters such a long distance. I hope that other hon. Members will follow that model, and that we can a find a way of ensuring that cost does not make it difficult for hon. Members to provide that service to their communities.

As with any language, it takes years to become fluent in British sign language. Many of today's interpreters are the hearing children of deaf sign language-using parents. In 1997, 18,000 people undertook the stage 1 sign language qualification, but only 2,500 went on to stage 2. Of those, only 250 went on to stage 3. The pool of those whom we can train as interpreters for work in the community is remarkably small. There is also virtually no career structure for interpreters, many of whom have to work as freelancers. Moreover, there is no formal training in sign language for hearing people under 16. Therefore, the opportunities and facilities not only for developing sign language to a high level, but for career development as a sign language interpreter are very limited.

The British Deaf Association is conducting a campaign for formal recognition of sign language, and suggests achieving that recognition by means of the European charter on minority languages. Although my understanding is that, in its current form, the charter does not apply to non-written language, the most important objective is that British sign language should be recognised in practice rather than theory. People should have access to an interpreter—to information in their own language—when and where they need it.

I tell my hon. Friend the Minister—with whom I was very proud to serve on the Committee that discussed the Disability Rights Commission Bill—that the excellent

[Mr. Levitt]

disability rights legislation that the Government have brought into force will increase demand on interpreters, on signed video information and on CD-ROM-based information containing, for example, sign language avatars.

If we are to ensure deaf people's human rights, it is essential that they have access to their first language. Access to high-level sign language interpretation is not only reasonable and justifiable, but it is essential in life-and-death circumstances.

The Government have made progress on the sign language issue in several ways. As originally drafted, the Representation of the People Act 2000, for example, provided that someone who wanted assistance with voting in a polling booth had orally to request assistance from the presiding officer. The Government accepted an amendment moved in another place that provides that, for those who cannot use speech, that request may be made in writing.

The use of video recorded interviews in police stations should be increased. It is essential in matters involving sign language users. In cases involving deaf people, it should be obligatory throughout the legal system to include the sign language interpreter in the video recorded interview. That is the only way in which we can check that what has been recorded as being said is what was meant, and it is the only way in which we can ensure justice for deaf people.

We also have to make progress on the right of deaf and hearing-impaired people to sit on juries, which is another issue that has been raised in the House before. At Question Time, the Prime Minister himself has said that that is a legitimate objective. I understand that the British Deaf Association has been in discussions with the Lord Chancellor to see how best to achieve that objective.

The Disability Discrimination Act 1995 requires reasonable adjustment in employment and the provision of goods and services. Poor, inappropriate or absent interpreting is not reasonable. I also accept that 100 per cent. interpreting on demand—having an interpreter on every street corner—is not reasonable. However, it is reasonable to include British sign language in any corporate public communication strategy. BSL can be used on videos or CD-ROMs, with human interpreters and with staff with signing qualifications. Deaf people whose first language is sign language can be employed in circumstances in which they are of particular help to fellow deaf employees or service users.

There must be a proper system of booking sign language interpreters at a reasonable cost, given reasonable notice. That should be paid for by the state when circumstances demand it. The Lord Chancellor already pays for all sign language interpreters who are needed in the courts.

It is essential to have interpreters on call for emergencies. I heard a story about a profoundly deaf girl who was hurt in a car crash and taken to hospital. She said afterwards that the experience in the hospital was far more frightening than the car crash, because at least in the crash she could understand what was happening once she had had a look round. In the hospital, nobody could tell her what was happening in a language that she could understand. It is particularly important that there should be high levels of deaf awareness among staff in front-line service provision where British sign language is not available.

This debate has come from the heart. I am delighted to say that my first debate on deaf awareness is available on video with a sign language insert on the screen from the Royal College for the Deaf in Derby. I believe that I am the only Member of Parliament who has studied British sign language. As a trustee of the Royal National Institute for Deaf People, I have spent many years campaigning on the civil rights of deaf people. I know that my hon. Friend the Minister is well disposed towards my arguments. I am only sorry that the rules of the House do not allow me to have a sign language interpreter standing at my side so that television viewers can appreciate not just what I have said, but, perhaps more importantly, how my hon. Friend the Minister responds.

I am grateful for this opportunity. I look forward with great hope and expectation to hearing not just sympathetic, but constructive and positive proposals from my hon. Friend.

1.12 am

The Parliamentary Under-Secretary of State for Education and Employment (Ms Margaret Hodge): It is worth observing that there were nearly 500 Members in the House to discuss the Freedom of Information Bill that we have just passed to another place. There are now a bare half a dozen of us here to talk about an issue of key importance that provides freedom for a large minority group of those who are deaf or have a hearing impairment and for whom sign language is their first language. That is a sad reflection on the House, but even at this late hour there are many people outside following our debate.

I congratulate my hon. Friend the Member for High Peak (Mr. Levitt). He is well known for his commitment on disability issues, particularly his interest in deaf people. He is a trustee of the Royal National Institute for Deaf People and undertook his Parliament Industry Trust fellowship with Leonard Cheshire. His contribution to disability causes is warmly acknowledged and recognised. I am grateful for the great support that he gave to my work on disability issues before he became a Parliamentary Private Secretary.

My hon. Friend has raised a number of important issues that I want to address. More than 8 million people in this country have a hearing impairment, of whom 670,000 are profoundly deaf. Of those 670,000, 50,000 use British sign language as their first language. The recognition of the language is crucial to facilitate communication for them and is a civil rights issue.

Since I have had ministerial responsibility for disabled people, there has been a strong lobby on the recognition of BSL, with particular focus on specifying the language in the Council of Europe's charter for regional or minority languages.

As my hon. Friend knows, officials and lawyers are arguing over whether we can give recognition to BSL and whether it can be classified as a minority language under the terms of the charter. I have assured my hon. Friend and others that the Government will explore the matter with other parties in Europe, once we have ratified the charter, and I repeat that commitment now.

The charter has now been signed. It will be ratified, by means of the processes of the House, in the near future, and then we shall open the discussions. A range of

difficulties will have to be overcome, and this country's lack of a written constitution creates additional problems in the recognition of official languages, including BSL.

In preparing for this debate, I have gathered information about the action being taken by other countries. The Finns, the Swedes and the Danish are probably the most advanced in giving formally recognition to BSL, but other countries are also making advances.

The Dutch Government set up commissions in 1995 and 1997, and reports and recommendations have been passed to that Government. The federal Government in Germany is discussing the matter with the Länder, and Westphalia has commissioned a report on the legal implications. The Portuguese approved an amendment to the Portuguese constitution covering sign language in 1997. In Belgium, associations for deaf people are forming close links with political parties with the aim of speeding up the process of recognition. Although sign language is not recognised in Italy, a number of laws include a specific reference to the use of a sign language interpreter.

On reflection, therefore, I give my hon. Friend the undertaking that I will ask officials to look again at what we can do, outside formal recognition in the charter, to achieve the objectives that he set out—that is, the acceptance of the language's legitimacy, its systematic use by all authorities, and the willingness to allow submissions to be made in that language. I will also write to the Disability Rights Commission as soon as it opens its doors on 25 April, asking it to explore the issue further.

I can also tell the House that I recently wrote to all Government Departments to find out their views about what they might do with regard to sign language. Responses have started to come in, and I thought that my hon. Friend and the House would like to know what I have heard.

Progress is being made. For example, as my hon. Friend said, since April 1998 the courts have operated a system by which any form of communication support can be booked for parties involved in civil or family proceedings. I was also pleased to see that users of the electronic version of the community legal service directory—the "Just Ask" website—can select to choose an agency offering BSL as one of the search criteria. That directory contains more than 15,000 entries, and the site was launched on 3 April.

The Benefits Agency has set a standard for communicating with people who do not speak English or Welsh, and it applies to users of other languages, including BSL. When it is necessary to interview customers who need interpreters but cannot or do not wish to provide their own, the Benefits Agency makes arrangements within 24 hours for the provision of such an interpreter.

Further examples of which the House may be aware include the signed video magazine programme "Public Scene", which is produced and distributed by and on behalf of Government Departments by the Central Office of Information. In addition, the Department of Health produces BSL-signed videos when the information involved is particularly relevant to deaf people on issues such as direct payments and the long-term care charter.

I was also pleased to learn from my write-around that the Ministry of Agriculture, Fisheries and Food is currently cataloguing videos that include titles filmed in BSL. My own Department has produced a BSL version of the disability rights taskforce report.

My hon. Friend mentioned education. We believe that choice is crucial for deaf children and their families in connection with special educational needs. We are strengthening the process, as my hon. Friend knows, and emphasising inclusion in legislation that we intend to introduce later in the Session.

It is for local education authorities to decide on the provision in the light of local circumstances and the child's need. However, we have established 11 special educational needs regional co-ordination projects covering the whole of England. Their aim is to establish a more effective co-ordination across local education authority boundaries, in particular for low-instance disabilities. A number of those projects are studying sensory impairments such as deafness. The aim is to ensure some consistency of provision throughout the country. I am sure that my hon. Friend would agree that we want to ensure that we provide a choice that suits the needs of children and their families.

My hon. Friend mentioned disability legislation. The Disability Discrimination Act 1995 is having an impact. The code of practice that we published on the changes in the provision of goods and services, which was published in October, contained a number of examples showing where BSL would be an appropriate adaptation that should be made to ensure that people were not discriminated against. For example, a hospital would be expected to have a BSL interpreter for an appointment. That would be considered a reasonable step in a large hospital, although it might not be reasonable in a doctor's surgery.

My hon. Friend spent some time talking about interpreters. There has been a shortage and in my desire to do something practical to ensure that BSL can become a real language to many more people, without getting involved in the legal niceties of what we can or cannot do under particular charters, I am trying to tackle that shortage.

We have undertaken some research, which I have been anxiously awaiting. Again, in preparing for this debate, I asked for the results of the research but was told that it had been delayed because of the illness of one of the academics undertaking it. The purpose of the research was to identify the gaps and whether we could take action to ensure that existing interpreters were better used. I will ensure that my hon. Friend has access to that research as soon as it is with me and has been published.

In the meantime, I have been talking to both the Royal National Institute for Deaf People and the Council for the Advancement of Communication for Deaf People. I propose to try to find a shorter-term solution to the undoubted shortage of interpreters and to set in place a longer-term solution that will provide us with a steady stream of interpreters to meet what will undoubtedly be a growing demand.

Whatever we do, it will not have a totally immediate impact, simply because, as my hon. Friend knows, it takes

[Ms Margaret Hodge]

time to go through the long training and qualify to become an interpreter. I can assure the House and my hon. Friend that, by Easter, which is not too far away, thank goodness, I hope to be able to announce funding to provide an urgent boost to the number of trained BSL interpreters. That will be the first step. In the second step, I hope to announce the first stages of the longer-term strategy and how we go forward.

Those are some examples of the progress that I have been able to make since I have been the Minister responsible for disabled people. We still have some way to go. I am sure that this debate has helped to raise awareness of the issues and has helped me, officials in the Department and those in the community at large to concentrate minds.

I very much hope that, working together with those in the community for whom this matter is important, and with my hon. Friend and others who have an interest in the issue, we can make real progress so that we can break down the barriers that prevent those deaf people whose first language is BSL from taking a full part in civil society.

Question put and agreed to.

Adjourned accordingly at twenty-four minutes past One o'clock.

House of Commons

Thursday 6 April 2000

The House met at half-past Eleven o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

NEW WRIT

Ordered,

That Madam Speaker do issue her Warrant for the Clerk of the Crown to make out a new writ for the electing of a Member to serve in this present Parliament for the County Constituency of Romsey in the room of Michael Keith Beale Colvin, Esquire, deceased.—*[Mr. Arbuthnot.]*

PRIVATE BUSINESS

LONDON LOCAL AUTHORITIES BILL *[LORDS] (BY ORDER)*

Order for consideration, as amended, read.

To be considered on Thursday 13 April.

KENT COUNTY COUNCIL BILL *[LORDS] (BY ORDER)*

MEDWAY COUNCIL BILL *[LORDS] (BY ORDER)*

Orders for Second Reading read.

To be read a Second time on Thursday 13 April.

MERSEY TUNNELS BILL *(BY ORDER)*

Order for Second Reading read.

To be read a Second time on Wednesday 19 April at 7 o'clock.

Oral Answers to Questions

TREASURY

The Chancellor of the Exchequer was asked—

Working Families Tax Credit

1. **Mrs. Betty Williams** (Conwy): What assessment he has made of the impact of the changes to the working families tax credit announced in the Budget. [116600]

The Chancellor of the Exchequer (Mr. Gordon Brown): Three million people have now inquired on our special telephone line about working families tax credit. There are already 1 million families with children receiving the new working families tax credit, including almost 100,000 receiving the child care tax credit. Following the changes that I announced in the Budget, the minimum income guarantee for a family with someone in full-time work will be £207 a week from June this year—£80 more than the family would receive on income support—and it will be £214 a week from April 2001. Taking all our measures together, the changes introduced since 1997 will lift 1.2 million children out of poverty.

Mrs. Williams: I thank my right hon. Friend for that answer. I know that the extra help will be warmly welcomed by more than 2,000 lower-paid families in my constituency, Conwy. Does he share my sadness that the Conservative party has learned so little that it would scrap the working families tax credit and thereby bring back the despair, distress and heartache felt by so many hard-working families before the general election of May 1997, after 18 years of a Tory Government?

Mr. Brown: I am grateful to my hon. Friend. Not only are 60,000 people in Wales benefiting from the working families tax credit, but in almost every constituency in the country there are at least 1,000 families who are now receiving, on average, £24 more per week. Abolition of the measure would mean a tax rise of £24 a week for working families. I do not think that any party should contemplate that.

The response to the working families tax credit is quite different from what the Opposition predicted. Three million people have inquired about it and 1 million people are on it. I believe that more people will want to join it. We are achieving two things: we are making work pay, and we are taking children out of poverty.

Mr. Michael Portillo (Kensington and Chelsea): I know that the Chancellor likes to swagger and boast about the working families tax credit, but if it really is the greatest thing since sliced bread, as he claims, why is he proposing to abolish it? Having made such play of the fact that it should be paid through the wage packet, why is he proposing that the replacement benefit should be paid to the carer? Is it not the case that, for such a clever fellow, the Chancellor has got himself into a complete muddle and has made the benefit an unholy mess?

Mr. Brown: We are doing what should have been done years ago. We are making work pay for working families. I take it—[HON. MEMBERS: "Answer."] Opposition Members will listen. I take it from the shadow Chancellor's remarks that the next Conservative Government, if there were one, would abolish the working families tax credit. What the shadow Chancellor must now explain—*[Interruption.]* Opposition Members are very restive this morning. They are clearly on edge about a measure that is popular within the country.

We will expand the working families tax credit by creating an integrated children's credit and an employment credit. We will achieve two things: first, we will make work pay and, secondly, we will tackle child poverty.

I should have thought that the shadow Chancellor would think twice before wanting to abolish the benefit. In the *Sunday Times* of 20 September 1998, he stated:

> Conservatism has become inextricably connected with uncaring social attitudes, selfish behaviour and sleaze. Of course it should be apologetic for mismanaging the economy.

Those are his words.

Mr. Portillo: Why does not the Chancellor of the Exchequer answer the question? If the benefit is so good, why is he abolishing it? If it is so important that it is paid

through the wage packet, why is he going to change it so that it is paid to carers? It is all very well him preening himself on the working families tax credit; does he not do that because he wants to obscure the real damage that he has done to hard-working families?

Is not the Chancellor less than honest when he speaks of the reducing tax burdens on families, when he knows that that applies only to a family who does not drink, does not smoke, does not drive, does not save, does not have a mortgage, is not married, does not have a pension and does not go on holiday? He knows that real families are not like that. He knows that the real position is that the average family now has to pay £670 more a year. Why will not the Chancellor be honest with us? Why does Mr. Toad have to be so slippery?

Mr. Brown: We will expand the working families tax credit; the Opposition are trying to abolish it. People will know at the next general election that the Opposition want to abolish not only the new deal and put thousands of people out of work, but the working families tax credit. That would lead to a tax rise of £24 a week. We know from last week's votes in the House that they did not support the first spending measure on the health service or the cigarette tax, which will provide £400 million. They would make working families worse off by cutting into health service expenditure. We are on the side of working families; the Opposition are the enemy of those families.

Pensioner Incomes

2. **Ms Rosie Winterton** (Doncaster, Central): What estimate he has made of the impact which changes in savings limits will have on pensioner incomes. [116601]

12. **Ms Linda Perham** (Ilford, North): If he will make a statement on his plans to increase the incomes of the poorest pensioners. [116614]

13. **Ms Sandra Osborne** (Ayr): How many pensioners will benefit from the increases in the minimum income guarantee in Scotland. [116615]

The Chancellor of the Exchequer (Mr. Gordon Brown): An estimated 500,000 pensioners will gain an average of £5.05 a week as a direct result of the changes to the savings limit that I announced in the Budget. The minimum income guarantee will increase next week to at least £78.45 for the youngest single pensioners and £131.05 for pensioner couples aged 80 and above.

The minimum income guarantee benefits approximately 1.5 million pensioners, of whom 165,000 live in Scotland. In each area of the country, our take-up campaign is designed to ensure that more pensioners can benefit from the measures that are due to them.

Ms Winterton: Is my right hon. Friend aware that his changes have been widely welcomed in Yorkshire and Humberside? Thousands of pensioners will benefit from them. That is in stark contrast with the treatment of pensioners when the Tory party was in power. Will he assure me that the longer-term review that he announced will have at its heart a commitment to ensuring that pensioners who have saved a little and perhaps have a small income will be rewarded, not penalised?

Mr. Brown: I am grateful for that question, because we will publish a discussion document on a new pensioner credit to help exactly that group of pensioners, whose savings and modest occupational pensions should not penalise them by preventing them from receiving benefits that are due to them. Again, I believed that all parties would support that.

The measures that we introduced in the Budget and in previous Budgets, such as the winter fuel allowance, which will increase to £150, free colour television licences for 3 million pensioners, which will be introduced in November for those over 75, and the minium income guarantee, which relieves poverty, mean that 1 million pensioners are approximately £1,000 better off than they would have been under a Conservative Government. We are keeping our promises to pensioners, and we shall do more.

People understand from the events of the past week, especially from the statements of the Opposition social security spokesman, that the Conservative party will not even guarantee to keep the winter fuel allowance for pensioners. So much for talk of a caring attitude. The shadow Chancellor was right; the Conservatives are guilty of selfish attitudes yesterday, today and tomorrow.

Ms Perham: I welcome the increases in the minimum income guarantee, but does the Chancellor accept that some people will not claim it? He has announced many measures that have already been introduced for pensioners, but many pensioners in my constituency complain about the small increase in the basic pension. Does my right hon. Friend have anything more to say to them?

Mr. Brown: Yes, we have followed the rules of inflation that the previous Government pursued in calculating the basic pension. From April 2001, we expect the basic pension to increase by £2 or more for single people and by £3 or more for couples, based on our forecast for inflation in September.

At the same time, we unfroze the income limits for the pensioners about whom my hon. Friend is especially worried. Those limits deprived 500,000 pensioners of the benefits of the minimum income guarantee. We raised the income limit from £3,000 to £6,000 and raised the total ceiling from £8,000 to £12,000. Those ceilings had been in play since 1988 and 1990. Nothing had been done under the previous Government. We have taken action to help those pensioners whose savings should not debar them from getting the benefits they are due.

Ms Osborne: I also welcome the fact that 165,000 Scottish pensioners will benefit from the minimum income guarantee, but I know that my right hon. Friend is well aware of the concerns among pensioners in my constituency of Ayr. In the Budget, I was pleased to hear about the review and the fact that the needs of pensioners with modest incomes who are above minimum income

guarantee levels will also be examined. What opportunities will there be for pensioners in my constituency to have an input to the discussion document?

Mr. Brown: I hope that the pensioners in my hon. Friend's constituency and in all constituencies in this country will take up the benefits that they are due as a result of the take-up campaign launched by my right hon. Friend the Secretary of State for Social Security. We have raised the personal allowances for pensioners higher than the rates of inflation for those who pay tax, and 60 per cent. of pensioners no longer pay, or do not pay, tax. At the same time, we are determined to take more pensioners out of poverty and I believe that the combination of the minimum income guarantee, the winter allowance and the discussion that we are having about the pensioners credit is the right way forward. It is a scandal that more than 1 million pensioners were in poverty when we came to power. We are taking action.

Mr. Christopher Chope (Christchurch): Does the Chancellor regret having misled millions of pensioners on Budget day when he—

Madam Speaker: Order. Will the hon. Gentleman rephrase that sentence? I do not think that Chancellors mislead. We do not use that word.

Mr. Chope: Perhaps the Chancellor unintentionally misled. I shall refer to the text if necessary, but on Budget day he said that the changes in the savings limits for pensioners would take effect from next April. On Budget day, next April was April 2000. We now find that those changes will not take place until April 2001. As a result of the misuse of the English language, many millions of pensioners were misled.

Mr. Brown: First, 500,000 pensioners benefit from that measure. Secondly, they were not misled at all. All the documentation made the position absolutely clear, as did my speech. Thirdly, if the Conservatives are to resort to those tactics, they have very little to say to pensioners. The hon. Gentleman should congratulate us because 11,000 pensioners in his constituency will get free colour television licences as a result of what we have done, which the Conservatives would never have done.

Mr. Matthew Taylor (Truro and St. Austell): As pensioners collect their measly 75p increase this week, might they not wonder exactly what the Chancellor and the Prime Minister meant when they wrote in the Labour manifesto that pensioners as a whole would share in the growing wealth of the economy? According to the Government's own figures in a parliamentary question this week, pensioners will get a lower share of the national economy this year than in the last year under the Conservatives.

Mr. Brown: I do not think that anybody will take lectures from the Liberal party. It never supported the winter fuel allowance; we introduced it. It never supported the minimum income guarantee; we introduced it. It never supported raising the savings limits; we have done that. The Liberals quote a House of Commons answer by my right hon. Friend the Minister of State, Department of Social Security, but it does not include free eye tests, the cut in VAT on fuel, what we have done on transport and what we have done to deal with the regulation of the utilities and to keep fuel bills down. The truth is that, by the end of this Parliament, pensioners will be getting £800 million more a year than they would have got even if we had raised the pension in line with earnings. The Liberal party said that the pension should be raised in line with inflation. It is being absolutely hypocritical.

Madam Speaker: Order. We use "hypocritical" no more than we use "misled" in the House. *[Interruption.]* Order. I am sure that the Chancellor will oblige the House by withdrawing "hypocritical".

Mr. Brown: I withdraw what I said. The Liberals have been unintentionally hypocritical.

Mr. David Tredinnick (Bosworth): Does the right hon. Gentleman not think that, when referring to all the measures that he has taken to help pensioners, he should also refer to the £5 billion raid on pension funds? Is it not the attack on pension funds that has done so much damage to the livelihood of pensioners? The right hon. Gentleman should not forget that.

Mr. Brown: The hon. Gentleman should be congratulating us on what we have done for the economy. The valuation of the assets held by pension funds has risen by about 60 or 70 per cent. since we came to power. That is no thanks to the Conservatives, who would have brought us back to boom and bust.

All-employee Share Plan

3. **Mr. Jeff Ennis** (Barnsley, East and Mexborough): What steps he is taking to promote the new all-employee share plan. [116602]

The Financial Secretary to the Treasury (Mr. Stephen Timms): A number of steps have been taken. A thousand company representatives have attended presentations around the country on the new all-employee scheme, and further training events are being planned for employers. The Trades Union Congress is working with us to inform employees, and Members of Parliament are being sent material to help them to explain the advantages of the plan in the course of their constituency work.

Mr. Ennis: The scheme is fully supported by all trade unions. They have campaigned for it for years. Does my hon. Friend agree that it will greatly reduce the old "us and them" attitude that used to prevail among company bosses and their employees?

Mr. Timms: My hon. Friend is absolutely right. Encouraging employee share ownership enables us both to boost productivity and to promote fairness. We know from research that employee share ownership boosts productivity, but, as my hon. Friend pointed out, it also helps to ensure that the benefits of company success are spread fairly. The TUC has made an important contribution to the consultation, and I shall meet TUC policy officers this afternoon to discuss it.

The scheme is a clear example of our ability to build a modern economy and a decent economy at the same time.

Mr. Oliver Letwin (West Dorset): When the Financial Secretary and his colleagues designed the brilliant new national insurance contribution for high-tech companies and their share prices, did they mean to tax success? Did they know that they were creating an unquantifiable contingent liability, which would appear on those companies' balance sheets? Are they aware that Oracle and other high-tech companies are now joining Cisco in the emigration queues, and what are they going to do about it?

Mr. Timms: As the hon. Gentleman knows, consultation is under way on employers' national insurance on share options. I am engaged in discussion with the firms affected about how best to solve the problem, and we expect to be able to present proposals sooner rather than later.

The hon. Gentleman mentioned Cisco. I am pleased to say that Cisco was an enthusiastic participant in a seminar that we had last week on how our welfare-to-work policies and programmes could be used to benefit the information technology industry. For that industry and, indeed, the whole economy, the economic success that we are currently enjoying is extremely good news.

Mr. Denis MacShane (Rotherham): Is my hon. Friend aware of the warm welcome given to the employee share ownership measures in the Budget by organisations such as ProShare, Capital Strategies and Job Ownership? Although the last Government talked a lot about employee share ownership, they delivered very little. Is that not the big difference? We have really broken through.

A number of organisations are helping to promote employee share ownership. Could my hon. Friend have a word with the Department of Trade and Industry? Perhaps it could get on to the bandwagon, through the Small Business Service and its other agencies, to promote employee share ownership as an important new economic development building a partnership economy, as opposed to the two-class economy that the Tories have always supported.

Mr. Timms: My hon. Friend is right. There has been wide support for the consultation on the new plan, in which many firms, organisations and trade unions are taking part. This is a partnership effort, and the wide welcome given by the Confederation of British Industry and others to the details of the plan announced in the Budget testifies to the success of our approach.

Dr. Vincent Cable (Twickenham): I welcome the Government's new enthusiasm for the long-standing Liberal policy of worker share ownership.

Does the Financial Secretary agree that the number of such schemes is so utterly derisory—1,750 companies are using them, out of millions—because of the convoluted, time-consuming procedures engaged in by the Inland Revenue in its valuation of unquoted companies? What does he propose to do to alleviate the problem?

Mr. Timms: We aim to double the number of companies that have an all-employee share scheme through the measures that we are taking. Many companies, particularly smaller ones, have welcomed the arrangements in the new plan. In finalising the details, we have taken account of the position of unlisted companies. They will particularly welcome the changes in the latest details that we have announced.

Business Education

4. **Mr. Jon Trickett** (Hemsworth): If he will make a statement on his plans to increase opportunities to learn about business in schools in unemployment blackspots, with particular reference to former coal-mining areas. [116603]

The Economic Secretary to the Treasury (Miss Melanie Johnson): We are providing an extra £10 million in this financial year to enhance education-business link activities in England, including in high unemployment areas. On 11 May, we are launching Enterprise Insight, a campaign to inspire young people to follow careers in enterprise, which will focus initially on young people and high unemployment areas.

Mr. Trickett: I thank my hon. Friend for that reply and welcome the initiatives that she has announced. I hope that, shortly, there will also be a welcome announcement on state aid to the coal industry. Is she aware of the work in schools such as Hemsworth high and Minsthorpe community college, which seek to bring together the education and business sectors in areas of long-term decline? Will she seek to build on that work? After all, the future regeneration of areas such as mine and those represented by many other hon. Members depends on today's younger people.

Miss Johnson: Yes, I certainly support the work in my hon. Friend's constituency and recognise its importance, as, I am sure, he recognises the importance of the work that the Government have done to raise standards of literacy and numeracy in schools, so that young people will be equipped for the world of work. I am sure that he recognises, too, the progress that we have made as a result of initiatives to reduce unemployment throughout the country.

In my hon. Friend's constituency, youth unemployment is down by 68 per cent. since the last election and long-term unemployment has fallen by 60 per cent. Those figures clearly show that business-education partnerships will be working in fertile territory in building for young people for the future.

Miss Anne McIntosh (Vale of York): Does the Economic Secretary regret that the Government's announcement that they will abolish training and enterprise councils will lead to the removal of business input to training, including in schools?

Miss Johnson: No, I do not regret the change. The TECs were strong in some areas, but discredited in others. A number of difficulties had arisen. Our initiative in that regard, coupled with the work of the new Small Business Service, will do only more to enhance support to small and medium enterprises throughout the country. When we set all that in the context of the fact that we are able to provide a stable economic climate in which business can

flourish—unlike the boom and bust of the Tory years—we realise that those will make a positive contribution in a climate in which business can flourish and is flourishing.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): On the question of coal mining communities, the hon. Lady might know that, on Tuesday, there was a substantial lobby of people from the various coal mining communities in the United Kingdom. The Welsh representatives, a cross-party group, were desperately worried about the absence of additional funding, or any commitment from the Chancellor to provide that, to secure objective 1 funding. Had he done something about it, the Prime Minister would not today have to be in the south Wales valleys, trying to shore up the haemorrhaging Labour vote.

Miss Johnson: Objective 1 status is a matter for the spending review. Obviously, the hon. Gentleman is forgetting the enormous progress that has been made in his constituency through the new deal in lowering both long-term and youth unemployment, and the initiatives that have already been launched in respect of the coal fields, which include new provision of £60 million over three years to fund the Coalfields Regeneration Trust and Coalfield Enterprise Fund. A further initiative, Network Space Ltd., has been established as a joint venture between English Partnerships and the private sector to provide workspace sites in former coal fields and to create yet more jobs.

Withdrawal of Tax Allowances

5. **Mrs. Cheryl Gillan** (Chesham and Amersham): How many families that qualified for the married couples allowance in 1999–2000 will not qualify for the child tax credit in 2001–02. [116605]

7. **Mr. Desmond Swayne** (New Forest, West): How many married couples will be liable for higher-rate tax as a result of the withdrawal of married couples allowance. [116607]

11. **Mr. Graham Brady** (Altrincham and Sale, West): If he will make a statement on the impact on married couples reaching pensionable age after 6 April of his withdrawal of tax allowances to date. [116613]

The Chief Secretary to the Treasury (Mr. Andrew Smith): As a result of the measures that we have taken in this and previous Budgets, pensioner households will, from next April, be on average £400 a year better off, and families with children will be on average £850 a year better off. The number of couples liable for higher rate tax as a result of the withdrawal of married couples allowance will be zero.

Mrs. Gillan: Why is the Minister congenitally incapable of answering the question on the Order Paper? As that answer bore no relation to my question, I shall tell him that, today, 10 million people lose the married couples tax allowance, and that, of those 10 million people, 5 million will not qualify for the child tax credit. Is the Minister proud to be part of a Government who have removed the last recognition of marriage from the tax system and a Government whose stealth taxes mean that the typical, decent, hard-working family is paying £670 a year more in tax? Does not the way in which this Government are robbing the family make Maxwell look like an amateur?

Mr. Smith: The Budget's success has clearly upset Conservative Members. My colleagues and I are proud to be members of a Government who are focusing resources on families with children and tackling the obscenity of the extent of United Kingdom child poverty which we inherited from the previous, Conservative Administration. The fact is that 5 million families will benefit from the child credit. Moreover, from next week, people will see the record increase in child benefit—£15 for the first child and £10 for others. From June, they will see the increase in the working families tax credit—£4.35 extra for a child under 16. From next April, they will see the children's tax credit of £8.50 a week. Families are benefiting from those measure because we are a Government who are working hard for hard-working families—whereas the previous, Conservative Government consigned millions of children to poverty.

Mr. Swayne: Madam Speaker, do you think that the Chief Secretary's failure to answer question 7 was intentional or unintentional? The question is quite simple, and the answer has to be a number. I have asked the question twice before, but twice before the Chief Secretary has failed to give me the answer. How many families is it? My hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) says that it is 10 million. Is it 10 million? Is the right hon. Gentleman ashamed to say the answer?

Mr. Smith: The hon. Gentleman not only did not listen to my answer, but seems not to have read his own question. His question was to ask the Chancellor of the Exchequer:

> How many married couples will be liable for higher-rate tax as a result of the withdrawal of married couples allowance.

I gave him the answer: it is zero.

Mr. Brady: Are not the Chief Secretary and the Chancellor, in their Budget tax increase, which is effective today, also hitting 200,000 pensioner couples who this year will lose the married couples allowance? Will not those couples each be up to £500 a year worse off? Is not the Government's policy hitting hardest those who, in the Chancellor's phrase, are "most prudent" and have made some provision for themselves?

Mr. Smith: It is very important on this question to underline that those pensioners who get the married couples allowance have not lost it as a consequence of our changes. Moreover, those who become pensioners from today will benefit not only from the higher rate of personal allowances, but from the introduction of a £150 winter allowance—which Conservative Members would take away from them—and a 10p tax rate on savings which we have introduced and which benefits 1.5 million pensioners. The minimum income guarantee for the poorest pensioners will give 1 million poor pensioner couples £1,000 a year more than they were receiving under the Conservatives.

Mr. Ian Stewart (Eccles): The people of Eccles and Salford welcome my right hon. Friend's answer. The situation is a great improvement on what the Tories left. Does he agree that he should take no lessons from the Liberals, who were irresponsible in the city of Salford by suggesting an illegal budget, supported by their leader?

Mr. Smith: I welcome my hon. Friend's support. He is right that we should accept no lectures from Opposition Members. However, we cannot let the issue go without mentioning that when the current shadow Chancellor was taking the axe to the married couples allowance, he said:

> We have considered the tax system and chosen the allowances that appear to have the least on-going justification or to be the most anomalous.—[*Official Report, Standing Committee A*, 22 February 1994; c. 348.]

Those are the words of the Conservatives.

Mr. Bill Rammell (Harlow): Does my right hon. Friend agree that any political party needs credibility on taxation? Does he also agree that to promise to cut taxation year on year, regardless of economic circumstances, while at the same time promising to match our huge spending commitments to schools and hospitals is not only incredible, but the most sure-fire way of returning to the economics of boom and bust? If one believes recent newspaper articles, it is a policy with which even the shadow Chancellor does not agree.

Mr. Smith: Absolutely. The last time that the Conservatives made similar promises, they broke them all. They brought in the 22 tax rises and put VAT on fuel when they promised not to do so. Their sums do not add up. They cannot promise the so-called tax guarantee and at the same time say that they will maintain our levels of health spending. When they had the chance on the Budget, they refused to vote for the first £400 million for the health service from the tobacco tax.

Petrol Duty

6. **Mr. Nicholas Soames** (Mid-Sussex): What recent representations he has received on the level of petrol duty. [116606]

The Paymaster General (Dawn Primarolo): Before the Budget, Treasury Ministers received a number of representations about the level of petrol duty. Representations were received from the AA, the RAC and the Petrol Retailers Association. In addition, many private individuals contacted their Members of Parliament, who then wrote to Treasury Ministers on their behalf.

Mr. Soames: The Paymaster General will recognise that all those people will have been gravely disappointed by the outcome of the Budget. Will she confirm that the average motorist is now paying more than £200 extra a year in petrol tax under Labour? Does she not realise that for many people, particularly in rural areas, a car is essential, not a luxury, as it is for her? Does she further agree that with the regrettable closure of banks and other rural services, old people are being put at a grave disadvantage, with inadequate means to support a car?

Dawn Primarolo: I am glad to see the hon. Gentleman in the House. I remind him that his party introduced the escalator. In the Budget we made no real increase in the level of petrol duty—the lowest increase for nearly a decade. The Conservatives failed to match that in government. I take his concern for people living in rural areas with a pinch of salt, because when the Conservative Government had the opportunity to act, they failed to do so.

Mr. Christopher Leslie (Shipley): I welcome the decision to have no real increase in petrol duty this year. Will my hon. Friend take this opportunity to confirm that much of the recent price rise in petrol has been a result of profit taking by oil companies, perhaps including the oil exploration company Kerr McGee, to which the shadow Chancellor is a paid consultant?

Dawn Primarolo: The world price of oil has clearly contributed to the rise in prices at petrol pumps. That is outside the control of the Government. The AA welcomed the Budget, for the first time in a decade. It particularly welcomed the £280 million investment in the transport fund and the fact that there was no real increase in the price of petrol.

Mr. Eric Forth (Bromley and Chislehurst): Will the Minister explain why the penal rate of tax on vehicle petrol is justified on environmental grounds—presumably to discourage use—when the Government reduced the tax on domestic fuel, which causes even more pollution?

Dawn Primarolo: I am slightly surprised that the right hon. Gentleman seems to be staking out a policy on behalf of the Opposition for raising VAT on domestic fuel and returning to the habits of Conservatives when in government, which the shadow Chancellor continually denounces. The Opposition need to make up their minds. Do they or do they not agree with reaching the Kyoto targets? Do they or do they not agree that we should have environmental obligations? If they do, will they explain why they oppose every measure to meet these obligations and deny all the steps that they took to take us further away from them?

Mr. Lindsay Hoyle (Chorley): I welcome the removal of the fuel escalator—without doubt, its removal was welcomed throughout the country—but those of us who represent rural areas wish to see a way forward to reduce the cost of travel within our areas. Between now and the next Budget, what policies can be brought forward to make petrol cheaper and to ensure that rural petrol stations continue to survive?

Dawn Primarolo: I remind my hon. Friend that the Government took note of the particular problems for those living in rural areas and the transport difficulties that they experience, first with the transport fund and secondly with the reduction in vehicle excise duty, especially for the owners of smaller vehicles. The Government's policy across vehicle excise duty, petrol prices and investment in transport offers a balanced way forward both for those who live in rural areas and for those who live in our cities.

Mr. Howard Flight (Arundel and South Downs): Will the Minister confirm that by using the little trick of raising petrol duty by an inflation index of 3.4 per cent.

in comparison with the 1.2 per cent. inflation index for personal allowances, the Government have levied a further £500 million of tax on British working families?

Dawn Primarolo: I think that I am right in saying that the hon. Gentleman has never been in government, so I suppose he can be forgiven for not knowing how the tax system works. The methodology used for this year's increase is exactly the same as that which has been used in previous years. It is the same methodology that the Conservative Government used.

EU Structural Funds

8. **Mr. Andrew George** (St. Ives): What progress he has made in securing matching public funds for EU objective regions. [6608]

The Chief Secretary to the Treasury (Mr. Andrew Smith): Discussions are under way between Government and the English objective programme partnerships about identifying the match funding which regions need. Officials from the Department of Trade and Industry are taking the lead. My right hon. Friends the Minister for Trade and the Minister for Local Government and the Regions have undertaken to meet again the all-party parliamentary group on objective to discuss progress. I would describe that progress as very encouraging.

Mr. George: In the unseemly scramble to claim credit for securing objective status, will the Minister agree that there is an urgent need to ensure that there are adequate public match funds in place? Given that his colleagues in both MAFF and the DTI do not have sufficient and adequate match funds and that there are three other Government Departments with responsibilities in this area, does he agree that it is imperative that the Treasury steps in, takes the lead and at Cabinet level ensures that this golden opportunity is not mishandled?

Mr. Smith: As I have made clear to the House previously, we are in touch with all the Departments concerned and in close discussions as part of the spending review. My right hon. Friend the Minister for Trade, who wrote to the partnerships on 24 March, was able to report good progress on precisely the issues that the hon. Gentleman is raising. There is progress on helping partnerships to identify a full range of match-funding sources, exploring the possibility of adjusting matching rates between programme measures and years; the use of some regional selective assistance as match funding; MAFF funding; on-going discussions with the Commission on increasing the flexibility between the private and public sector contributions to match funding; and the announcements in the Budget of the venture capital fund, which will greatly assist the regions, and also the £50 million for clusters. I can assure the hon. Gentleman and other right hon. and hon. Members who are concerned about objective 1 in the English regions, west Wales and the valleys that every effort is being made in government to ensure that match funding is secured.

Mr. David Watts (St. Helens, North): I congratulate my right hon. Friend and other Treasury Ministers on the work that they have done over the past few months to resolve the immediate problem of match funding for objective 1 structural funds. However, does not he agree that the long-term problem can be resolved only by changing the Treasury rules, achieving more joined-up government and finding more inventive ways to ensure that we do not have to look for match funding every year?

Mr. Smith: I thank my hon. Friend for his support for what we have achieved with regard to objective 1 funding. We should not forget that it was the Government's success at Berlin and subsequently that secured objective 1 boosts for Cornwall, south Yorkshire and Merseyside worth £300 million, £700 million and more than £800 million, respectively.

We are continually looking at how we can improve the arrangements for securing match funding but, as I said, I am greatly encouraged by the progress that we are making. I shall keep in close touch with my hon. Friend, and with other hon. Members who are concerned about this matter, to ensure that the regions get the benefit that they need and which they were denied by the Conservative Government.

Corporate Tax

9. **Mr. Bill Tynan** (Hamilton, South): If he will make a statement on corporate tax rates *(a)* in the UK and *(b)* in other European Union countries. [116610]

The Chief Secretary to the Treasury (Mr. Andrew Smith): Our main rate of corporation tax is the lowest among the major industrialised countries and our small companies rate is one of the most competitive in the European Union. We have cut both by three percentage points since taking office. I am pleased to say that our new starting rate of 10 per cent., which was introduced this month specifically for small companies, is the lowest rate in the EU. About 270,000 companies will benefit from the starting rate. By means of that and other measures, we have established a stable, low-rate, competitive tax environment, in which business can thrive.

Mr. Tynan: On behalf of the business community in my constituency of Hamilton, South, may I thank my right hon. Friend for his promotion of business-friendly policies. Does he agree with the director of the Institute of Directors who, the morning after the Budget, said that the Government were creating an enterprise culture in this country? Does he also agree that the Conservative Government's policy of increasing taxes, promoting boom-and-bust economics and amassing large debts created bad conditions for business?

Mr. Smith: I thank my hon. Friend for his welcome for the measures in the Budget. He is quite right: the Institute of Directors applauded the Budget for what it did to establish an enterprise culture. Those measures include our capital gains tax reforms, the 10p tax rate, the shortening of the tapers, the help for unquoted companies and the promotion of employee share ownership, which we discussed earlier.

It was, indeed, a Budget for enterprise. It will foster stability, to replace the boom and bust that did so much damage under the Conservative Government.

Mr. Nick St. Aubyn (Guildford): Under this Government, business in this country has learned the hard

way that, behind the headline rate of corporation tax, there is a barrage of stealth taxes. Why is the share of national income taken in business taxes in this country now twice what it is in Germany or France?

Mr. Smith: That is absolute nonsense, given all the charges that business in Germany and France has to pay. Instead of talking down this country and its achievements, Conservative Members should be praising the amount of European Union investment into this country. They should acknowledge that, thanks to the enterprise culture that the Government have fostered, inward investment into this country rose by 32 per cent. last year, and that the stock of inward investment in the United Kingdom has risen by 60 per cent. since the general election. Business has given the Labour Government a vote of confidence, in contrast with the economic failure of the previous Conservative Government.

Confederation of British Industry

10. **Mr. Barry Sheerman** (Huddersfield): When he will next meet the CBI to discuss its reactions to his recent Budget and the assistance that it gives to the manufacturing sector. [116612]

The Chancellor of the Exchequer (Mr. Gordon Brown): I regularly meet with the Confederation of British Industry and other bodies. Our Budget measures for manufacturing include making permanent capital allowances, introducing a new research and development tax credit, introducing a regional venture capital investment fund of £1 billion, 100 per cent. capital allowances for new technology, the continuation of the lowest corporate tax rates for small businesses and large companies of any of the G7 countries and, of course, the maintenance of economic stability.

Mr. Sheerman: Is my right hon. Friend aware that businesses up and down the country are grateful not only for the Budget for business but for the three Budgets that he has introduced, which have been very good for our economy? Is he also aware that British business is responding by trying to reach higher levels of productivity, and is gradually succeeding? Businesses will also be very pleased at today's announcement that there will be no rise in interest rates, as they are still very concerned about the value of the pound against the euro.

Mr. Brown: The Government's policy is for stability and steady growth. That is achieved by having monetary and fiscal stability. I will continue to support the Bank of England in the decisions that it makes.

Manufacturing output is rising and productivity has risen by 5 per cent. Although I recognise the difficulties caused for manufacturing by the strength of the pound against the euro, the industry is not only responding but winning in many of our world markets.

Rev. Martin Smyth (Belfast, South): I welcome the steps that have been taken to help industry, but will the Chancellor acknowledge that the textile industry in particular is under tremendous threat? Have there been any specific discussions with the Department of Trade and Industry and representatives of the textile industry to protect one of our basic industries, which has provided employment for our people for generations?

Mr. Brown: I understand the issue that the hon. Gentleman raises about the textile industry in Northern Ireland and the whole of mainland Britain. The measures that we have taken in the Budget, such as making permanent the 40 per cent. capital allowances, will be of benefit to textiles and other manufacturing industries. I know that that is what the CBI and other organisations, including the British Chambers of Commerce and the Institute of Directors, were pressing for, and it has been achieved under a Labour Government. I also know that for companies in the textile sector which are innovating and bringing forward new products and processes, the research and development tax credit—which will be worth £150 million and available even before profit is made from these inventions—will be of help. For companies which invest more, the regional venture capital investment funds will help Northern Ireland as well as mainland Britain.

Mrs. Rosemary McKenna (Cumbernauld and Kilsyth): Does my right hon. Friend agree that while some sections of the textile industry are suffering, Scotland has very successful garment and fashion businesses? Does he also agree that although all the fiscal measures that he has introduced help the manufacturing sector, the manufacturing sector is also helped by the education and training that provides a skilled work force and a healthy community?

Mr. Brown: Our policies for education, which are raising standards in schools, are essential for creating the modern skills base that industry needs. In addition, with the CBI, the Institute of Directors and the British Chambers of Commerce, we are launching a national enterprise campaign that will link businesses to schools. A thousand business ambassadors will help young people learn about commerce and business for the future.

On the future of business, my hon. Friend will welcome the fact that, whereas 1.2 million businesses were employing people when we came into power, there has been a 10 per cent. growth during our time in office. There are now 800,000 people in jobs who were not in jobs in 1997. We are continuing to pursue a policy of employment opportunity for all. Economic stability is our policy—we will not allow Britain to return to the boom and bust of the Tory years.

Mr. Richard Ottaway (Croydon, South): Will the Chancellor take the CBI's advice on IR35? Four weeks ago, the Paymaster General criticised the Conservative party for standing up against the IR35 stealth tax on Britain's high-taxed, high-tech entrepreneurs, but has the Chancellor read the report in Tuesday's *Evening Standard*, headlined: "Tax climbdown on way as IT experts quit UK"? Will he confirm that he is under pressure from the e-commerce tsar, Mr. Allan, and from the Minister for Small Business and E-Commerce, to change his stance by easing up on IR35? It is not only the Conservative party that says that he is wrong—his own party thinks so too.

Mr. Brown: No, we are not under pressure from either of the people mentioned by the hon. Gentleman,

who clearly has no documentary evidence to prove what he says. It is interesting that the Conservatives say nothing about the basic rate of tax, or the 10p starting rate, or the lowest corporate tax rates in Europe, or the lowest small business tax rates. They are, however, very interested in tax avoidance. I have often thought over the past few days that the only tax credit that interests the Conservatives is a tax credit for Lord Ashcroft of Belize as he comes back to this country.

We published our measures on IR35 last April, and they were followed by a discussion period and a consultation document. We made our decision last summer, and it was the right decision. Everyone should pay a fair rate of tax, and there should be no tax avoidance. It is about time the Opposition supported fair tax.

Gulf War

14. **Mr. Tam Dalyell** (Linlithgow): What has been the total sum paid from the Contingency Fund for the Gulf War operations. [116616]

The Chief Secretary to the Treasury (Mr. Andrew Smith): No advances have been made from the contingencies fund this year in respect of Gulf war operations. I can also confirm that there have been no claims during the current financial year on the Departmental expenditure limit reserve in respect of operations in the Gulf. Any on-going Gulf related expenditure is met from within the Ministry of Defence's budget.

Mr. Dalyell: Has the Chief Secretary any figures for the annual cost of our Iraq commitment?

Mr. Smith: I do. As a direct result of operations in the Gulf since the conflict began in 1990, the estimates were as follows: for 1999–2000, £30 million; for 1997–98, £16 million; and for 1996–97, £6 million. The total since 1990 is £580 million, and I shall give my hon. Friend the details for the other years.

Amusement Industry

15. **Dr. Stephen Ladyman** (South Thanet): If he will make a statement on measures in his Budget to boost seaside arcade businesses and support the amusement machine industry. [116617]

The Financial Secretary to the Treasury (Mr. Stephen Timms): The Budget introduced a package of reform for amusement machine licence duty, which will reduce tax revenue in the first year and be neutral in the longer term. It targets extra help on seaside arcades. A new exemption from duty for 10p small prize amusement machines has been particularly welcomed by those concerned about seaside tourism.

Dr. Ladyman: Sober-suited business men seldom dance in the streets, but one or two in my constituency came close to doing so on Budget night because it is home to seaside arcades, suppliers of amusement machines and the world's two leading manufacturers, whose businesses were secured by what the Government did. Will my hon. Friend build on the good will thus created by ensuring that he meets at least annually with trade organisations for the industry so that they may discuss future opportunities for revenue raising and identify weaknesses in the industry so that we may continue to support it?

Mr. Timms: I have, of course, met representatives of the industry, and should be happy to do so again in the run-up to future Budgets if representations are made to me. My hon. Friend is absolutely right to say that our changes have been particularly welcome at the seaside and to manufacturers of machines. The gain is for machines with non-cash prizes, which are popular at the seaside, rather than for cash-prize machines. As we often do, we listened to representations from the industry and acted on them. I am pleased to hear that people are dancing in the streets as a result.

Mr. Edward Davey (Kingston and Surbiton): The Liberal Democrats are pleased with the concession for small prize machines—a proposal tabled during progress on last year's Finance Bill by my hon. Friend the Member for Twickenham (Dr. Cable) and me. I am glad that the Government have accepted another Liberal Democrat idea, which will help British Legion branches, working men's clubs and even Conservative clubs. Given the number of pensioners who use such clubs and such machines, will the hon. Gentleman make representations to the Chancellor to improve pensioners' incomes rather than persisting with this month's measly 75p increase?

Mr. Timms: The changes we are introducing are good news for machines in social clubs as well. I pay tribute to all my hon. Friends who have made representations on behalf of seaside tourism in particular.

Business of the House

12.30 pm

Sir George Young (North-West Hampshire): May I ask the Leader of the House to give us the business for next week?

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): The business for next week will be as follows:

MONDAY 10 APRIL—Second Reading of the Nuclear Safeguards Bill *[Lords]*.

Second Reading of the Television Licence (Disclosure of Information) Bill.

TUESDAY 11 APRIL—Second Reading of the Local Government Bill *[Lords]*.

Motion on Standing Committee on Regional Affairs.

WEDNESDAY 12 APRIL—Opposition Day [9th Allotted Day]. Until about 7 o'clock, there will be a debate on "The Future of Sub Post Offices" followed by a debate on "Asylum Seekers". Both debates will arise on Opposition motions.

THURSDAY 13 APRIL—Debate on armed forces personnel on a motion for the Adjournment of the House.

FRIDAY 14 APRIL—Private Members' Bills.

The provisional business for the following week will be as follows:

MONDAY 17 APRIL—Second Reading of the Finance Bill.

TUESDAY 18 APRIL—Remaining stages of the Postal Services Bill.

WEDNESDAY 19 APRIL—Remaining stages of the Utilities Bill.

The Chairman of Ways and Means has named opposed private business for consideration at 7 o'clock.

THURSDAY 20 APRIL—Motion on the Easter recess Adjournment debate.

The House will also wish to be reminded that on Wednesday 12 April, there will be a debate on the White Paper on Food Safety in the European Union in European Standing Committee C.

Sir George Young: The House is grateful for next week's business and an indication of the provisional business for the week after. I am grateful to the right hon. Lady for thinning out the business for next week in response to my request last week. I am sure that this is a sensible response to the pressure from her Back Benchers for a less demanding parliamentary programme, although we shall still deal with the Second Reading of two Government Bills. To inform the debate next Tuesday on the Standing Committee on Regional Affairs, will she place in the Library the relevant papers that she presented to the Modernisation Committee last year?

There is continued concern in the House about events in Zimbabwe. Might we expect a statement next week following the meeting of the General Affairs Council on Monday? Is there likely to be a statement next week on the reform of licensing hours? If there is, will Ministers respond to Madam Speaker's stern injunction yesterday not to trail the announcement, but to present it first to the House of Commons? Has the Leader of the House initiated the review of procedures in Whitehall that was asked for by you, Madam Speaker, in column 975 yesterday?

Finally, the House will have noticed that there is no time to debate the housing Green Paper published on Tuesday, the sporting strategy paper published yesterday, the intergovernmental conference White Paper published in February or the Royal Commission report on reform of the House of Lords. Is that not yet further evidence that the Government's programme is simply too large and is squeezing out the other functions of the Chamber—namely, debating matters of public interest?

Mrs. Beckett: I am grateful to the right hon. Gentleman for his thanks. I remind him that my hon. Friends who are looking for improvement in the management of this place are seeking, not a less demanding, but a better managed schedule in which the House conducts its business more efficiently. I will certainly place in the Library the memorandum to which he referred. I thought that that had already been done and I apologise if it has not. I had asked for it to be put in hand.

The right hon. Gentleman asked for a statement on Zimbabwe and the licensing laws next week. I will draw both requests to the attention of my relevant right hon. Friends. He asked particularly that there should be no trailing of the licensing statement. As he will know, that is the responsibility of my right hon. Friend the Home Secretary, who is meticulous in his responsibilities to the House. I am aware of yesterday's unfortunate event and I concur with your view, Madam Speaker, that it is unacceptable—as, clearly, does the Department concerned. We will, indeed, remind colleagues and their Departments about the responsibilities that we all have to this House.

On the notion that there is something unusual about the scale of the programme and the other debates that we are not taking now, all hon. Members are perfectly well aware that at this time of year we concentrate on getting the legislative programme under way. The notion that the programme is too large is being fed by some erroneous information that, inexplicably, someone gave to *The Times*. It suggests that last year only 18 per cent. of the Bills in the legislative programme were introduced. That is, of course, just the Bills that were introduced in the House of Commons, as last year 31 Bills in total were introduced. We have two Houses in this Parliament; all Governments use both Houses and that includes this one. So although this year's programme is, of course, substantial, as people would expect of a reforming Government, it is certainly not unusual.

Mr. Hilary Benn (Leeds, Central): Following the terrible tragedy that took place in Turkey last night, when two Leeds United supporters—Mr. Speight and Mr. Loftus—lost their lives, I am sure the whole House would want to express its condolences to the families on their very sad loss. In the light of that tragedy, could my right hon. Friend find time for a statement on the safety of British football supporters travelling abroad?

Mrs. Beckett: The whole House will share the concern expressed by my hon. Friend and will want to offer our condolences to the families of those who lost their lives and to all who were bereaved. I realise that this raises more general anxieties about safety—whether for football

supporters or for other travellers. I fear that I cannot undertake to find time for a special debate on that subject in the near future, but there will be Foreign Office questions next week, so my hon. Friend may find an opportunity to raise the matter then. We may also have more information by then.

Mr. Paul Tyler (North Cornwall): May I endorse the request for an early statement and a debate on the Government's intentions on the reform of the House of Lords? Did the Leader of the House read more leaks from the Government in today's papers, apparently trailing their intentions on the matter? Surely it is inexcusable that such leaks should continue while there has been no statement to the House explaining how long we shall have to put up with a wholly unsatisfactory appointments system for the other place.

Does the Leader of the House recall that, last week, she gave me, and other Members who supported me, an explicit promise that there would be a statement and an opportunity to debate the issue of the farm summit? We were given a simple explanation as to the Government's intentions; that was placed in the Library. Indeed, the Minister of Agriculture, Fisheries and Food said that he was outlining his proposals.

The right hon. Lady told me:

The discussions are under way and they will be properly reported to the House.

In response to a Conservative Member who supported me, she said that

it is also extremely important that Members have those properly reported to them and have an opportunity to pursue them, and that opportunity will come.—[*Official Report*, 30 March 2000; Vol. 347, c. 498-506.]

There is a real crisis in agriculture. Many Members on both sides of the House are aware that the problems are not being properly addressed. The proposals are only a stopgap; they do not deal with the unsatisfactory situation in respect of the uncompetitive currency. When will we receive that statement?

Mrs. Beckett: I have not seen the reports on the Lords to which the hon. Gentleman refers. I am not aware that anybody has trailed or leaked anything. I am perfectly well aware that all sorts of people are all over the papers continually giving their opinions; that is not the same as the leaking of Government policy.

The hon. Gentleman referred to the farm summit. Yes, of course I said that the matter would be properly reported to the House. I believe that it was—through the vehicle of a written answer. I simply point out to the hon. Gentleman that, as I have said before, proper reporting to the House—as Madam Speaker has repeatedly made clear—includes written parliamentary answers. The timing of the farm summit was not such that it was helpful to the House—or indeed possible—to have an oral statement. There are, and will be, opportunities for the matter to be questioned.

As for the hon. Gentleman's final remarks, I understand that the NFU has written to all members welcoming the package.

Mr. Tam Dalyell (Linlithgow): Is there any chance of a statement next week on the difficulty faced by our forces, and indeed, those of other western countries, in Kosovo, where a situation is developing in which not only are Serbs being ethnically cleansed, but Albanians who do not support the KFA and have fallen out with the KLA are also being cleansed? This is rather an urgent matter.

Mrs. Beckett: The whole House is aware of the difficult situation in Kosovo; no one nurtures any illusions as to the fact that it will continue to be difficult for a considerable period. There are great tensions in the region. However, there will be Foreign Office questions on Tuesday, when, no doubt, such matters can be aired.

Mr. Christopher Chope (Christchurch): Will the Leader of the House provide time next week for a debate on the need to standardise Government language, so that, for example, the word "inflation" means the same for pensioners, whose pensions go up by 1.1 per cent. this month, for taxpayers, who find that their tax allowances are going up by 1.2 per cent., and for motorists, who find that the inflation increase on the cost of fuel is 3.4 per cent? Could we couple with that a debate about the use of the word "next", particularly by the Chancellor of the Exchequer? In March, he described next April as April 2000 and, today in answer to questions, he described next April as April 2001. He cannot have been correct both times.

Mrs. Beckett: The thrust of the hon. Gentleman's argument seems to be that there is some difference in the way that the indices are measured and that the change has been brought about by this Government. It has not; we have not changed the measures that we inherited from the previous Government. If he does not like the way the pensioners index is measured, where has he been for the past 18 years?

Mr. Dale Campbell-Savours (Workington): My right hon. Friend will recall that, in the 1980s, a Greater London councillor, Mr. David Wetzel, was responsible for introducing a "fares fair" policy in London whereby all pensioners travelled free on local transport. Other people have tried to claim the credit, but the policy was introduced by Mr. David Wetzel. Can my right hon. Friend provide time for a debate on such matters, because we should extend that system nationally? People all over the country look very enviously on what has happened in London.

Mrs. Beckett: I cannot undertake to find time for such a debate in the near future. However, I remind my hon. Friend and the House that the Government have just introduced a national scheme that means that pensioners will be entitled to half fares across the country. That is something that the Conservative party conspicuously failed to do.

Mr. Eric Forth (Bromley and Chislehurst): Does the Leader of the House not accept that the position with regard to the other place is becoming intolerable? Time and time again, Parliament is demeaned by the appointments that are being made to the House of Lords. Surely it is time the Government introduced proper proposals that could be properly and urgently debated, so that, at the very least, we would know where everyone stands before the next election. The electorate would then

[Mr. Eric Forth]

be able to make their judgment about what is going to happen to their Parliament and how far the upper House, in particular, can be accountable to them as the electorate. The matter is urgent; it cannot be put off. Will the right hon. Lady give us a proper answer?

Mrs. Beckett: I can understand the right hon. Gentleman feeling that it is intolerable that, in the House of Lords, the Conservative party, which was so overwhelmingly rejected at the last election, still has a majority of 34 peers over the Labour party. I share his view that that is intolerable. The Government are seeking to address the issue, but obviously everything cannot be done in one fell swoop.

Mr. Jim Cousins (Newcastle upon Tyne, Central): May I return my right hon. Friend to the topic of the Standing Committee on Regional Affairs, which I raised with her last week? She then gave us an indication that the debate on setting the Committee up would be held on Monday in what is normally considered prime time. She has just announced that the matter will not be debated until after the Second Reading of the Local Government Bill and after likely votes at 10.30 on Tuesday evening. Will she assure me that that change did not come about because of pressure from the official Opposition, who have so little regard for the concerns of people in the English regions? Will she also assure me that the change in timing does not in any way reflect a lack of priority that the Government attach to the issue?

Mrs. Beckett: My hon. Friend is entirely right. I shall not reveal too much about the discussions that go on through the usual channels, but he will have heard the right hon. Member for North-West Hampshire (Sir G. Young) thank me for taking off some of the business that was scheduled for Monday, and my hon. Friend is right to say that this issue was part of that business. In that sense, there clearly was a wish not to take on Monday all the business that had been scheduled for that day. I understand, and I regret, that it has not been possible to put the debate on earlier than its new scheduled time, but I hope that the proposal will find as great a welcome across the House as it does with my hon. Friend—otherwise those who call for a voice specifically for Members representing English seats could be accused of gross hypocrisy.

Mr. Graham Brady (Altrincham and Sale, West): In his role as chairman of the Government's better regulation taskforce, Lord Haskins has made it clear that schools throughout the country are wallowing in a sea of red tape and that the bureaucracy that is being piled on them by the Government is standing in the way of improving standards. Can we have an urgent statement from the Secretary of State for Education and Employment about what the Government intend to do to stop the endless piling on of red tape and allow schools to manage themselves with proper freedom as to how they get on with their job?

Mrs. Beckett: Of course everyone is very conscious of the importance of giving schools freedom to do their job in the right context. The notion that what the Government have done bears no relationship to standards is not borne out by the facts, because standards have improved sharply, particularly in maths and, as a result of the literacy hour, in English. My recollection of Lord Haskins' remarks is perhaps a little fuller than the hon. Gentleman's. I recollect Lord Haskins saying that under the previous Government schools were smothered in red tape; he is not happy that this Government have reduced it enough. We shall continue to work at that.

Mr. Gerry Steinberg (City of Durham): Is my right hon. Friend aware that there is considerable confusion and a little anger among some of my constituents about the winter fuel payments for males aged 60 to 65? They have been told that they will get the payment, but nothing else. To make matters worse, when one person phoned the Department of Social Security office to ask when he would get the payment, the reply was, "You tell us." People need to be reassured that the payment will be made and backdated, and they need to know when they will get it. I would be most grateful if my right hon. Friend could arrange for a statement to be made to the House as soon as possible to answer those questions and reassure people.

Mrs. Beckett: I am afraid that I cannot give my hon. Friend the information that he seeks at the moment, but I shall certainly draw his remarks to the attention of my right hon. Friend the Secretary of State for Social Security. I hope that the information can speedily be provided to him and his constituents. I fear that the person whom his constituent contacted has something to learn about taking a customer-friendly approach.

Mr. Peter Brooke (Cities of London and Westminster): Since the responses of the Leader of the House on the House of Lords are either that it is all very difficult, or that the Government are busy with their reforming Bills, does she agree that it would have been much better for us all if the Government had decided, before they embarked on this venture, what they were eventually going to do, even if they could not have provided the whole of the legislation in a single tranche?

Mrs. Beckett: With respect to the right hon. Gentleman, we had that debate in spades in discussions on the House of Lords Bill. As for the notion that we should have made all the decisions before we even embarked on the debate, I know that he is aware, and I am certainly conscious of the fact, that trying to do it that way led to the House of Lords remaining in existence for a further 100 years.

Mr. Dennis Skinner (Bolsover): Is the Leader of the House aware that there is still the old-fashioned view that if we cannot have a House of Lords based totally on patronage, and if we cannot have one based on an election because that would reflect on the standing of the House of Commons, we should go back to the original Labour party proposal to get rid of the House of Lords, which has now been brought into total disrepute by the actions of the Tory leader in nominating Lord Belize of Sleaze? I have a suggestion: 60,000 miners are queuing up to get their chests X-rayed so as to get their payments, so we should use the House of Lords to settle the dispute for those miners with lung problems.

Mrs. Beckett: I was slightly surprised that it was a Conservative Member today who raised appointments to

the Lords. I understand and respect the case that my hon. Friend puts for a unicameral system. If we decide not to accept that case, there is then a wholly different discussion about what the nature of the second Chamber should be. Much as I share, and I hope the whole House does—I know that all Labour Members do—the concern that my hon. Friend expressed about people in the mining community, and particularly about the suffering that many have endured for many years, I fear that I cannot find time to debate whether they should instead constitute a second Chamber.

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): Will the Leader of the House arrange for a statement to be made about the Government's intentions for the management of the fast reactor fuels at Dounreay? My many constituents employed there have been kept in the dark about the Government's intentions for years. They will not have been reassured by a written question from the hon. Member for Wigan (Mr. Turner), due to be answered today, which refers to options. Will the Government arrange for a statement on which they can be questioned?

Mrs. Beckett: I cannot undertake to find time for a statement specifically on the issues relating to Dounreay, although I understand the right hon. Gentleman's concern on behalf of his constituents. However, I can undertake to draw those concerns to the attention of the Secretary of State.

Mr. Mike Wood (Batley and Spen): My right hon. Friend will realise that this month sees the third anniversary of the establishment of the Criminal Cases Review Commission. Will she arrange for an urgent statement about its progress so far, not least on the adequacy or otherwise of its funding?

Mrs. Beckett: I understand that the commission has made a case for additional staff and that the Home Secretary continues to give sympathetic consideration to that case, having already given the commission more resources at the beginning of last year. I believe that my right hon. Friend hopes to make an announcement in the not too distant future.

Mr. Stephen Day (Cheadle): The right hon. Lady may be aware that Lord Whitty wrote to me recently apologising for the delay in introducing regulations that would allow my constituents at Chester's Croft in Cheadle Hulme, and others similarly affected in the country, to claim the compensation that residents of permanent homes can claim. The residents of Chester's Croft have been classified as living in mobile homes, even though the homes have been there for 40 years. Lord Whitty said that the regulations would be introduced shortly. Will the right hon. Lady endeavour to find out when precisely "shortly" will be, since it is some weeks since Lord Whitty wrote to apologise?

Mrs. Beckett: I am afraid that I cannot give the hon. Gentleman off the cuff the information that he seeks. I can undertake to contact my noble Friend and ask him to deal as speedily as he can with the hon. Gentleman's request.

Mr. Harry Barnes (North-East Derbyshire): Has my right hon. Friend seen early-day motion 312?

[*That this House notes that international currency speculation currently stands at about $1.5 trillion a day and that the vast majority of this is unrelated to trade in real goods and services; further notes that such enormous speculative flows substantially undermine the powers of national governments and regional blocs; believes that a small levy on such speculation, known as the Tobin Tax after the name of the Nobel Laureate who originated the concept, could both help to dampen down the scale and scope of speculation and raise substantial revenues, raising as much as $250 billion each year for good causes such as development and environmental protection; recognises that such levy would have to be universal or as near to that as possible and contain safeguards to minimise and eliminate tax evasion; notes that the Tobin Tax has the backing of the Canadian Parliament, the Finnish Government and campaign groups such as War on Want; and urges the Government to discuss the concept with its partners in international organisations such as the World Trade Organisation, the IMF, G8 and the European Union with a view to drawing up an internationally co-ordinated and feasible tax regime for currency speculation.*]

It has been signed by 100 hon. Members of all parties. Given the horrors that consume the world, especially in Kosovo, Mozambique, Ethiopia and elsewhere, is there not a case for the international community to consider a tax on international currency speculation, which is massive throughout the world and which destabilises economies? May we have a debate on the Tobin tax—the question is: Tobin or not Tobin?

Mrs. Beckett: I feel tempted to let that remark stand alone. Of course the Government accept the importance of trying to promote a more stable international system for handling capital. We have been working hard to that end. Consideration has been given to the ideas that lie behind the proposal for the Tobin tax, but I fear that the Government are not convinced that it is the best way forward at present.

Mr. Patrick Nicholls (Teignbridge): Will the right hon. Lady consider an early debate on the provision of banking services in rural areas? Would that not give us an opportunity to consider how Barclays can possibly justify closing 172 branches and depriving towns such as Dawlish in my constituency of proper banking services? Would it not also give us the opportunity to hear from the Government at first hand what steps they have taken to defend people in rural areas from the practices of Barclays—apart from the announcement by an Under-Secretary of a ludicrous one-man boycott?

Mrs. Beckett: I have every sympathy with the hon. Gentleman's constituents and I understand the concern that he expresses, which I know is shared by hon. Members on both sides of the House. I cannot remember great activity on the part of the party that he represents during the years when lots of other things were closing in rural areas, including many banks. One of the reasons why people are so concerned about what Barclays is doing is that this is a further step along the chain. As the hon. Gentleman will know, the Government have set up mechanisms to scrutinise how the banks operate and

[Mrs. Beckett]

whether they do so efficiently, effectively and with regard to concerns raised by others in society. The Government will continue to keep up pressure on the matter.

Mr. Michael Clapham (Barnsley, West and Penistone): My right hon. Friend will have seen reports in the press this week that people as young as 15 are addicted to heroin. In Barnsley, because of the cheapness of a wrap of heroin, the drugs action team considers that heroin is becoming a drug of first use. Will she find time for an early debate on the drugs scene, so that we can consider whether the Government's strategy is in need of adjustment?

Mrs. Beckett: I have seen the reports to which my hon. Friend refers. The whole House will find them disturbing. He knows that the Government continue to keep under review the issues raised by that difficult subject. I cannot undertake to find time for a debate in the House in the near future, but he might like to explore the possibilities of Westminster Hall.

Mr. James Gray (North Wiltshire): A moment ago, the right hon. Lady was airily dismissive of the request from my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) for a debate about Lord Haskins' report on the overload on head teachers. Perhaps she will listen more carefully to Mr. Hart, the general secretary of the National Association of Head Teachers, who states in a report this morning that 93 per cent. of head teachers believe that they are seriously overloaded as a result of the bureaucracy and unnecessary tasks loaded on them by the Government. Will the right hon. Lady reconsider her airy dismissal of my hon. Friend's request for a debate, and call for one next week?

Mrs. Beckett: I did not dismiss the request from the hon. Member for Altrincham and Sale, West (Mr. Brady), airily or otherwise. I merely pointed out that his recollection was a little partial. Of course the Government recognise that it is important to ease the burden of stuff that goes from the centre to schools, although schools will no doubt welcome the post that they get in the near future, when they receive their cheque as a result of the Budget.

Mr. John Cummings (Easington): May I press my right hon. Friend on the matter of banking services? She knows that Judas Iscariot was rewarded with 30 pieces of silver for the betrayal of one man. The chief executive of Barclays is to be rewarded with 30 million pieces of silver for the betrayal of hundreds of thousands of longstanding, loyal customers. In view of the hardship that will be inflicted on my constituents in the village of Easington Colliery, will my right hon. Friend agree to a debate to be held in Government time and in the Chamber on the future of banking services throughout the United Kingdom?

Mrs. Beckett: My hon. Friend makes a strong point. However, I fear that it is not likely that we will be able to find Government time for a debate in the House in the near future on that subject. It is Department of Trade and Industry questions on 11 May, and my hon. Friend might look to that and to other opportunities to raise the matter in the Chamber.

Mr. Nigel Evans (Ribble Valley): Will the Leader of the House say whether the country is to be blessed again this year with another edition of that—perhaps not so popular—glossy brochure known as the annual report, for those who are so dim that they do not realise how brilliant the Government are?

If an annual report is to be published, will the Government show, under the countryside section, how many farmers have gone under in the past 12 months, and the average income of farmers; how many post offices have closed in the past 12 months, and how many are expected to close when the social security payments are changed; how much extra petrol tax people living in rural areas have paid over the past 12 months; and how many rural schools have closed over the past 12 months? Perhaps the report could include the statement from the Minister of State at the Department for Education and Employment, who this week closed one of my rural schools, saying:

> Closure seems unlikely to impact greatly on the community, partly because of the already low numbers at the school, and the availability of alternative community facilities.

Does not that clearly demonstrate that the Government do not understand the countryside?

Mrs. Beckett: I have not been thinking much about the annual report, but I expect there will be one, as it is supposed to be annual. I shall draw the hon. Gentleman's proposal for one to the attention of those responsible. He and the House may find it slightly surprising that there were substantial sales to the public of that document last year. I am speaking purely from memory, but I think that about 20,000 copies were sold. That may say something about a lack of entertaining reading material, but I can only give the hon. Gentleman the facts.

The hon. Gentleman has given me a useful idea, which I shall certainly pass on to those responsible for the content of the document. It should have an annex, comparing the record of this Government on all the items that he cited with that of the previous Government.

Dr. Brian Iddon (Bolton, South-East): Hon. Members who have a particular interest in housing have waited patiently for three years for a major debate on the subject in the Chamber. This week, the first comprehensive review of housing policy for 23 years was published. I congratulate the Government on that excellent document. Can we please have a major debate in the Chamber before the Government introduce any housing Bills?

Mrs. Beckett: I am grateful to my hon. Friend for his remarks. I share his welcome for the Green Paper. I take account of his observations about a debate in the Chamber, but I fear that such a debate is unlikely in the near future. I understand his anxiety for no legislative proposals of substance to be introduced before the matter has been more fully debated. I am confident that the Green Paper will allow a forum for such a debate throughout the country.

Mr. Desmond Swayne (New Forest, West): The Modernisation Committee differs from other Select Committees in that it can call any number of hon. Members as expert witnesses. Can we inform its deliberations through a debate in the Chamber about our working hours before we reach any conclusions? Those

of us who sit on the very Back Benches suspect that any change in the arrangements might deny us the ability to scrutinise Bills.

On programme motions, the right hon. Lady will recall that those agreed through the usual channels for the Scotland Bill ensured that many clauses and amendments that were important to Back Benchers were not scrutinised.

Mrs. Beckett: Of course, the Modernisation Committee meets to discuss such matters. There is no question of the arrangements for this House being changed as a result of that Committee's deliberations without their being aired and given an opportunity for comment in the House. That is always the case. The arrangements are a House, not a party matter.

To go back as far as the Jopling report, those of us who discussed programming Bills and the scale of discussion agreed to such procedures because they are the best way of trying to ensure that Back-Bench Members scrutinise the provisions of most concern, rather than simply talking them out by accident or through guillotine motions.

Mr. Denis MacShane (Rotherham): May we have an early debate on the applicability of the Register of Members' Interests? If my right hon. Friend reads column 116 of *Hansard* on 27 March, she will find the right hon. Member for Kensington and Chelsea (Mr. Portillo) opining at great length on petrol prices. If she looks at page 116 of the Register of Members' Interests, she will read that the shadow Chancellor is on the payroll of Kerr McGee, the world's third biggest petrol exploration company. The right hon. Gentleman did not register that interest before the debate.

After last week's scandal of the appointment of Baron Belize of Sleaze to the House of Lords because of all the money that he gave the Tory party, is it not clear that sleaze is the soft underbelly of the shadow Cabinet, and at the heart of the Conservative party?

Mrs. Beckett: My hon. Friend draws attention to the Register of Members' Interests and the information contained therein. I fear that I cannot undertake to find time for a debate on the matter in the near future.

I am conscious that it is important to keep the register as up to date as possible and that the point of the register is to ensure that information is not hidden. Hon. Members should make it clear in the House when they have interests that are relevant to the debate. I hope that the right hon. Member for Kensington and Chelsea (Mr. Portillo) did that.

Mr. John Bercow (Buckingham): May we have a debate on the Government's shameful attitude to the future of grammar schools? Such a debate would give the Secretary of State for Education and Employment the chance to explain why he and the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Stretford and Urmston (Ms Hughes), have formally abandoned any pretence of neutrality on the subject and now publicly campaign for the destruction of some of our finest state schools in the borough of Trafford.

Mrs. Beckett: I think that I know perhaps a little more about the fine schools in the borough of Trafford than does the hon. Gentleman. There is nothing shameful about the Government's attitude in making it plain that we want high standards in all our schools, which should be the aspiration of Members in every part of the House, and believe that decisions on those matters should be in the hands of parents. That used to be Conservative party policy, but I notice that it is no longer.

Mr. Andrew Love (Edmonton): May I press my right hon. Friend for a debate on the housing Green Paper? My right hon. Friend the Deputy Prime Minister said that it represents the first comprehensive statement for 23 years, but I believe that it provides the first real opportunity for Parliament to put right 23 years of neglect and prejudice in housing policy. This is a matter of great concern to my constituents and to people across the Greater London region, and it is important that Parliament's views be taken into account during the consultation, which ends in July.

Mrs. Beckett: My hon. Friend makes a powerful point. He has a long track record of campaigning on and pursuing those issues, not only as a Member of Parliament. I can only say that I do not anticipate being able to find time for a debate in the near future. As he will know, at this time of year the emphasis is usually on the progress of Government legislation, but he and my hon. Friend the Member for Bolton, South-East (Dr. Iddon) have made an important point and I undertake to bear it in mind.

Mr. Stephen O'Brien (Eddisbury): According to independent and objective House of Commons Library information, typical working families are £13 a week worse off this week, despite the Chancellor's denials and obfuscation. Bearing in mind her responsibilities to the House rather than her membership of the Government, can the Leader of the House find time for a debate on whether the Government dispute the independence and objectivity of the information that the Library provides?

Mrs. Beckett: I have long experience of the impartiality of the information provided by the House of Commons Library and of the partiality with which Members read and present it.

Mr. Patrick McLoughlin (West Derbyshire): Is that a confession?

Mrs. Beckett: No, it is a statement of fact. Members on both sides of the House use information to suit their purposes, which is no doubt why people talk of lies, damned lies and statistics. Having announced the Second Reading of the Finance Bill for the week after next, I do not feel the need to provide a further opportunity for those issues to be aired.

Mr. John Cryer (Hornchurch): My right hon. Friend will have seen early-day motion 595, which stands in the name of my hon. Friend the Member for Leeds, North-West (Mr. Best), on the United States plan to develop a national missile defence system:

[*That this House notes that the United States plans to develop a National Missile Defence system and that President Clinton is due to make a decision about further developments this summer; is concerned that the United*

States has asked Russia to amend the 1972 Anti-Ballistic Missile Treaty, which is widely considered to be the cornerstone of international arms control; believes that the deployment of a NMD system could destabilise international relations and result in further vertical and horizontal proliferation; is worried that Britain will collaborate with the United States on NMD through Menwith Hill and RAF Fylingdales in Yorkshire; and calls on the Government to initiate a debate on the advisability of Britain's involvement in these potential and destabilising developments.]

The plan could be globally destabilising and it has been made by an extremely aggressive world power that tends to bomb any enemy that it does not happen to like back into the stone age at every given opportunity. People inside and outside the House are also concerned because the Government may be going along with the system in some way, particularly as RAF Fylingdales and Menwith Hill in Yorkshire may be involved. Can we have a debate or at least a statement by a Defence Minister?

Mrs. Beckett: The Government certainly share my hon. Friend's view that the anti-ballistic missile treaty and broader strategic stability should be preserved, and continue to work to that end. I fear that I cannot undertake to find time for a special debate on the specific issue that he raises in the near future, especially as we are to have a defence debate in the next couple of weeks. However, I am sure that he has taken note of and comfort from the fact that his words have been heard by my hon. Friend the Minister for the Armed Forces.

Orders of the Day

Armed Forces Discipline Bill *[Lords]*

As amended in the Standing Committee, considered.

Ordered,

That the Armed Forces Discipline Bill *[Lords]*, as amended, be considered in the following order, namely, new Clauses, amendments to Clauses 1 to 10, Schedule 1, Clauses 11 to 13, Schedule 2, Clauses 14 to 25, Schedule 3 , Clauses 26 and 27, Schedule 4, Clause 28, new Schedules.—[*Mr. Touhig.*]

Clause 5

RELEASE FROM CUSTODY AFTER CHARGE OR DURING PROCEEDINGS

1.9 pm

Mr. Crispin Blunt (Reigate): I beg to move amendment No. 13, in page 24, line 23, leave out from "imprisonment" to "or" in line 24.

Madam Speaker: With this it will be convenient to discuss the following amendments: No. 14, in page 24, line 48, leave out from "imprisonment" to "or" in line 1 on page 25.

No. 15, in page 25, line 26, leave out from "imprisonment" to end of line.

Mr. Blunt: I am somewhat concerned by the remark made in business questions by my hon. Friend the Member for New Forest, West (Mr. Swayne) about the very Back Benches and wonder whether I am sitting in an unfortunate place. However, I hope that the distinction is not meaningful.

I should first declare my interest as the Bill and these amendments in particular apply to me as a member of the Regular Army Reserve of officers.

So far, the way in which the Bill has been considered has done no credit to the Government and their supporters. On Second Reading and throughout the Committee stage, only one substantive contribution was made by a Labour Back Bencher, and that was the Chairman of the Select Committee on Defence, which had conducted an inquiry into the Bill.

Mr. Graham Brady (Altrincham and Sale, West): That is clearly a record that Labour Back Benchers wish to maintain—not a single one is present now.

Mr. Blunt: My hon. Friend anticipates what I was about to say. Not one is here.

Hon. Members: There is one.

Mr. John Bercow (Buckingham): But she is the Minister's parliamentary private secretary.

Mr. Blunt: I am, of course, delighted that the Minister is supported by her parliamentary private secretary.

Mr. Robert Key (Salisbury): A Liberal Democrat is present, and we are very glad to see him.

I thank my hon. Friend for giving way, because he has given me an opportunity to apologise to the hon. Member for Hereford (Mr. Keetch), whose name I took in vain in Committee when I said that he was present very rarely. The hon. Gentleman had not told me or the Committee beforehand that, unfortunately, he would be in hospital. If he had told us, we would probably have been gentler with him.

Mr. Blunt: I thank my hon. Friend for what he has said.

So far, the Government have accepted none of the amendments that my hon. Friends and I tabled in Committee. Most of those amendments were designed to improve the Bill, and to reduce the substantial burden that it will impose on the armed forces. The problem with the Bill is that it is riddled with peacetime assumptions about—

Madam Speaker: Order. I remind the hon. Gentleman that the amendments stand in his name. He is now embarking on a Third Reading speech, whereas he should be dealing with his amendments in detail.

Mr. Blunt: I am grateful for your guidance, Madam Speaker. I am about to deal with the amendments.

The amendments are concerned with the Bill's effect on both peacetime operations and full operations in time of war. They attempt to improve the Bill, and to allow it to cover all the circumstances in which it will have to operate. I am thinking particularly of circumstances in which people are involved in wartime operations. In such extreme circumstances, the last thing the authorities want to do is detain people. I envisage circumstances in which people have been, in effect, remanded: they are not in custody, but they have a duty to turn up to face trial when required to do so by the authority concerned—in this instance, the judicial officer or the judge advocate.

The problem with the generality of the Bill—on which my amendments focus—is that it makes a number of assumptions about how the military operates. It assumes that we permanently deploy our military in times of peace, or in operations short of war. As Brigadier Ritchie made clear in his evidence to the Select Committee, the last thing the authorities want to do is detain people in the extreme circumstances of wartime, because it consumes resources; but they will want to be pretty sure that those concerned will turn up to face trial. The simple purpose of my amendments is to ensure that, if people fail to turn up, the court martial system can impose appropriate sentences.

1.15 pm

Under the Bill, the sentence is limited to a maximum of two years' imprisonment, which is for going absent without leave, but, in the most extreme circumstances, the accused may be told that he will not be detained because of lack of resources. If he then fails to turn up, it can be an offence equivalent to desertion; if it is an offence equivalent to desertion in the face of the enemy, it is clearly a most serious offence. The simple purpose of the amendments is to remove the two-year limit, so that, effectively, the court can produce a punishment that meets the seriousness of the situation. That would mean that the Bill would suit all circumstances during operations of the greatest seriousness and in time of peace.

I tabled the amendments in Committee. I am grateful that you have selected them again, Madam Speaker, because in Committee the Minister seriously misunderstood their effect. He said:

> The purpose of the amendment, which would reduce the punishment that a court martial can impose on an accused for failure to appear at a hearing, is unclear.

That is not the case—the punishment is increased as the amendments would remove the limit.

When the Minister was considering whether to accept or reject the amendments in Committee, he clearly misunderstood their effect, or was misdirected by his officials. I hope that tabling them on Report will give him the opportunity to reconsider his position.

There was a second serious misunderstanding by the Minister: he misunderstood the Army Act 1955, the Air Force Act 1955 and the Naval Discipline Act 1957. Where clause 5(2)(b) applies, the accused,

> if he is subject to military law only by virtue of section 131 or 205(1)(ea), (eb), (g) or (h) of this Act—

the Army Act 1955—

> may be required to comply.

The Minister clearly had been directed only to what was meant by section 131, not to what was meant by section 205. In his guidance to the Committee, he said:

> The clause will not apply to personnel who are still serving; it will apply only to those who have left service but who are subject to a charge from a previous period of service.—[*Official Report, Standing Committee D*, 2 March 2000; c. 100-01.]

That is not the case.

Section 205 of the Army Act and the equivalent sections in the other Acts make it clear that the measure applies to every officer of the Territorial Army who is a special member when in permanent service, when in full-time service or when undertaking any training or duties. Subsection (1)(eb)—which applies to me—applies to every officer of the Army Reserve when in permanent service, when in full-time service, when undertaking any training or duty or when serving on the permanent staff of the Army Reserve. Similar subsections apply to warrant officers, non-commissioned officers and men of the three services.

I hope that the Minister has had a chance to reconsider the facts. On his advice as to how the law stood, I withdrew the amendments and did not press them in Committee. I am sure that that is why you have given me the opportunity to raise the matter again on Report, Madam Speaker.

These simple amendments improve the Bill and enable it to operate in all circumstances, in both peace and war, which was what we were aiming for in Committee. I regret that, in arguing for other amendments in Committee, we failed to convince the Minister. There were rather more Labour Members supporting him in Committee than are present on Report.

Nevertheless, I hope that the Minister has listened to my argument, and that he will be able to reconsider his position and break his duck in amending the Bill.

Mr. Key: I am grateful to my hon. Friend the Member for Reigate (Mr. Blunt) for tabling this group of amendments, which gives the Minister an opportunity to clarify the position. In Committee, we were almost wholly constructive in our opposition. Although we had our

[Mr. Key]

moments—a frisson—now and then, those were an attempt to clarify an immensely complicated system of law. People do not really understand the complexity of the three services Acts, each of which has slightly different interpretations and presents slightly different challenges in being applied to the legal system.

My hon. Friend has drawn attention to the difficulty of imposing any law on the battlefield—or in theatre in anticipation of battle, or, increasingly, in a peace-enforcing or peacekeeping role—and to the fact that we really have to be very precise about what we are asking our commanding officers and courts martial or other courts to do. I look forward to hearing the Minister's comments in clarifying the situation, which certainly was not clear in Committee.

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): I am sure that the House would expect me to comment on two recent incidents in Northern Ireland before I reply to the debate.

This morning, there was an explosion at Ebrington barracks, Londonderry. This further attack on the security forces is reprehensible. Fortunately, no one was injured. It is yet another crude and cynical attempt by a small number of people to disrupt the peace process by the use of violence. We cannot let them succeed. Investigations into the incident are continuing, and I am not at liberty to comment on it any further.

I was also very sad to learn of the non-terrorist-related deaths of two soldiers and the injury of one other while carrying out operations on Lough Foyle. The circumstances of that tragic incident will be the subject of a thorough investigation. Meanwhile, our thoughts and deepest sympathy are with their family and friends.

Mr. Menzies Campbell (North-East Fife) *rose—*

Mr. Key: May I associate the Opposition with the Minister's remarks? The attack highlights the danger in which our soldiers—all Her Majesty's forces—are placed while we take for granted the peace in which we live. Many of us have visited our forces in Northern Ireland—indeed, in Londonderry—and I know the dangers that they face daily, even when we think it is peaceful.

May I also associate the Opposition with the sympathy expressed by the Minister for the soldiers who have died or been injured on Lough Foyle and for their families? It is a tragic part of service life that they are prepared to pay the ultimate sacrifice.

Dr. Moonie: I shall give way to the right hon. and learned Member for North-East Fife (Mr. Campbell).

Mr. Campbell: I am grateful. May I associate myself with the expressions of sympathy that have just been made by the official Opposition spokesman? On the first incident, although I do not expect the Government to comment in detail on matters of security, would the House be entitled to assume that, in the event of an incident of the type that the Minister has described, there would thereafter be an immediate review of the necessary precautions to assure the safety of armed forces personnel serving in Northern Ireland?

Dr. Moonie: Yes. I can assure the right hon. and learned Gentleman that that is the case.

Mr. Iain Duncan Smith (Chingford and Woodford Green): I had not intended to intervene, but as the Minister mentioned the first incident, and following the statement of my hon. Friend the Member for Salisbury (Mr. Key) on behalf of the Opposition—

Madam Speaker: Order. I am not prepared to have a debate on the matter, as we are in the middle of consideration of the Armed Forces Discipline Bill. Proper respect has been shown in relation to the Minister's statement by spokesmen on both sides of the House. I call Dr. Moonie to deal with the amendments.

Mr. Duncan Smith: On a point of order, Madam Speaker. With respect, I was about to ask the Minister a question about the consequences of today's incident, and whether he would urge his colleagues in the Northern Ireland Office, at the earliest opportunity, to make it absolutely clear who were the perpetrators of the incident—the Provisional IRA or a splinter group. The answer has a huge bearing on the armed forces and on the way we may have to deal with the matter in Northern Ireland.

Madam Speaker: The hon. Gentleman's point will have been noted by Ministers. However, as I said, in the middle of our consideration, I am not prepared to take statements on the matter from both sides of the House. Due respect has been shown by hon. Members of the two main Opposition parties.

Mr. Geoffrey Clifton-Brown (Cotswold): On a point of order, Madam Speaker.

Madam Speaker: Does it relate to the same matter?

Mr. Clifton-Brown: Yes.

Madam Speaker: In that case there is no point of order.

Mr. Clifton-Brown *rose—*

Madam Speaker: Order. Dr. Moonie will proceed. We are considering the amendments.

Dr. Moonie: Perhaps it would help the House if I explained in some detail the purpose of the clause. I am sorry to disappoint the hon. Member for Reigate (Mr. Blunt), but I do not think that I shall be able to accept his amendments.

The offence created by new section 75J(3) of the Army Act 1955, which will be inserted by clause 5, applies only to persons who are not ordinarily subject to service law other than for the purposes of trying the offence with which they are charged. The first category caught by the new offence is those being tried under the service discipline Acts for an offence committed while they were

subject to service law. A simple example of people in that category is ex-regular soldiers. Section 131 of the Army Act 1955 and of the Air Force Act 1955 and section 51 of the Naval Discipline Act 1957 provide that such former service personnel remain subject to service law, but only for the purpose of arrest, custody and trial, although they have ceased to be subject to it generally.

The second category is described in the four paragraphs of section 205(1) of the Army Act 1955, which is sufficient illustration of the three Acts. The category includes every officer of the Territorial Army who is a special member when in permanent service, in full-time service or undertaking any training or duty, whether in pursuance of an obligation or not. I stress the word "special", because those officers constitute a specific category of Territorial Army officer and are to be distinguished from ordinary Territorial Army officers, who are subject to service law at all times and do not fall within the groups that we are discussing. I shall elaborate in a moment on the various definitions, such as permanent or full-time service if hon. Members wish—or perhaps I shall just do it anyway.

The others covered by the offence are: every officer of the Army Reserve when in permanent service, in full-time service or undertaking any training or duty, whether in pursuance of an obligation or not, or when serving on the permanent staff of the Army Reserve; every warrant officer, non-commissioned officer and man of the Army Reserve when in permanent service, in full-time service or undertaking any training or duty, whether in pursuance of an obligation or not, or when serving on the permanent staff of the Army Reserve; and every warrant officer, non-commissioned officer and man of the Territorial Army when in permanent service, in full-time service, called out for home defence service or undertaking any training or duty, whether in pursuance of an obligation or not, or when serving on the permanent staff of the Territorial Army.

Permanent service is when someone is called out under the provisions of the Reserve Forces Act 1980. Full-time service is when they enter a commitment to work full-time for the services. Undertaking any training or duty refers to the minimum number of days that they are obliged to undertake by virtue of their membership of a reserve force. They can volunteer for additional duties if they wish. Persons on the permanent staff are known as non-regular permanent staff. They are similar to reserves who have signed up for full-time service, but the terms and conditions differ slightly.

The distinction between different types of volunteer reserve officer arises from the creation of a new category of reserve—those who enter employee agreements under part V of the Reserve Forces Act 1996. They are referred to as special members. The 1996 Act enables civilians to work in support jobs that would require their services in operations. Persons taking up those jobs agree as an employment term that the post includes a liability for call-out and training. They become a special member of the reserve force.

Because the call-out liability is related to the job and the people concerned are not volunteer reservists in the ordinary sense, they are not subject to service law at all times as an ordinary reserve officer would be. We are satisfied that regular soldiers or serving commissioned officers who are released from custody pending trial can be given a lawful order by their commanding officer to attend a future hearing. A subsequent failure to attend could result in such service personnel being charged with a service offence.

However, individuals who fall outside that specific but large category of personnel are not necessarily subject to the commanding officer's command and control at all times prior to the trial. Accordingly, in relation to these other individuals, it is necessary for the Bill to create an offence for non-attendance at a hearing after being released from pre-trial custody. In our view, without having specific provision for these two categories of personnel, the Bill will be defective in that such personnel could never be sanctioned for not attending any subsequent hearing. I think that that deals with the second point made by the hon. Member for Reigate about the categories of person that are involved.

1.30 pm

Mr. Blunt: Perhaps the Minister could illustrate the position by reference to me. I am on the regular Army Reserve of officers. If I am called out by Her Majesty's Government on permanent service, presumably section 205(1)(eb) would refer to me. I presume that if I were on permanent service, I would be called out only if something extremely serious had happened, such as war. Let us say that I was remanded for trial for an offence in action, which would probably be an extremely serious offence in those circumstances. If I failed to show subsequently—de facto, I had deserted—I would be caught by clause 5. Would I be caught as well under the Army Act? I do not know. If not, presumably I should be. If my offence was serious enough to be the equivalent of desertion, surely a tariff should be available to the court for my non-appearance at the subsequent hearing. That means the removal of the time limit, which is what my amendments would do.

Dr. Moonie *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I hope that that will not set the standard for the length of interventions this afternoon.

Dr. Moonie: I am not sure which section would apply to the hon. Gentleman. If he had listened carefully to what I said, he would understand his position in that context. I do not intend to repeat myself. It would depend on the circumstances in which the services were required.

I had hoped that the hon. Gentleman would be satisfied with the detailed explanation that I gave in Committee of the need for the clause because of the persons to whom the penal provisions within it apply. I accept that that was a complicated explanation, as it was this afternoon. The distinctions between groups of persons subject to service law can be quite subtle. The clause is aimed at those cases where an individual has been released from custody prior to trial and then fails to attend trial.

I recall that the hon. Gentleman was concerned in Committee that the maximum sentence of two years did not take into account the seriousness of absconding in extreme operational circumstances. However, he must remember that the penal provisions of the clause would not apply to service personnel. They are subject to the service discipline Acts at all times and could be charged with a far more serious offence if appropriate. The penal

[Dr. Moonie]

provisions will apply where they are no longer subject to the service discipline Acts, but are being dealt with for an offence that they are alleged to have committed while they were.

The hon. Member for Gosport (Mr. Viggers) asserted in Committee that a person may well decide that a maximum penalty of only two years is not enough of a deterrent when faced with the possibility of being convicted for a very serious offence, and that he thus may abscond. We should remember that a sentence must be proportionate to the actual offence. One possible offence would be failing to attend court. The sentence must be approached separately from any sentence that is imposed for the offence that is the subject of the proceedings. If the accused is convicted of a serious offence, he will receive appropriate punishment for that offence.

To allow courts to impose long terms of imprisonment when the accused might be acquitted of the original offence would be out of proportion. The sentence is not and should not be linked to the substantive offence, no matter how serious that may be. I might add that the more serious the original offence is, the less likely it is that bail would be granted in the first place.

If a service man fails to attend, he is likely to be charged with being absent without leave, or with failure to attend a duty. Both offences carry a maximum penalty of two years. It should also be remembered that the Crown court cannot impose a sentence of more than 12 months for failure to attend trial, regardless of the gravity of the original offence.

I have given the amendments careful consideration, even though I am not prepared to accept them. However, I think that the Bill gets the matter just about right. The penalty should reflect the offence as it stands. It is appropriate and reasonably in line with civil practice, and I see no reason to change it.

Mr. Menzies Campbell: First, I wish to apologise on behalf of my hon. Friend the Member for Hereford (Mr. Keetch), who took part in the Committee proceedings on this Bill but who cannot be here today because, long before the business was allocated, he had arranged to bring some 200 of his young constituents to visit the House of Commons. He is therefore occupied elsewhere during this debate.

I hope also that the hon. Member for Reigate (Mr. Blunt), who introduced the amendment, will forgive me a moment of levity. When he said that he might be called out in an emergency, I leaned over to the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) and said that, if that happened, gas masks and ration books would be issued at the same time. However, the Member for Reigate used himself as an interesting illustration of his interpretation of this part of the Bill.

It is always a risk to let the lawyers in, but I believe that the deletions proposed in the amendment would cause clause 4(5) to read:

> A person guilty of an offence under this section shall be liable on conviction by court-martial to any less punishment provided by this Act.

I hope that I am not guilty of misreading the proposal, but that would be a rather infelicitous use of language to try to achieve the amendment's apparent objective.

The Minister's explanation of the possible punishment available under subsection (5) seems entirely reasonable. A penalty of up to two years' imprisonment for a failure to attend would be pretty high up the tariff scale, in anyone's view. One could argue that it was nearly draconian, given the powers available to the Crown court.

I understand the amendment's objective, but it and the others in the group would leave infelicitous language in the Bill if they were accepted. In addition, an unlimited punishment would be available for a failure to attend, and that would be going too far. For that reason, if the amendment were pressed to a vote, I could not recommend that Liberal Democrat Members support it.

Mr. Blunt: I do not believe that the amendment would have the effect that the right hon. and learned Gentleman suggests. If the amendment were accepted, clause 5(4) would read:

> A person guilty of an offence under this section shall be liable on conviction by court-martial to imprisonment or any less punishment provided by this Act.

The Minister gave the game away when he said that people charged with a serious offence would not be granted bail. That goes to the heart of why this and other parts of the Bill are defective. They do not take into account all the extreme circumstances faced by the armed forces. The simple fact is that, in extreme circumstances, people will be released on bail or from custody.

Let us take the example of a person suspected of murdering a colleague. If the case against him could not be established and the circumstances were very extreme—such as those experienced by a unit cut off behind enemy lines—it might not be possible to spare two guys to detain him and lock him up. If the person appeared to be willing to continue to fight for his unit, the decision might be made simply to allow him to do so. The Bill is supposed to cater for all circumstances, whether for current operations or those carried out in wartime. We do not want two sets of disciplinary procedures.

The amendment would simply remove the tariff. I agree with the suggestion of the right hon. and learned Member for North–East Fife that the tariff implies that it is almost inconceivable that there will be such circumstances. It is almost inconceivable, but the Bill must cope with all the circumstances that the military might face.

The Minister has said that he will not accept the amendment, even after the opportunity that he has had for reflection since the Bill was considered in Committee. I will not be pressing the amendment to a Division. However, the Ministry of Defence will be considering legislation on these matters in future, with the next quinquennial Bill and the opportunity to bring the service discipline Acts together.

Mr. Clifton-Brown: Has my hon. Fried considered circumstances in which a service man may be charged with a relatively minor offence while evidence is being gathered for a more serious offence with which to charge him? Given that he may abscond before the hearing, and assuming that almost enough evidence has been gathered for him to be charged with the serious offence, it might be appropriate to remand him in prison pending the more serious charge being brought against him.

Mr. Blunt: I confess that I had not considered that possibility. However, it illustrates another reason for the Bill to be flexible enough to cope with every circumstance.

This is a minor point. The situation is unlikely to arise because we will not, I hope, be at war in the next few years when such circumstances might occur. We will have plenty of opportunity to return to these issues, particularly if the Government make progress on bringing the discipline Acts together in a tri-service discipline Act. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 7

JUDICIAL OFFICERS

Mr. Key: I beg to move amendment No. 2, in page 29, line 24, at end insert—

'or—

(c) they are a serving Officer in the Territorial Army or the Royal Auxiliary Air Force who also hold a current practising certificate, issued by the Bar Council, Law Society or Institute of Legal Executives, to practice as a Barrister, Solicitor or Fellow of the Institute of Legal Executives and who have at least two years post qualified experience'.

Mr. Deputy Speaker: With this, it will be convenient to discuss amendment No. 3, in page 29, line 37, at end insert—

'or—

(c) they are a serving Officer in the Royal Naval Reserve who also hold a current practising certificate, issued by The Bar Council, Law Society or Institute of Legal Executives, to practice as a Barrister, Solicitor or Fellow of the Institute of Legal Executives and who have at least two years post qualified experience'.

Mr. Key: The amendments would allow reservists and other members of the Territorial Army to hold the post of judicial officer, either while on exercise with their respective service or when serving as a full-time reservist. May I say how nice it is to welcome the hon. Members for Crawley (Laura Moffatt) and for Ilford, South (Mr. Gapes) who served on the Committee that considered the Bill? I look forward to listening to their contributions this afternoon.

The Bill has many practical difficulties, and these we have made clear to the Government, right through the Committee stage. Unfortunately, the Government seem determined to drive the Bill through without listening to the Committee or the House. We will, as Her Majesty's Loyal Opposition, continue to try and improve what is clearly a flawed measure. The least that we can do for the armed forces is to try and make this wretched Bill work.

The amendments would widen the pool of those qualified to serve as judicial officers. It is clear that there will be insufficient barristers within the armed forces to cope with the proposed changes. Not only will barristers have to continue to prosecute and defend cases, they will now have to exercise their role as judicial officers.

The Territorial Army already has a legal corps. However, the naval reserve does not. Furthermore, the Army and the Air Force recruit civilian lawyers to join their legal corps, but the Royal Navy recruits unqualified personnel from the supply and secretariat branch, and trains them as barristers. The Army and the Air Force can easily step up recruitment, and have done so, but, as legal training is a lengthy process, the Navy is not in the same position. It is therefore conceivable that some convictions may fail because the Royal Navy cannot put the accused before a judicial officer in time.

1.45 pm

The House will be unsurprised to be reminded that reserve forces provide essential back-up for the regular forces. The reserves contain some qualified lawyers, many of whom may practice criminal law, or even human rights law. They are likely to have a good knowledge of the special nature of service life, backed by expert legal knowledge, and they would make a fine addition to the legal services available to the armed forces.

Mr. James Gray (North Wiltshire): My hon. Friend must be aware of the Inns of Court and City Yeomanry, which is particularly well qualified in this regard.

Mr. Key: My hon. Friend makes my point for me.

The Government savaged the Territorial Army last year, cutting numbers by 18,000 men. The then Secretary of State, Lord Robertson, said that by doing so, he aimed to make the TA more usable and relevant—a memorable phrase. As the former Secretary of State was well known for his sense of humour, people may have thought that he was joking. He was not. The Government have shown themselves to be no friend of the reserves, but have had no hesitation on calling on reserve forces when they need them, as they did last year in Kosovo.

Even after the huge cuts of 1999, the Government continue to salami-slice the budget of what is left of the Territorial Army. No one would deny that the reserves play a hugely important role. It would be an opportunity wasted if we denied appropriately qualified reservists the chance to play their part in the service disciplinary process. I ask the Minister to accept a sensible, logical amendment.

I hope that the Minister will not say that the matter can be dealt with in next year's Armed Forces Bill. My golly, that will be a Christmas tree of a Bill, given all we have heard in Committee about what will be added to it. A great deal is missing from the Armed Forces Discipline Bill. I hope that the Minister will break the habit of a lifetime by conceding that our proposal is sensible and accepting it.

Dr. Moonie: I assure the hon. Gentleman that I listened to everything that he said with great care. There was little else to do in Committee, unfortunately. Listening is better than falling asleep, if marginally so. I have promised to consider matters in future, but I certainly have not promised to include them in the quinquennial review Bill. Considering matters for inclusion is quite different from actually including them, but I will of course give points serious consideration where I have said that I will do so.

Amendments Nos. 2 and 3 would allow the judge advocate general or the chief naval judge advocate to appoint as judicial officers volunteer reserve officers who have specified practice certificates or qualifications with a minimum of two years post-qualification experience. I appreciate that the hon. Member for Salisbury (Mr. Key) intends to provide more flexibility in relation to those who may be appointed judicial officers, and that he is trying to be helpful. I fear, however, that it would be a flexibility too far.

[Dr. Moonie]

Two points are at issue: whether we want to use reserve officers as judicial officers, and the type of qualification and level of experience that we wish them to have. Clause 7 provides for the appointment as judicial officers of only qualified lawyers, including lawyers who are volunteer reserve officers. The amendments, however, would add legal executives to those eligible for appointment. For all their fine qualities and the breadth of their responsibilities in the civilian world, such individuals are not lawyers, and are not, in our view, qualified to serve in a judicial capacity. That assessment is based on the judgment that we made when we drafted the Bill, and is reflected in clause 7. By the same token we do not see a case for varying the qualification period for different categories of judicial officer. It would make nonsense of the legislation if we required lawyers to have at least five years' post-qualification experience before being appointed as judicial officers, but allowed lawyers and legal executives who are volunteer reserve officers to perform that function with considerably less experience.

The issue of length of experience was debated at great length in Committee. I stated then and must do so again that we believe that five years' experience demonstrates a reasonable level of familiarity with the law, so is the minimum period that should apply. I have given the matter serious consideration. I am sorry, but in this case I cannot accept the amendment.

Mr. Jonathan Sayeed (Mid-Bedfordshire): I am particularly concerned with the Royal Navy and the Royal Naval Reserve. Is the Minister aware that in the London division of the RNR a large proportion of serving officers are qualified and well practised solicitors and barristers? I understand his point about those with lesser qualifications, but does it not make sense to make use of the excellent naval and legal experience of those people in the RNR?

Dr. Moonie: If such people are in the Royal Naval Reserve, we will use them. All we are specifying is that they must have five years' experience. For the points I have made that is not an unreasonable stipulation to make.

Mr. Menzies Campbell: Clearly, the role of the judicial officer is important, with considerable responsibilities to be discharged. Such responsibilities are best discharged by those who have some maturity and some direct experience of trial or court-martial procedure. For example, it is not possible to become a sheriff—a middle ranking judge—in Scotland with less than 10 years in practice, whether as an advocate—the Scottish equivalent to a barrister—or a solicitor. So it is right to set a minimum level of experience if people are to be invited to carry out extremely important responsibilities which bear on the rights and freedoms of individual citizens or, in this case, of individual members of the armed forces. Therefore, I have considerable sympathy with what the Minister said in relation to the five-year qualification period.

When the Minister responded to the hon. Member for Reigate (Mr. Blunt), however, he said that there were two questions: whether we wanted to use reserve officers and of the experience of those who might fall into that category. He answered the second question, but I did not understand him to answer the first: whether the purposes of the Bill could be served by the use of reserve officers. He came back to it obliquely at the end of his remarks. Perhaps he could make it clearer whether he is satisfied that the existing arrangements without the amendment allow for the utilisation of the very people who were mentioned a moment ago in an intervention as reserve officers in all three services with the requisite legal experience to take part in proceedings of the kind that we are considering and to fulfil the responsibilities of judicial officer. To cut out that group of people would be to waste a valuable resource which could be of great assistance in achieving the objectives of the Bill.

Mr. Gray: I agree entirely with the right hon. and learned Gentleman, particularly in regard to the Territorial Army. I wish to qualify his question to the Minister in one particular way. These people need not be officers. The Inns of Court and City Yeomanry and the Honourable Artillery Company have barristers of great qualifications who are of other ranks.

Mr. Campbell: The hon. Gentleman is right to pull me up on that matter. One of the curious features of the Territorial Army is that people serve in it as a private or corporal who outside occupy positions which, on the face of it, would be equivalent to rather higher ranks if their outside position were reflected in their rank in the TA. So although I am with the Minister on the question of experience, I am by no means convinced that he has dealt with the issue in so far as it relates to the availability of valuable resources in the shape of reserve officers qualified to fulfil the functions outlined in the Bill.

Mr. Blunt: I have listened to the arguments, and have some concerns both about the amendment proposed by my hon. Friend the Member for Salisbury (Mr. Key) and about the proposition advanced by the right hon. and learned Member for North-East Fife (Mr. Campbell).

Shortly, the Minister will correct the right hon. and learned Gentleman.

Dr. Moonie *indicated assent.*

Mr. Blunt: The Minister will say that, if members of the Territorial Army meet the qualification of having been members of the Bar for five years, they would be suitable as judicial officers. That would meet my concern about the point made by the right hon. and learned Member for North-East Fife.

As I understand it, the amendment would mean that members of the TA and other reserve forces, who have some experience of service matters, would have to go over a lower hurdle in respect of the legal experience required to serve as judicial officers. My concern is that those TA officers would be undertaking, with less legal experience, a judicial duty that the Government believe to be necessary because of the Hood judgment at the European Court of Human Rights. That case led to these provisions in the Bill, because, under the European convention on human rights, commanding officers are not considered to be independent and thus not capable of taking decisions on custody and remand into custody. That is why the first part of the Bill was introduced.

I am concerned that, instead of the simple five-year tariff for lawyers to exercise the function of judicial officer that applies to members of the regular Army and

the other regular forces—which I believe to be unnecessary—members of the TA would be in the peculiar position of only needing to have held a judicial qualification for two years in order to sit in judgment on members of the regular Army. We need to avoid that situation. It could create legitimate resentment among members of the regular forces, because someone with a TA commission, possibly with limited reserve experience, might be put in judgment over members of the regular forces without the legal tariff of five years core experience that the Government have decided is necessary.

As an ex-regular, I should be worried if a judicial officer, with only limited territorial or reserve experience and limited legal experience, sat in judgment over members of the regular Army, the Royal Navy and the Royal Air Force.

Mr. Sayeed: I understand the point my hon. Friend makes about two years and five years. However, is not it true that those in the reserve forces would be full-time lawyers? In the Navy, many of those who become legally qualified are only part-time lawyers. They come from the supply and secretariat branch and qualify as lawyers, but they do jobs other than legal ones in different postings. Although they may be time-qualified, their quantum of legal work is rather less.

Mr. Blunt: My hon. Friend is right. However, we are considering a point about lawyers who will sit in judgment on members of the regular forces. In my view, it is right for commanding officers and the chain of command to take decisions on custody and on remand into custody. There was no problem about that until that one case was brought under the European convention of human rights. If the armed forces were not subject to the convention, because, 49 years ago, we had had the wisdom and foresight to negotiate a reservation for them, we should not be having to introduce provisions about decisions on custody being made by someone so obviously independent as a lawyer of five years' standing rather than allowing the CO and the chain of command to make the decision in the first place. We are in this position, and the Government have yet seriously to examine the routes that would get us out of it. As we are clearly caught by the Hood judgment, this clause is regrettably necessary.

2 pm

My hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed) referred to officers in the Royal Navy; some are lawyers and some are not. If, in their capacity as lawyers, they detained sailors in custody on judicial hearings, they would be acting at least as serving regular officers of the Royal Navy. The problem with the amendment is that people with limited Territorial Army and legal experience could sit in judgment on issues of custody that used to be considered by commanding officers who were respected and who operated under a system that was respected. If that happened, it could cause resentment in the Army and the regular forces, so it should be avoided.

Mr. Key: I suspect that had we been talking about medical matters, the term "skill fade" would have been heard in the debate. What my hon. Friend the Member for Reigate (Mr. Blunt) said was important and it justifies the amendments. We are talking about people who practice law and soldiering and we have to consider what happens if there is crossover between the two roles.

I listened carefully to the Minister. In an almost throwaway line, he confirmed that the Government would use members of the Territorial Army if they were qualified in his terms. If I am wrong, perhaps he would like to clarify the matter.

Dr. Moonie: I will clarify the matter, even though I thought that I had made it perfectly clear, as I think the record will show.

Volunteer reserve officers who meet the qualifications in paragraphs (a) of the new sections will be eligible for appointment any way without need for modification to the Bill.

Mr. Key: That is exactly what I thought the Minister had said, and it gives us some satisfaction. We had hoped, however, that we could widen the pool of expertise by varying the qualifications necessary.

We shall have to return to the issue. We are all aware that we are being invited to stumble down a path and, no doubt, the Bill will have to be repaired and patched up. It is remarkable that not a single Government amendment has been made in Committee or on Report, and only a handful were made in the other place.

Mr. Blunt: A point has just occurred to me. The issue turns on the definition of independence in the European convention. Are the Territorial Army officers who are lawyers not as independent as those lawyers who are not Territorial Army officers? If regular Army officers who are lawyers assume the role of judicial officers, will they meet the test of independence? Has the Minister considered that point?

Mr. Key: I cannot speak for the Minister. However, I suspect, in terms of compliance with the European convention, he would say that regular and Territorial Army officers are all part of the chain of command and that that is the issue. That is my understanding.

I shall not detain the House any longer. We have been around the course on the amendments and I am sorry that the Minister has not conceded on them. It has been worth while probing on this issue, so I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 8

CUSTODY RULES

Mr. Key: I beg to move amendment No. 4, in page 30, leave out lines 22 to 24 and insert—

'(3) An order under this section shall not be made unless a draft of the instrument has been laid before, and approved by, a resolution of each House of Parliament.'.

Mr. Deputy Speaker: With this, it will be convenient to discuss amendment No. 5, in page 31, leave out lines 6 to 8 and insert—

'(3) An order under this section shall not be made unless a draft of the instrument has been laid before, and approved by, a resolution of each House of Parliament.'.

Mr. Key: The purpose of the amendments is clear: they would provide for closer parliamentary scrutiny of the Secretary of State's ability to make rules regulating proceedings preliminary to, and at, a custody hearing. The rules apply to the arrangements to set up videolinks.

In this remarkable clause there is a long list of items for which the Secretary of State can make provision in making rules. That list includes items that we might expect: arrangements preliminary to the proceedings; the representation of the person to whom the proceedings relate; the admissibility of evidence; procuring the attendance of witnesses; the immunities and privileges of witnesses; the administration of oaths and so on.

At the end of that list, subsection (3) says:

Rules under this section shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

We are being asked to agree to those statutory instruments being made under the negative procedure, whereas they should be subject to the affirmative procedure. We realised in Committee that the Minister has set up arrangements that are uncertain—and, frankly, if I were facing a court-martial or summary proceedings, I would want to be sure about the processes to which I was to be subject.

In Committee, I challenged the Minister to demonstrate a videolink in action. That was a reasonable request, given that many of the Bill's provisions relate to the use of such links on active service. I asked for a demonstration of a videolink between the House of Commons and Pristina in Kosovo, because we had repeatedly been told that such links were in regular, indeed daily, use and that there was no problem with that.

I made my request on a Tuesday and suggested that by the time we met on the Thursday, the Minister might have been able to set up a videolink to allay the Committee's fears. However, the Minister did not turn up with the goods, and his reason was that

the equipment we used for the trial was hired and is no longer in our possession. When one thinks about that it is quite natural.

I have to disagree; I do not think that it is at all natural. Ministers have been telling both Houses that the technology exists, that it is in frequent use and that it is widely available.

On that occasion, the Minister rounded off his comments by saying:

We will enter a proper system of purchasing once we have decided exactly what we want to use.—[*Official Report, Standing Committee D*, 9 March 2000; c. 187.]

I remind the Minister that we have a deadline of 2 October, when the Bill will come into force if it is passed today. It would be very smart procurement indeed to get all the kit necessary by then.

Far from being a tried and tested system, it seems clear that we are dealing with an untried and untested system. Even worse, the whole basis of our armed forces discipline system on operations will henceforth be dependent on those untested videolinks.

It is also notable that the Minister's comments contrast rather drastically with those of the Minister for Defence Procurement in the other place. On 16 December, she said:

The services are fully capable of exploiting successive advances in technology, which they already deploy with great success. Video technology is in day-to-day use. It was in constant use throughout the recent crisis in Kosovo. The armed services see no reason why that technology should not be deployed equally successfully in other operational environments and for purposes such as those envisaged in the Bill.

Clause 8 includes the introduction of the use of live television links as a means of fulfilling the new custody rules, particularly when the logistical circumstances may be difficult. The clause was slightly amended by the Government in Committee in the other place to broaden the use of the technology to all custody hearings, and not only those being brought before a judicial officer. The amendments in the other place also clarified the fact that live television links and visual transmissions could be undertaken via other media, such as the internet.

With regard to the practicalities of using video equipment, the Minister for Defence Procurement said in the other place:

I hope to offer the Committee some reassurance on that point. I shall refer to the Army in particular, since it is likely to have the greatest number of personnel in remote locations. The Army would seek to use video link technology where operational or training circumstances mean that a face-to-face hearing is not possible within the required time-frame.—[*Official Report, House of Lords*, 16 December 1999; Vol. 608, c. 351.]

On Second Reading, the Minister confirmed that the MOD was

currently trialling video equipment to ensure that the quality of the equipment is suitable for the purpose for which it will be used. The equipment currently used operates at 28 kilobytes. The equipment is capable of showing a wide-angle picture of an entire room or of zooming in on an accused in fine detail, just as it is used in court hearings, especially those involving children. Although we can use Inmarsat—the international maritime satellite—commercial links, there is no question that commercial television satellites would be used, because we have access to other means of communication.—[*Official Report*, 17 February 2000; Vol. 344, c. 1201.]

The Defence Committee was also intrigued to be told about video conferencing. The director of personnel services for the Army explained to the Committee that video conferencing happened already. Apparently, there are daily video conferences with Pristina. It was unfortunate that we were not allowed to see that. The director had spoken to a judge advocate on a video conference facility as part of a trial. The judge advocate will have a portable system at home with him, and it will be possible to dial him up almost literally at any time. There will also be static video conferencing suites and portable systems that can be taken home, so a duty judicial officer will be available who can be wired up to pretty well anywhere in a world because, as the director said:

IT-wise now, wherever our soldiers go, we have the IT system.

In Standing Committee the Parliamentary Secretary, Lord Chancellor's Department was a little more bullish. She said:

Generally speaking, video conferencing is up and running, but it needs to be trialled for the purposes of the Bill.—[*Official Report, Standing Committee D*, 7 March 2000; c. 171.]

I found that surprising because on 1 February I received an answer to a parliamentary question to the Parliamentary Secretary. I asked her if she would

> list the companies that supply, provided and service secure videolink technology for use in British courts; and what arrangements are in place to prevent the interception of transmissions by third parties.

The Minister replied:

> Videolink technology is used occasionally in the Crown Court to enable witnesses to give evidence from abroad. The installation is arranged locally by the party whose witness is giving evidence in this way. No information is held centrally on the suppliers used or the arrangements put in place to prevent interception. A pilot is currently in place to provide a videolink between Strangeways prison and the Crown Court in Manchester.—[*Official Report*, 1 February 2000; Vol. 343, c.545W.]

So on 1 February that was the extent of the Government's experience.

Mr. Peter Viggers (Gosport): Does my hon. Friend agree that the Parliamentary Secretary, Lord Chancellor's Department took part in the Standing Committee and that when Ministers have assisted in taking a Bill through its Committee stage, it is a courtesy to the House that they should be present in the Chamber on Report to assist the House with their evidence and continue to give their support?

Mr. Key: My hon. Friend and I both served as Ministers in the previous Government and I wholly agree with him, but then we are not dealing with a normal Government. We saw from the lack of contributions from the Back Benches in Committee that we are dealing with a steamroller rather than a Government.

Between 1 February and when the Parliamentary Secretary spoke to our Committee, the Government's experience had changed. The Minister noted that the Judge Advocate General was satisfied that the equipment worked and further explained that the video equipment was portable. She said that the equipment was the size of a suitcase. It sounds to me a bit like "Mission Impossible". While it was clearly acceptable for the Judge Advocate General to examine the technology in action, it was not possible for the Members of the House charged with scrutinising the Bill to see it working.

In their eagerness to get the Bill on the statute book, the Government seem to have got ahead of themselves. They set the Bill's provisions with blasé faith that videolinks would work in the prescribed circumstances.

2.15 pm

Our inquiries have shown that video conferencing for the purposes of the Bill is still at the trialling stage. The equipment has not been proven, yet it remains at the heart of the Bill's provisions. In Committee, we also raised concerns about the security of videolinks. Once again, the Government failed to give adequate reassurance. We were told that interception was possible. I have made the point that in a modern television war, in which visual propaganda can prove an immensely effective weapon, as has been so ably demonstrated by the Iraqis and then the Serbs, one dreads to think what would happen if a disciplinary visual feed were intercepted. The Minister said that the narrow beam width would prevent interception by casual hacking and eavesdropping. I wonder how many intelligence surveillance operatives engage in casual hacking activity.

My hon. Friend the Member for Reigate (Mr. Blunt) also raised the important point that such transmissions were not only vulnerable to interception but left an electronic signature that could betray an unit's presence and location—a signature that could provide the aiming point for a guided weapon. The lack of firm and convincing answers is the reason why we are seeking to amend the Bill so that the rules governing the use of the technology are subject to the affirmative procedure.

The House needs a second look at this issue. The Government cannot gamble with our armed forces' operational effectiveness in this way. We hope that they will not seek to override the legitimate right of Parliament to see that only sound and thoroughly considered legislation emerges from this place. It is a matter of pure practicality. We believe that simply to trust the Secretary of State to make rules is against the interests not only of Her Majesty's forces but of natural justice. It is against the interests of natural justice that we are asking people to be tried in front of a video camera system that is unreliable, can be intercepted, and for which the technology does not yet exist. Yet, by 2 October, the Government plan to have the Bill up and running and in operation on a daily basis. We are very doubtful about that, and I hope that the Minister will be able to give us some satisfaction.

Mr. Menzies Campbell: I have some sympathy with the amendment, but not because I know much about videolinks and such matters. I do not propose to follow the hon. Gentleman down that path, although he made a number of trenchant points. As the hon. Gentleman said, the amendments would require the rules in the clause to be the subject of affirmative rather than negative resolution. The distinction between the two is often a fine one, but I have always understood that under the affirmative resolution procedure, the House of Commons is asked to engage more intimately in the process so as to pass judgment on the matters that are contained in subordinate legislation.

Clause 8(2) at the top of page 30 of the Bill, as amended in Committee, says that rules may be made in relation to a number of matters. One can draw a distinction between rules made for essentially procedural issues such as

> arrangements preliminary to the proceedings; the representation of the person to whom the proceedings relate; . . . the administration of oaths; . . . the appointment of persons to discharge administrative functions under the rules"

and other elements of the criteria that fall into a rather different category, namely:

> the admissibility of evidence; . . . the immunities and privileges of witnesses.

The admissibility of evidence may go right to the very heart of the proceedings and whether the proceedings will be held to have been concluded in a way that is favourable or adverse to the person who is the subject of them. Immunity for witnesses in certain circumstances means that witnesses may be available to give evidence in the knowledge that they can give evidence that might on the face of it incriminate them, but which cannot be used on subsequent occasion to institute proceedings against that person. Those are issues of fundamental importance but of a different character to the procedural arrangements that the rest of the subsection appears to embrace. That is why there is some justification for the view that, if rules

[Mr. Menzies Campbell]

are to be made in relation to the admissibility of evidence, the immunity of witnesses and the consequences of that immunity for subsequent proceedings, the House of Commons ought to pass judgment on those rules by way of affirmative resolution rather than accepting them by way of negative resolution.

These are matters more of legal importance than of military significance, but the purpose of the Bill is to put in place proper legal structures affecting the incorporation into the law both of Scotland and of England and Wales of the provisions of the European convention on human rights.

Admissibility of evidence and the immunity of witnesses are precisely the kind of issues that human rights lawyers would regard as being embraced by that convention. That is why the Minister should consider giving effect to the amendment, at least in so far as it relates to subsections (2)(c) and (2)(e), and why I have some sympathy with the amendment and the purpose that lies behind it.

Mr. Viggers: The debate is taking place only because of the enactment of the Human Rights Act 1998, which requires the European convention on human rights to be incorporated in our law by 2 October 2000. It is crucial that any legislation that we enact be compliant with the convention. Frequently in Committee the Minister answered points put to him by saying that it was essential that we should ensure that the law is compliant—a word that we heard many times—with the European convention.

Mr. Blunt: Does my hon. Friend agree that although we heard many times that it was necessary to be compliant, we were never given the benefit of the legal advice upon which the Government had come to their conclusions—conclusions which the Opposition would almost certainly dispute?

Mr. Viggers: Indeed, and when the Minister was cross-examined as to whether he could confirm that we would be compliant, his line throughout was that we must, if necessary, err on the side of compliance; we must not take risks with compliance; we had found ourselves not to be compliant in the past—if in doubt, so to speak, surrender. That motto is not, I think, a cap badge of any known Army unit.

We need to ensure that the detailed provisions are compliant. The details listed are quite wide. Rules will be made in relation to

(a) arrangements preliminary to the proceedings;

(b) the representation of the person to whom the proceedings relate;

(c) the admissibility of evidence;

(d) procuring the attendance of witnesses;

(e) the immunities and privileges of witnesses;

(f) the administration of oaths;

(g) circumstances in which a review . . . may be carried out without a hearing

and so on.

We are trying to ensure that we are compliant with article 6 of the European convention. The principal statement in that article is that

everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

The subsidiary points include, under (d), a person's right

to examine or have examined witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him.

How can we be absolutely certain that the European convention will be complied with, under the rules proposed by the Government? How can we be sure that the European convention will be satisfied if the attendance of a witness is by way of video conferencing? That is a crucial point. What does "attendance" mean? Does it mean attendance in a room physically with the accused, or in attendance by a video recording?

If we do not know the answer to that, and if attendance does not have the usual meaning, but means visibility through a videolink, and if the European convention does not accept that attendance means presence through a videolink, we will not have complied with the convention and we will have wasted our time dealing with the clause.

Therefore it is important, as we move into the unknown territory of trial through the medium of video conferencing, that there should be every opportunity for the House, the nation and the armed forces to have the expert advice and comment of lawyers conversant specifically with the law of the new media.

The Minister who gave specific, expert evidence on the subject to the Committee was the Parliamentary Secretary, Lord Chancellor's Department. It was helpful that she was present and able to give us authoritative advice. It is unfortunate that, typically of the Government, the Parliamentary Secretary is not present to advise the House as the Bill moves through Report and Third Reading. It would have been helpful to have her with us.

However, we can demand and should expect as of right that the Government accept that the provision should be subject to the affirmative rather than the negative procedure, if it is to pass into law; that the House should have a further opportunity to discuss the clauses and the rules in the light of expert advice which can be given outside the House, and that we are given another bite at the cherry on the rules. I therefore support my hon. Friend's amendment.

Mr. Martin Bell (Tatton): I try to make it a rather seditious principle in the House to speak only about what I know about, which is why my speeches are so few and so short. I can claim to know something about videolinks, because I lived and worked by them for many years.

It was an honour to serve on the Standing Committee scrutinising the Bill. I must thank the Liberal Democrats who, I believe, were suffering from overstretch at the time and gave me one of their seats on the Committee. I found it an interesting experience, and in some ways rather dismaying.

I appreciate what was said in the House yesterday: we do, indeed, have a Government who listen—a Government who listen to themselves. I was struck by the quiescence of those on the Benches behind the Ministers who were speaking. I would have hoped that in a democracy there would be more of a dialogue both

between Government members and between the Opposition and the Government. We could have achieved a lot more if we had been more collaborative.

There are issues that give rise to serious concern. We are not simply constructing a law that will conform to the convention. We are trying to protect the rights of serving men and women. As the Secretary of State knows, there have been some flagrant and disturbing cases in recent years. We have tried to address those.

On videolinks, we are dealing with custody hearings. We are speaking of the life of a serving man or woman—freedom or the denial of it for some time to come. What is important is not only the words spoken, but the demeanour. That is vital, both face to face and on the end of a videolink.

Demeanour and the perception of it can be affected not only by words, but by the lighting, the sound, the quality of the videolink, and the camera angle. I will not say that the camera lies, but it certainly shades the truth. Professionals know that if they want to give a good impression of someone, they shoot him from a certain angle, and if they want to undermine someone, they shoot him from another angle.

Serious issues are involved. As a sole independent, I lack the numbers necessary to move an amendment, but if the hon. Member for Salisbury (Mr. Key) chose to hold his ground on this, I should be delighted to vote with him.

Mr. Sayeed: It is a great pleasure to follow the hon. Member for Tatton (Mr. Bell), who made some important points arising from his own experience.

I shall deal with two points—first, the use of the negative procedure on statutory instruments. I disapprove of secondary legislation. One of the problems is that it is unamendable. As we get more practice in the use of video links, we will want to change the legislation in subtle ways. It is therefore important that when we come to make those changes, as we will have to do, subtle amendments can be made.

The Government may say that if it becomes clear during a debate that a statutory instrument is wrong, they will rewrite it and present it to the House again. However, since they have been power I know of no occasion on which they have reconsidered and amended a statutory instrument after a debate in Committee. They may say that they will do that, but I doubt it. A statutory instrument cannot be amended by negative procedure. That is a fundamental problem with the system, and with the Government's offer of presenting a statutory instrument through the negative procedure as a method of making changes in future.

2.30 pm

My second point is about video links. The hon. Member for Tatton made some good points. It is also important to consider the views of Kingston TLI, the specialist company which handles armed forces television. The company pointed out that even a land-based system costs £300,000 to £350,000. Rental and personnel costs must also be taken into account. However, leaving aside the costs, we must consider the practicalities of establishing a video link.

The Government talk about the way in which the Army would set up such a link, and I appreciate that the Army has more personnel. However, it is easier to establish a video link on land than at sea. It is easier because, for example, there tends to be a better supply of electricity and electronic silence is not such a problem.

Baroness Symons said:

> Video tele-conferencing is also used in Kosovo and was used regularly in Bosnia.—[*Official Report, House of Lords*, 16 December 1999; Vol. 608, c. 353.]

She said it was easy to use. However, it is important to know the views of the experts, in this case Kingston TLI. Its comments support what the hon. Member for Tatton said. According to the company, to produce broadcast quality results, data have to be transmitted at a rate of 8 megabits per second. Inmarsat is capable of only 128 kilobits per second, which will support only low quality conferencing. While it has the advantage of being bidirectional, it gives a poor and jerky image.

What does that mean? I shall take ships as an example because I know a little about them. In a ship on normal operations, much of the band width may be used. There will therefore not be much left for other, less immediately important matters. The ship may not have the requisite equipment, or if it does, it may be sending a video signal of a person who will be in danger of losing his liberty in a fashion that may prejudice his chances.

The Bill includes a 48-hour rule on custody. Ships run electronically silent for long periods to evade an enemy. The Minister may claim that there would be no video conferencing if the ship was in conflict and we could wait until it was in safer waters. The 48-hour rule means that that does not wash. It may be necessary to secure a person in the way in which a commanding officer was entitled to do before the introduction of the Bill. However, he will not be able to do that because, under the 48-hour rule, a person who can be contacted only by video link has to authorise the detention.

As I have said, ships run electronically silent for long periods. In such circumstances, it will not be possible for the ship to broadcast because it would thus reveal its position. A commanding officer will not necessarily be able to get permission to secure a person during the 48-hour period. I wonder whether the Minister has considered that.

Dr. Moonie: If the hon. Gentleman took the trouble to read the Committee proceedings, he would realise that we have already dealt with that point at great length.

Mr. Sayeed: I have looked at the Committee proceedings—

Dr. Moonie: I said "read".

Mr. Sayeed: I also read them. Having looked at and read them, I do not believe that the Minister has dealt with the point adequately. We need to ensure that, if the equipment is on board a ship and it needs to be used, the time limit is sufficient to allow those in the Royal Navy to use the provisions.

The Government's proposals on the use of statutory instruments and the rules for video links do not allow for subtle amendments to take account of experience. I am therefore happy to support the amendment.

Mr. Blunt: I do not want to detain the House, but I wish to register my support for the amendment because

[Mr. Blunt]

of the enormous difficulty of phrasing and creating the statutory instrument. The Parliamentary Secretary has now disappeared; she replied to the debate when the subject was considered in Committee. She said that she hoped that it would be drafted by May, but that it would be introduced as soon as possible. We were told that the limiting factor was the availability of parliamentary counsel. However, I believe that it is the sheer difficulty of producing the statutory instrument in a manner that will withstand legal challenge.

I look forward to the Minister's comments. I hope that he will be able to tell us when the statutory instrument will be introduced, even in draft. The Committee should have been able to examine it, but the Government failed to produce it. The least we can expect is that the affirmative rather than negative procedure will be used—*[Interruption.]*

Mr. Deputy Speaker: Order. I am sorry to interrupt the hon. Gentleman, but I ask whoever has the electronic device to silence it or leave the Chamber.

Mr. Blunt: I want to register my support for my hon. Friend. I perceive many difficulties with the measure; therefore the rules should be subject to affirmative rather than negative procedure.

Dr. Moonie: We covered video conferencing at great length in Committee and on Second Reading. Despite the ingenuity of tying the matter to the technical amendment that we are considering, I do not intend to spend much time covering it again.

Use of video links in operational and commercial circumstances is now an everyday occurrence. The Ministry of Defence regularly uses video conferencing to communicate with our forces and allies all over the world. We do not depend on commercial satellite for video links.

The hon. Member for Salisbury (Mr. Key) again used the misprint in *Hansard* on Second Reading. The correct figure is 128 kilobits per second, not 28. I must correct that or others will believe that I do not know what I am talking about; in this case, I do. I know a lot more than Opposition comments suggest that Conservative Members know.

The judge advocate general and his staff were involved in a trial of video conferencing equipment for custody hearings in February. They are satisfied that the equipment is suitable. The judge advocate general said:

> I am satisfied that the equipment I have seen demonstrated is adequate for hearings to be conducted in a fair and safe manner.

We are not discussing trial. We are improving the rights of people who can be put in custody without review by a judicial officer and the same standards as might apply in a trial do not apply here. As the judge advocate general has said, the quality available is perfectly adequate to allow a judicial officer to make a fair—

Sir Nicholas Lyell (North-East Bedfordshire): I am grateful to the Minister for giving way, although I did not mean to stop him mid-sentence. I was not a member of the Committee, but I took an interest on Second Reading and have attempted to read significant portions of the Committee proceedings. Practicability comes to mind. In a battle or semi-battle situation, what would be the practicability of using video equipment? Has that been discussed with the judge advocate general? Can he summarise how he expects it to be used? Does the qualification "as soon as practicable", which one finds in various passages, provide a let-out or not?

Dr. Moonie: I can confirm that it does. That is why those words have been used. Again, we covered the matter at length in Committee. Clearly the right hon. and learned Gentleman has not had the advantage of reading those debates, but the point is to recognise that there are operational situations in which, with the best will in the world, we cannot always apply the conditions that we should like to. He is quite right: I should not have stopped mid-sentence because I have forgotten where I was and am unable to complete my remark.

Sir Nicholas Lyell: Of course the Minister knows exactly what happened in Committee. If he gives me a day and a *Hansard* column number to refer to I shall be most grateful.

Dr. Moonie: I am afraid that the right hon. and learned Gentleman's gratitude will have to wait, because I have no idea of the day on which we discussed this matter. However, I assure him that I gave the Committee reassurance on the flexibility that we intend to build in to cover the operational situations he has described.

To deal with the substance of the amendment, in Committee, my hon. Friend the Parliamentary Secretary, Lord Chancellor's Department conveyed my regret that the rules to be made under the clause were not ready for publication. However, I undertook to have the instruments available in May and my officials are diligently working to that timetable. I understand hon. Members' desire to see the rules in draft. A great deal of detail will go into them and I accept that their content is vital to the efficient working of the system, but I do not believe that subjecting them to the affirmative procedure is the answer.

A key purpose of rules made under secondary legislation is flexibility. That flexibility is essential in this case to ensure that we are able to adapt the rules to reflect changes in circumstances, procedures and best practice. The amendment would mean that any, even minor, changes in our rules over the years ahead would have to be subject to further debate in both Houses. I would think a lot more of Conservative Members' opposition to the negative procedure if they had expressed it a bit more often when they were in power. I do not recall any of the Conservative Members sitting over there voicing such opposition at any time while I have been a Member of the House, other than in opposition. The negative procedure is convenient and well established in practice.

Mr. Quentin Davies (Grantham and Stamford): I must correct the Minister. I frequently lobbied for reform of that procedure and shortly before the end of the previous Parliament put my name to a measure that proposed an initiative for such reform, although I cannot quote the date of the *Hansard* concerned. I agree that reform is needed

urgently, but may I reverse the point? What are the new Labour Government doing to improve the farce of the House's treatment of secondary legislation?

Mr. Deputy Speaker: Order. I can excuse the Minister from answering that wider question.

Dr. Moonie: Thank you for your ruling, Mr. Deputy Speaker. Although I accept what the hon. Gentleman says, it is interesting that his disloyalty in government has been rewarded with a post in opposition. *[Interruption.]* I would very properly be ruled out of order if I mentioned the single currency.

Mr. Sayeed: The Minister's comment about reform was also directed at me. I assure him that if he goes back far enough—probably to 1986 or 1987—he will find that I was one of those who supported my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) when he said that he strongly deprecated all secondary legislation.

2.45 pm

Dr. Moonie: I disagree completely. Secondary legislation is very useful, particularly when the negative procedure is involved, and can be dealt with reasonably quickly.

This matter has been examined by the Delegated Powers and Deregulation Committee of the House of Lords, which gave its usual careful consideration to the rule-making powers sought by the Bill, including those under the clause. Its report accepts the proposed use of the negative procedure and states that the Committee has

> considered carefully whether it is appropriate that a power wide enough to regulate the admissibility of evidence and the immunities of witnesses should not be subject to affirmative procedure. The rules will be part of a framework consisting of existing legislation and subordinate legislation made under it. The whole will have to be compatible with Convention rights under the Human Rights Act 1998. Against that background the Committee can accept that it is appropriate that the rules should be subject to negative procedure . . .

Because of that, and for the other reasons that I have outlined, I am afraid that I cannot support the amendment.

Mr. Key: My goodness, is not Parliament a menace when it gets between the Executive and its clients? I am sorry that the Minister is being so scratchy, but his scratchiness makes the point that we have won the argument hands down, and I am grateful for the support of my hon. Friends. He failed to address the point about video links, both now and in Committee, and the Government have failed to make the case. We are discussing the affirmative procedure as a principle. It is no good banging on about what might or might not have happened under previous Governments—he is in charge now—and if he thinks that reform is a good idea, and if he thought that it was a good idea then, why does not he do something about it, as my hon. Friend the Member for Grantham and Stamford (Mr. Davies) suggests?

There is another important point here. The Minister quotes the judge advocate general and says that he is satisfied, but he does not happen to be a Member of the House of Commons who has to decide what is in the interests of justice for our armed forces. We have to take that decision and we are not satisfied. That is what the Minister has to realise. The matter is not a simple one of him stitching something up with some important part of the Ministry of Defence without consulting the House.

Having won the argument hands down and in view of the time pressure that we face with protected business to follow, it would not be responsible to take a quarter of an hour out of these brief proceedings to put the amendment to the vote, knowing that some 300 absent Members of the House will flood in to support the Government.

Mr. Blunt: The number of absent Members is not 300, but about 400.

Mr. Key: My hon. Friend is right. It is significant that the other 400 are waiting outside, even though only six or seven Labour Members are present.

We had better put the Minister on probation and we shall be watching extremely carefully. No amendments have been made, which is most peculiar.

Sir Nicholas Lyell: We were focusing on the practicability of the use of video links and the delay that might be permitted in a battlefield situation. My hon. Friend was present throughout in Committee. Was he satisfied with the Minister's answers? In a sentence, can he tell us what he said about flexibility and practicability? What is my hon. Friend's opinion?

Mr. Key: My right hon. and learned Friend is right, and I was wholly dissatisfied with the Minister's responses in Committee. He said that it was unlikely that such circumstances would arise in a battlefield situation and said the same on the issue of discipline. We were also told that, should they arise, the accused person would be withdrawn from the battlefield. He and the Government are on probation. We shall no doubt return to these matters, either when we consider the Armed Forces Bill or at a later stage. Bearing in mind all that and the moral victory that we have scored in the argument, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 11

RIGHT TO ELECT COURT-MARTIAL TRIAL

Mr. Key: I beg to move amendment No. 6, in page 32, line 10, at end insert—

> '(1A) The Defence Council may by regulations make provision designating those persons who, either before or after the accused has elected for trial by court-martial, may counsel him on that decision.'.

The purpose of the amendment is to ensure—*[Interruption.]* Oh, I wonder whether we should pause at this point in order to call back some Members who seem to have decided to leave the Chamber. No; we are back to our usual small team.

The purpose is to ensure that, either before or after the accused has made his or her decision to be tried by court martial, no person will be able to force the accused to change his or her mind, and opt to have the matter dealt with summarily.

The amendment underlines the problems that the Bill creates, rather than solves. The same theme runs throughout the Bill. By introducing a potentially

[Mr. Key]

cumbersome and unnecessary opportunity for people to opt for court martial at the beginning of proceedings, the Government will create tensions within units. It is easy to imagine how aggrieved the non-commissioned officers and the commanding officer of a unit would be should one of their subordinates opt for court martial for a minor offence. That would convey the message—whether true or otherwise—that the unit was not being run well, and that the men did not have confidence in their superiors. It would certainly not reflect well on the commanding officer: it would give the impression that he was not in control of his unit—hence our assertion that the Bill undermines the authority of commanding officers.

Dr. Norman A. Godman (Greenock and Inverclyde): Speaking as a former barrack-room lawyer—

Mr. Sayeed: Former?

Dr. Godman: I shall not respond to that. I am asking a question.

Can the hon. Member for Salisbury (Mr. Key) give us an example or two of designated advisers? In the case of a private soldier, would the adviser be a regimental sergeant-major or, perhaps, a civilian?

Mr. Key: The hon. Gentleman, who I understand was a redcap, is aware of the issues. I promise him that I will come to his point, if he will hold his horses for a moment.

As always, Conservative Members have an eye on how things operate in the real world, rather than on the clean-cut, perfect fairytale land in which the Government seem to think our armed forces operate. We tabled our amendment with an eye on how forces discipline works in practice.

When the matter was considered in another place, my noble Friend Lord Attlee tabled an amendment similar to this one. As a serving member of the Territorial Army, he felt strongly that the new system allowing the accused to choose court martial for almost any offence was open to abuse by the accused's seniors. He feared that they might try to persuade the accused to opt for a summary trial on the grounds that it would be cheaper and quicker, and also that they might want to keep the matter "in house". The persuasion could take the form of superiors' making it clear that the accused's life could be very difficult in future, or suggesting indirectly that the accused's career prospects could be, shall we say, curtailed.

There was an extensive debate in the other place on 18 January, the report of which my hon. Friends will find in columns 1012-14 of *Hansard*. I shall not delay the House by quoting from it.

At present, there are no safeguards to prevent undue influence from being exerted on the accused. As the opportunities for courts martial increase, so does the potential for abuse of the system, but the Government seem to have done nothing to eliminate the possibility of such abuses. The Bill overlooks the realities of life in the services, just as it overlooks so many other things. Several times the Opposition have raised the spectre of "behind the barrack block" discipline. It happens now, it is wrong, and there is no doubt that the Bill will only increase the likelihood of its happening. We hope that the amendment will introduce additional protection, and that the Minister will accept this simple but important measure.

Let me respond to the hon. Member for Greenock and Inverclyde (Dr. Godman) by saying that we understand that the matter should not be in the hands of members of the chain of command. That would not comply with the European convention on human rights. We were told—indeed, my noble Friend was told in another place—that there would be access to lawyers independent of the chain of command. However, that in turn raises the issue of who the lawyers are to be.

Members of the Army legal service, for example, are not perceived by the forces to be truly independent. They are independent legally, but they are part of the chain of command. We must therefore fall back on independent civilian lawyers, but that is a problem, not least because the Ministry of Defence is very bad at paying them. Before Christmas, the Lord Chancellor's Department changed the rules, which inhibits the proper working of the process. There is also the practical problem of how to get civilian lawyers to members of the forces in such circumstances. The situation is fraught with difficulty. That is why we are asking the Government for an assurance about how the process can be made to work.

Dr. Godman: I will be brief because I hope to speak in the next debate, but I want to assure my hon. Friend the Minister that, if the amendment is put to a vote, I shall not support it.

I have just returned from Kosovo, where I spoke to officers and other soldiers. I know that the hon. Member for Salisbury (Mr. Key) has also been in Pristina and elsewhere. I think that those soldiers are doing a remarkably fine job, along with our RUC officers; but I am concerned about, say, the young soldier who is apprehended for some misdemeanour, and who might feel entirely alone and defenceless in a guardroom, surrounded by regimental police officers who are not always as sympathetic as military police officers. Will the Minister assure me that young soldiers and others who are caught up in such circumstances will have access to advice?

Mr. Menzies Campbell: I confess to some surprise at the notion of "Be a carer: join the redcaps". Such a slogan would not be immediately recognised by many who have served in the armed forces as a reflection of their own experience.

There is a problem here, although I am not sure that the amendment is the way to deal with it. Someone who had opted for court martial could easily find himself or herself the subject of pressure. If the other provisions of Army discipline provided that such pressure constituted an offence that could itself be subject to disciplinary proceedings, that would afford a measure of protection. Perhaps the Minister will be able to illuminate the matter by reference to some such provision elsewhere, but I think that the hon. Member for Salisbury (Mr. Key) has drawn attention to a possible problem, which might cause certain individuals not only embarrassment, but something rather worse.

I shall be interested to hear what solution the Minister has, if—in accordance with what might be described as the immaculate conception of the legislation so far—he refuses yet-again to accept an amendment.

Dr. Moonie: It is difficult to discern the underlying purpose of the amendment. I accept that its intention is to provide additional safeguards, rather than imposing restrictions on an individual's right to seek advice—which it could equally be read as doing.

The point relating to the offence is legitimate, although we did not consider it when drafting the Bill. It would be dealt with more appropriately by the Committee that will consider the quinquennial review next year, as by that time we shall have had a chance to see how the new law is working in practice.

Mr. Campbell: I think the Minister is right about the potential effect of the amendment. It could be interpreted as prescribing a very narrow range of people from whom a person who opts for court martial would be entitled to seek advice. That would clearly be contrary to the intention of the amendment. There is a possible problem, but the amendment may not be the best way to deal with it.

Dr. Moonie: I agree. If the list included the sergeant-major and no one else, we would all have a bit of difficulty in accepting that.

If all the regulations purported to do was provide a list of persons who might be able to advise the accused, the amendment is surely unnecessary. An informative list of suitable advisers can be made readily available at any time without the need for legislation. All three service discipline Acts contain provisions allowing for rules to be made governing, inter alia, the withdrawal of an election for trial by court martial.

3 pm

The current system provides that an accused charged with an offence will be given a pamphlet outlining his rights. He will also be afforded the services of an accused's adviser of his choice, who is normally an officer or warrant officer. Thus, from the outset, the accused will be made fully familiar with his rights under the disciplinary process.

Under the present summary discipline system in the Army and Air Force, once the commanding officer finds that the charge has been proved, an accused may have up to 24 hours to decide whether to elect for trial by court martial, in accordance with provisions in Queen's Regulations. In the Royal Navy, before the evidence is heard by the commanding officer, the individual is given at least 24 hours to consider whether he wishes to exercise the option for trial by court martial, in cases where he has the right to elect.

I admire the intention behind the amendment but, having read and reflected on it, and in view of the other provisions that we have made, I think that it is unnecessary.

Mr. Key: The quinquennial Bill has at last appeared—the Christmas tree has been decked—so we await with interest the results of the assessment of how the new law is working in practice, as the Minister put it. I am glad that he has accepted that the intention was wholly constructive: to ensure that no undue pressure is put on people who might be persuaded to change their minds after their initial choice. Given that assurance, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Key: I beg to move amendment No. 1, in page 34, line 1, leave out clause 12.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 7, in clause 20, page 41, line 30, leave out—

'no more severe than that originally awarded'

and insert—

'fair and just in all the circumstances'.

No. 8, in page 41, line 41, leave out—

'no more severe than that originally awarded'

and insert—

'fair and just in all the circumstances'.

No. 9, in page 42, line 5, leave out—

'no more severe than that originally awarded'

and insert—

'fair and just in all the circumstances'.

No. 10, in page 42, line 34, leave out—

'no more severe than that originally awarded'

and insert—

'fair and just in all the circumstances'.

No. 11, in page 42, line 43, leave out—

'no more severe than that originally awarded'

and insert—

'fair and just in all the circumstances'.

No. 12, in page 43, line 5, leave out—

'no more severe than that originally awarded'

and insert—

'fair and just in all the circumstances'.

Mr. Key: During the Bill's passage through both Houses, the Opposition have maintained that it undermines the authority of commanding officers. Clause 12, whereby the maximum punishment that the court martial can award is limited to the maximum that the CO could have awarded if he had dealt with the case summarily, is damaging and clearly undermines the authority of officers and the discipline system in the forces.

The measure is doubly flawed—the provision is unnecessary to comply with the European convention on human rights. Lord Mayhew of Twysden made the position clear on Second Reading in the other place. He asked whether clause 12

goes quite beyond and against the Police and Criminal Evidence Act 1984. Crown Courts can of course impose higher sentences than magistrates. That is not something required by the convention on human rights and is itself likely to encourage elections for trial by court martial rather than by commanding officers—which surely must be deleterious.—[*Official Report, House of Lords*, 29 November 1999; Vol. 607, c. 680-1.]

The measure shows how the Government have got it wrong. They are not just gold plating and bending over backwards to comply with the convention, but going way beyond what is needed.

The Government have argued that, because they see the summary justice system as non-compliant in that respect, we cannot use a comparison between a magistrates court and the Crown court in the civilian field, but an accused has an opportunity to be tried in a compliant court—that is

[Mr. Key]

to say, a court martial—which has a range of punishments available to it that is laid down in statute to match the seriousness of the charges being made.

The fact that an accused has an opportunity to have those charges heard in front of a commanding officer, but in a non-compliant system, whose powers of punishment are more circumscribed, is of benefit merely to the accused. He is able to choose to have a convention-compliant trial if he so wishes. As, in any event, he is being given the facility to appeal the commanding officer's decision, that is further proof against challenge on that part of the Bill under the convention, so our proposal to strike out clause 12 restores the position of common sense and adds consistency with the civil sector.

Under the provisions, when the accused can receive no greater punishment than the commanding officer can give, there is no disincentive to elect for court martial. A service man can insist on election for court martial for even the most minor offence. There is a danger that such cases may never be dealt with due to the backlog of more serious cases.

Both the Select Committee on Defence and several peers in another place were concerned that the new provisions might mean that, without the risk of incurring a more severe punishment, more personnel might elect for trial by court martial. The Select Committee was told that, on the basis of surveys that the Army had conducted of Army offenders who were currently guests at Colchester prison, as well as officers and regimental sergeant majors, it was likely that the possibility of a more severe punishment would remain a disincentive. The majority of personnel believed that it remained

quite high risk to go straight to a court-martial.

However, the Bill will mean that the possibility of a more severe punishment is removed. Therefore, the disincentive is being removed.

The Select Committee's witnesses believed that summary justice, administered by the commanding officer, would remain the preferred option of most offenders, but, in the case of personal animosity between a CO and an accused service man, the accused could elect for court martial to spite his CO and superiors.

As has been made clear before, the Bill is an invitation to the barrack-room lawyer. Yet again, we see that too much in the Bill is based on a perfect world model, with accused service men being of good and reasonable character and team players, but it is obvious that the Bill will in many cases apply to service men who have done wrong. For a host of reasons, they may not wish to co-operate or acquiesce. They may feel that there are good reasons for them to play the system. The Bill gives them plenty of opportunities to do so.

I know that only a tiny minority of people are subject to discipline anyway in the forces. Nevertheless, they can be a significant factor, making life difficult for everyone else.

The Select Committee shared our concern that the more protracted process of courts martial might lead to delays in justice being done and being seen to be done quickly, and that aggrieved colleagues of an accused person might feel tempted to take matters into their own hands.

For those reasons, we believe that the clause should be removed. It will undermine the status and authority of the commanding officer. It runs the real risk of abuse by the rare dissatisfied and disaffected elements in the armed services, and could lead to unwelcome delays in the administration of justice.

In Committee, the Minister recognised that the Government were bending over backwards to comply with the convention. He said that he wanted it to be watertight. That is fair enough, but the Government have not made a sound case for the inclusion of the clause.

As my hon. Friend the Member for Reigate (Mr. Blunt) pointed out, even if a British court made a judgment that the Government had erred against the ECHR, all that would be needed would be a defence counsel instruction to courts martial that they should not impose a greater sentence than that available to the commanding officer.

Therefore, the foundations of the clause lie on uncertain ground. I invite the Minister to make a firm case for the clause. If he cannot, we shall have to see what to do about it, but it is a sensible suggestion. I look forward to the Minister saying why clause 12 should stand part of the Bill.

Sir Nicholas Lyell: I rise to support what my hon. Friend the Member for Salisbury (Mr. Key) has said. It seems that the Government are driven by their interpretation of the European convention on human rights but, from what he has said, it is not clear that the convention demands the clause. My impression is that it does not demand it and that the matter could be dealt with perfectly sensibly in the way that he has indicated.

The clause seems to have significant disadvantages, which my hon. Friend has set out well. To say that someone can demand to go to a higher court, or to a more substantial court—a superior court—where, normally, higher penalties would prevail, but that those higher penalties would not prevail should that person exercise that right, seems thoroughly illogical and almost entirely inconsistent with our magistrates court-Crown court parallel, which one would have expected to be followed.

I consequently support what my hon. Friend has said. I shall listen with great care to the Minister's reply.

Mr. Viggers: I beg to move amendments Nos. 7 to 12 inclusive, which stand in my name.

Mr. Deputy Speaker: Order. There is no need for the hon. Gentleman to move the amendments. They have effectively been moved with the lead amendment; he just speaks to them.

Mr. Viggers: I am grateful to you, Mr. Deputy Speaker. I was anxious to point out that the amendments in my name have a similar purpose to that of amendment No. 1.

The amendments would ensure that the summary appeals court specifically has a power to impose a sentence that is

fair and just in all the circumstances,

rather than, as the Bill currently provides, a sentence that is

no more severe than that originally awarded.

I think that that is an important point. In November 1999, the Government estimated that of the approximately 7,000 cases heard annually by commanding officers, there are about 850 to 900 appeals—although they have

increased that guesstimate to about 1,500. The number of appeals will of course have a bearing on the number of service personnel and lawyers employed to deal with them. If the Government's estimates are correct, the system costs approximately £9 million annually. However, if the number of appeals should increase, the system's costs will increase accordingly.

In Committee, the Minister was very fair in stating clearly that the civilian court system, on appeal, provides an opportunity for the senior court to impose a heavier sentence than that imposed by the junior court or court of first instance.

Subsequently, the Minister tried to explain to us why he thought that, to be compliant with the European convention on human rights, it is necessary that the military system should contain three elements, the first of which is that the accused must be offered an alternative of trial by court martial. The second is that the court martial should not be able to impose a greater penalty than that which the commanding officer could have imposed initially. The third is that, on appeal, the summary appeal court should not impose a sentence greater than that imposed by the commanding officer.

I am seriously concerned that, if the appeal court cannot impose a sentence greater than that imposed by the commanding officer—if there is no right for the appeal court to increase a sentence—the number of appeals will be very substantially greater than that currently anticipated by the Government. What has an accused to lose if he discovers that his sentence cannot be increased on appeal?

It seems to be entirely sensible that, in this matter, the military courts should follow the same system used by the civilian courts. I defy the Minister to explain to us clearly where article 6 of the convention on human rights provides that it is not possible to allow an appeal court to impose a higher sentence. For those reasons, I support amendment No. 1.

Dr. Moonie: I tell the hon. Member for Gosport (Mr. Viggers) that we are advised that the right of appeal will render us compatible with the convention only if the accused is not in jeopardy of a more severe sentence on appeal.

As much as I should like to satisfy the request of the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell) for clarity in the law, I regret that that is not something that is at my disposal. If the law were a bit more clear generally, we would not need so many lawyers to explain it.

Sir Nicholas Lyell: Will the Minister give way?

Dr. Moonie: No, I do not intend to give way as there is no time. I am taking up time that we could spend on Third Reading.

Sir Nicholas Lyell: It is on this point.

Dr. Moonie: All right, I will give way as I referred to the right hon. and learned Gentleman.

Sir Nicholas Lyell: I am grateful. I think that the Minister will appreciate that we are considering two different issues. The issue of whether on appeal from the commanding officer a sentence could be increased is one thing, and a rule that it should not be increased is fully understandable and may well be consistent with the convention. However, that is a quite different issue from that of whether, when a court martial is requested or demanded in the first instance, the sentence should still be only that which a commanding officer could impose. It really is important that the Minister should tell the House his advice on that point.

Dr. Moonie: I shall be as clear and as brief as I can. My advice is that if the court to which a person elects his proceedings to be transferred is to be compliant, it must have no greater penalty than that of the court from which he elects to withdraw. That is the reason.

Sir Nicholas Lyell: Will the Minister give way?

Dr. Moonie: No, I cannot give way again.

Sir Nicholas Lyell: I ask the Minister to give way. It is very important.

Dr. Moonie: No; it is not important enough for me. I have given way once and that is quite enough. I am guided by convention, and I think that the right hon. and learned Gentleman should recognise that.

The change proposed in clause 12 is to ensure that an accused is not disadvantaged by electing for court martial trial. The rationale for that is to ensure that no one is dissuaded from exercising from the outset the right to be heard by a European court of human rights-compliant court solely because he or she is at risk of a more severe penalty. That is a fundamental point in the advice that we have received.

Article 6 of the convention provides the right to a fair trial, which, in convention terms, is not provided by a summary hearing. A summary hearing, for example, is not heard in public, and the defendant is not entitled to legal representation. Nevertheless, an accused may choose to accept such a hearing and decide to be dealt with summarily—as we believe that most accused still will, despite the Bill's provisions. If the accused does wish to exercise the right to a fair trial, it is wrong that, in doing so, he should run the risk of a greater penalty. Capping the sentencing power available to the court martial is the only possible way of securing article 6 rights for the individual.

I am sorry, but I cannot accept amendment No. 1.

3.15 pm

Mr. Key: Undoubtedly the Minister's words will be heeded in interpreting the law when, in future, matters are considered by the courts—that is how these things work now. However, I regret that he has decided that he must fall back on the legal advice that he has been given without giving way to my right hon. and learned and distinguished Friend the Member for North-East Bedfordshire (Sir N. Lyell), who has shed such light on dark corners of the law over so many years in the House. However, that is the position that the Minister has adopted—he is clearly in a take it or leave it mood today.

As I said, we have to make a judgment on the matter and decide whether to press the amendment to a Division—although my right hon. and learned Friend says

[Mr. Key]

that he thinks that the current position is thoroughly illogical and inconsistent, and I entirely agree with him in that analysis; my hon. Friend the Member for Gosport (Mr. Viggers) has made a powerful case in speaking to his amendments; and the House has not been very well served in this debate. In view of the time, and the protected business that follows this debate, I must beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Order for Third Reading read.

3.16 pm

The Minister for the Armed Forces (Mr. John Spellar): I beg to move, That the Bill be now read the Third time.

As I am mindful that a number of hon. Members wish to speak in our limited time, I shall be brief. The Bill has a simple purpose: to ensure that, in two key spheres—summary discipline and pre-trial custody—our procedures are compatible with the European convention on human rights. That is not a casual concern, but one based on court rulings and subsequent legal advice.

The Bill deals with that concern. We believe that it safeguards our procedures from the likelihood of successful challenge, although, as we have acknowledged, it is impossible for any Government to provide an absolute guarantee that procedures may not fall foul of a court ruling at some stage in the future. However, we believe that the Bill does what is necessary to preserve critical spheres of the system of discipline, and that it does so in a manner that is proportionate to the convention's requirements.

The Government are fully aware of the imperatives of discipline and of the distinctive features of service life—although the Opposition may seek to give the impression that they have a monopoly on understanding those matters. We are not prepared to trifle with service discipline, and the Bill demonstrates that fact. The Bill also demonstrates what we have had to do because of court rulings and subsequent legal advice. It is difficult to imagine that any Government exercising those proper responsibilities would or could have acted otherwise.

The Bill preserves the authority of the system of discipline in the armed forces. In doing so, it achieves the Government's and the services' objectives. That is a tribute to the excellent work of our Bill team and legal advisers. I hope that, even at this late stage, the Bill might command the support of the whole House. I commend it on that basis.

Sir Nicholas Lyell: Will the Minister give way?

Mr. Deputy Speaker: Order. I think that the Minister has completed his speech.

3.18 pm

Mr. Key: It was revealing, last week, to see the newspapers reporting the warning given by the Home Secretary for public bodies not to "panic" over introduction of new laws guaranteeing human rights. When one hears the phrase "don't panic" in the context of the armed forces, one is reminded of the catch phrase of the dithering Corporal Jones, in "Dad's Army". In almost every episode, he would cry, "Don't panic, Captain Mainwaring!"

Perhaps we could liken Defence Ministers to Corporal Jones, who was by trade a butcher, as they have certainly made enough choice cuts to the armed forces. Like Corporal Jones, they also seem to have been running around in a panic, by introducing this flawed and unnecessary Bill without thinking of its consequences.

In a report, on 30 March 1999, *The Daily Telegraph* quoted various people, including a member of the human rights task force, whom it said had

> been combing through the whole range of public policy to identify where problems were likely to occur.

One member of the task force was quoted as saying:

> It's a litigant's charter. The lawyers will make a fortune.

What's new? The story continued:

> Ministers and officials from each Department have been summoned by the Task Force led by Mike O'Brien, the Home Office Minister, to assess their readiness for the legislation.

Has the Ministry of Defence been summoned before the task force? Was it before or after the Bill was drafted?

Mr. Spellar: No.

Mr. Key: The Ministry of Defence has been spared. How very interesting.

One of the characteristics of our debates has been the Government's steadfast reluctance to give any indication of the legal advice that they have received. I suspect that we have witnessed another shameful episode of the Government saying one thing and doing another. They have said that the Bill is necessary to protect the authority of commanding officers, but they have been kowtowing to the Home Office on human rights.

It has been a strange Bill to follow through the House. There has been a curious lack of Government amendments. The Government like to say that that is because of the quality of their drafting, but, with no disrespect to the Government's lawyers, I suspect that it is because they wanted to rush the Bill through in the shortest possible time. The 2 October deadline is fast approaching and all the stops must be pulled out.

Ministers have given commitments in both Houses to come up with a single Act to amalgamate the three service discipline Acts. That is a serious commitment, in view of the chequered history of the issue. Successive Governments have been seeking to achieve such amalgamation since 1991. There is no evidence that the Law Commission is in a position to provide parliamentary draftsmen to help in the work. Recent parliamentary questions have confirmed that. Despite the expressed good intentions of Ministers, there is no evidence that their aim can be achieved in a reasonable time scale. The latest ministerial estimate was that it would not be achieved in the next quinquennial Act, due next year, but in the one after. Give or take 10 years is a fairly safe time scale—after all, we have been trying for the past 10 years—but it is not good enough. We shall seek to return to that issue.

In most cases during the passage of the Bill, Ministers have just ignored what we have said. The Opposition are used to making arguments that are then voted down by the Government. The Government are often rightly

accused of high-handedness and arrogance. Ministers have not been able to justify their conclusions on the Bill and have gone into autopilot mode, parroting the briefing material.

I am sorry that the Under-Secretary has had to leave the Chamber, although I entirely understand why. I would prefer him to be sitting in front of me as I quote his words from Standing Committee, but I must draw the House's attention to an exchange on 2 March. My hon. Friend the Member for Reigate (Mr. Blunt) had asked a question and been told that the Minister would respond later. My hon. Friend said:

> That is a trifle unsatisfactory. We have to decide now whether clause 2 should stand part of the Bill.

My hon. Friend then asked whether the Committee could adjourn to allow the Under-Secretary to take advice. The Chairman rightly said:

> It is a matter for the Under-Secretary how he chooses to respond and a matter for Committee how they vote.

The Minister then said:

> Indeed it is, Mr. Malins. As my reasonable offer has been rejected, I shall not bother to enlighten the Committee at a later stage. The Bill is as it stands and I shall support it from start to finish.

My hon. Friend then rose to intervene, but the Under-Secretary carried on:

> The hon. Gentleman will resume his seat or rise on a point of order. I am under no obligation to explain anything other than that which I choose to explain. The Bill is as it stands.—[*Official Report, Standing Committee D*, 2 March 2000; c. 75.]

I greatly regret that exchange. There are many other examples. In the Select Committee on Defence, my hon. Friend asked the Minister for the Armed Forces:

> Can you guarantee that . . . the new system of military justice that it brings in would be proof against ECHR judgments?

The Minister replied:

> I could no more guarantee that than the Member for Mid-Sussex could have guaranteed it when it was introduced in the 1996 legislation.

That is fair enough, but we have been told time and again in Standing Committee that the Bill would gold plate against the ECHR. We do not know where this unsatisfactory Bill will lead us.

In the end, it is down to the forces. The Government have tried to make military law ECHR-compliant. I was delighted earlier this week when the Chief of the General Staff launched his excellent document, "The Values and Standards of the British Army". It was many years in the making. I congratulate him and all the staff at the adjutant-general's department. I draw the attention of the House to two sections of the document. The section on the core values of the Army, in paragraph 11 on page 7, says:

> Soldiers volunteering for the British Army accept that, by putting the needs of the Service before their own, they will forgo some of the rights enjoyed by those outside the Armed Forces. But in return they can at all times expect fair treatment, to be valued and respected as an individual, and to be rewarded by reasonable terms and conditions of service.

Paragraph 15 says:

> Because discipline is so vital to success on operations, commanders must be able to enforce it when necessary. That requires clearly understood rules and a military legal system which can deal with offences such as absence, desertion or insubordination which are not found in civil law. And if it is to work in war, such a system must be in place in peace, for it cannot be turned on and off at will. Discipline must therefore be rigorously but fairly upheld by all those in positions of authority, and self-discipline must be deeply rooted.

No doubt the Bill will reach the statute book shortly, in spite of all our argument. We feel that it will undermine the system on which British military success has depended for generations. We are mindful of the fact that, in the end, discipline is self-discipline. It is in the hands of commanding officers and of every member of Her Majesty's forces in seeking to live up to the ethos and standards of British military life, which have served this nation so well down the ages.

3.26 pm

Mr. Mike Gapes (Ilford, South): I speak as a member of the Select Committee on Defence and of the Standing Committee that considered the Bill. Some of those who have contributed today have forgotten the basis on which the Bill was introduced. It is necessary for two reasons: to comply with the European convention on human rights and because the legislation introduced by the Conservatives in 1996 was clearly inadequate and, following the Hood case, was going to lead to problems and legal judgments against the Government. We have heard many complaints from the Conservatives today, but they have to recognise that their 1996 legislation is inadequate and has to be replaced.

The Select Committee drew attention to several issues, pointing out that the Committee's 1996 recommendations for a consolidated Act for the three services had not been acted on. The report says:

> We regard the consolidation of Service law as an urgent matter and recommend that the MoD address this matter with more urgency than has been the case hitherto.

As a member of the Select Committee, I want to place on record the important need for the issue to be taken forward. That argument should be supported on both sides of the House. If consolidation is not proceeded with, the Select Committee will have to come back to the issue.

I congratulate the Government on submitting the Bill to Select Committee scrutiny before its consideration in Standing Committee. The Select Committee concluded its brief report by saying:

> We hope that on future occasions the MoD will see the benefits of introducing legislation in draft form so that we can take up the opportunity to comment on proposals before they are formally introduced into Parliament as Bills.

That is an important step forward that should apply to all Government Departments. Pre-legislative scrutiny is important to ensure that we get legislation right. The fact that we were able to consider the Bill in a limited way before it went through the House was a step forward. It would help the modernisation of the House and give us more effective government if Select Committees conducted pre-legislative scrutiny of all legislation.

3.30 pm

Mr. Menzies Campbell: A theme that has run through our proceedings has been that the Bill is a legal necessity that has been brought upon by the adoption in domestic law of the European convention on human rights. I shall put the matter rather differently and say that it is not simply a matter of legal necessity; it is a matter of desirability in a democratic society whose armed forces cannot be immune from the development of the rights of

[Mr. Menzies Campbell]

citizens, and in particular of those rights as they are now codified in the convention. It seems, therefore, that it could be expected that all right hon. and hon. Members, on both sides of the House, would wish to subscribe to the objectives that are set out in the Bill. It appears, from what has been said by the hon. Member for Salisbury (Mr. Key), the Opposition spokesman, that the House will not divide on Third Reading. In a sense, that is matter for some congratulation.

Mr. Key *indicated dissent.*

Mr. Campbell: If the Opposition are proposing to divide the House, that is a matter of considerable regret.

I shall make three points on the justification for the Bill. First, in the post-cold war world, the armed forces have an evolving role. The structure of discipline within the armed services should reflect that. Secondly, the role of our volunteer and professional services is to defend democratic values. That is why they are deployed in difficult and dangerous places throughout the world as we conduct these proceedings. It is correct that we should ensure that the system of discipline that directs these deployments is one, so far as is practicable and compatible with the functions of the armed services, that represents the very democratic values that they are doing their best to defend.

Thirdly, the armed services should reflect what is best in our society. We should expect them to reflect the values that we regard as being important and fundamental. I do not accept the argument that the armed services are so special and so different that they should be dealt with in a way that ignores the rights conferred upon citizens by the European convention. That approach turns the armed services into a ghetto in one respect, and perhaps also disconnects them from the civilian society of which, under our system, they form part, but to which they are subordinate because responsibility for the direction of our military rests in this place, particularly on the Treasury Bench.

The Bill has desirable as well as necessary objectives. It affords a fresh look at a new system of discipline for the armed services. It reflects the values which all citizens, whether in uniform or not, are entitled to expect. If its Third Reading is pushed to a Division, that is why I shall be in the Government Lobby.

3.32 pm

Sir Nicholas Lyell: I listened carefully to the right hon. and learned Member for North-East Fife (Mr. Campbell). I shall explain why I disagree in part with what he says, though I agree in part. Yes, there are desirable aspects of the Bill, and it is right that our law should seek to comply with the European convention on human rights. However, there are three points which the Government would do well to listen to more carefully than sadly they appear to have done during the Bill's passage.

I was deeply disappointed with the responses of the Minister. I am sorry that he is not in the Chamber because I do not like to criticise Members in their absence. However, I must make the point, and I shall make it good in relation to the three matters that I wish to take up.

I think it came out in our debate on clause 12 that we shall put in place a system of summary justice within the armed forces that can be sustained only on the basis that it is voluntary. We have all been brought up to believe—my hon. Friend the Member for Salisbury (Mr. Key), speaking from the Opposition Front Bench, made the point clearly when reading from the relevant document that I believe was put out by the armed forces—that when an individual joins the armed forces he agrees to some extent, and I would not wish to push it too far, to forgo some of his civilian rights for the purposes of good order and military discipline. One of the things that he accepts is that he will be subject to the discipline of his commanding officer in relation to comparatively minor offences.

It is clear from the structure of the Bill that the individual will have to be asked whenever he is brought up on colonel's orders whether he will accept that summary discipline. The colonel—the Army—cannot say, "No, this is simply a matter of colonel's orders. You can appeal if you dislike the result, but in the first place you must go before the colonel." The individual has, in effect, to put aside his right to court martial. He has a right to go to court martial even for an offence that results in 24 hours in the guard room. That seems silly. That is why I sought to intervene on the Under-Secretary of State to get him to explain the situation more fully.

I think that there was a misunderstanding—I would not like to call it an abuse, but I think that that was the result—of our parliamentary procedures on the Minister's part. If a Bill has been sensibly discussed over six or seven days in Committee and then comes before the House on Report, when serious and sensible questions are asked, and the Minister does not attempt to answer them, he is falling short of what the House is entitled to expect.

Summary discipline has now become voluntary under the Bill. Of course, there will be a great deal of behind-the-scenes pressure to accept that voluntary discipline, but it would be much better if it were up front. I have great respect for Government lawyers—I was responsible for them for many years—but I have a great deal of difficulty in accepting that the European convention requires summary discipline to be voluntary. I shall be grateful if the Minister, or his officials, will write to draw my attention to any learned articles that support that point of view so we may reflect further upon it.

I move on to quasi-judicial confirmation of custody. If something untoward happens in an active service situation—I use those words advisedly—the individual can still be held in custody for only 48 hours, or a maximum of 96 with the confirmation of a judicial officer. After charge, he can be held in custody only if that is confirmed by a judicial officer.

I think that the House is perfectly happy with that parallel system in circumstances other than active service, and it is entirely practicable to achieve it. However, it seems nonsensical on active service. The Government have not made clear the extent to which there is flexibility in, to use the words that appear frequently in the Bill,

"as soon as is reasonably practicable."

Much has been made of the use of video links and the impracticability of using them on the battlefield, which would seem to need little debate. My hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed) made the point that ships at sea maintain electronic silence. It is

absurd that they should be breaking that silence to obtain approval for continued custody in the rare but, if it occurs, probably important circumstances where custody has to be imposed.

That brings me back to the point that I made on Second Reading in the context of the European convention. It should be remembered that the convention allows derogation from its terms only in circumstances that amount to war or other public emergency threatening the safety of the nation. All the former Yugoslavia conflicts, including Bosnia and Kosovo, demonstrate that many if not most of modern-day conflicts do not fall into the category of war. Happily, they do not fall either into the category of emergencies that put the safety of the nation at risk, but they do put at risk the safety of members of the armed forces. Effective maintenance of discipline is therefore essential.

I hope that the Government, through our ambassadors and others, will see whether the European convention, which was incorporated into our law in 1999, can be brought up to date so that it is practical for the 21st century. At present it is not very practical. That is not entirely the Government's fault, as it was difficult to strike a balance on the decision to incorporate, but it is one of the significant disadvantages of that decision.

The Bill will pass to the statute book in due course, but I hope that the Government will take account of the points that I have raised. If my hon. Friends on the Opposition Front Bench are minded to divide the House, those matters are sufficiently important to justify their decision, and I shall be quite content to support that decision in the Lobbies.

3.41 pm

Mr. Martin Bell: I shall be even briefer than usual. Former service chiefs have expressed doubt about the Bill, although that is not shared by present service chiefs. I do not know how reluctantly or enthusiastically they endorse the Bill, but nothing matters except the rights of our service men and women.

I am not convinced that those rights have been strengthened by the Bill. One amendment would have strengthened them by making legal aid available at the point of arrest rather than at the point of charge. Many soldiers are treated hideously, and the present Minister for the Armed Forces is the third to have to deal with the Stankovich case. In all my years as a soldier, as a journalist working alongside the Army and now as a Member of Parliament, I have never come across another case in which injustice was so gross or blatant—and the man involved was not just a British soldier, but a British hero.

I plead with the House: we must introduce a measure, perhaps in the next Bill on this subject, to protect our national heroes and not penalise them.

3.42 pm

Mr. Blunt: It is a bitter irony that the House is about to approve a Bill, driven by the European convention on human rights, that will weaken the system of justice for our soldiers, sailors and airmen.

The first part of the Bill deals with custody rules. It is the one part of the Bill that is driven by a judgment from the European Court of Human Rights. That judgment involved a man called Hood, the only soldier that I know of to take his case to the European Court. He was complaining about the unfairness of the Army's rules of custody and the ability of commanding officers to remand people in custody. Hood had been absent without leave four times before his commanding officer arrested him, and judgment in his case took five years.

The Bill creates a massive administrative burden involving judicial officers, and so on. That burden is not the result of manifest injustice in the armed forces: it has been imposed simply to meet the requirements of the European convention on human rights.

The second part of the Bill changes the period in which a soldier may elect for court martial. That will make such a soldier's position worse. The Bill does not allow a commanding officer an opportunity to find a soldier not guilty before that soldier must decide to accept his award or go to court martial. The Bill will force a soldier to make that decision earlier, so removing the opportunity to be cleared by his commanding officer.

Commanding officers are not really aware of the detail of the Bill. Neither was I, until I served on the Select Committee, and took part in the debates in Standing Committee and on Second and Third Readings. The Bill did not seem very important. Commanding officers will find, however, that the administration of justice for armed forces personnel will be seriously undermined. The Bill will demand rules of evidence that non-commissioned officers—the first links in the chain of command in the execution of justice—will not be able to meet. How do the Government think that those NCOs will be able to maintain discipline in the sub-units that they administer now that they cannot use the summary discipline procedure?

I hope that my hon. Friends on the Front Bench will divide the House on this matter. I used to be a regular soldier, and I have to say that the Bill does not advance the interests of armed forces personnel. Instead, it makes their position worse. I accept that the rules relating to custody in the first part of the Bill are driven by a European convention judgment, but the Government have offered no evidence that the rest of the Bill has been required by other judgments from the European Court of Human Rights.

It is time to do what we should have done in 1951, had we only had the prescience. We should make a reservation for our armed forces from the European convention on human rights and the European Court. In that way we might prevent what is a bitter and extraordinary irony—that this Bill will make the administration of justice for our soldiers, sailors and airmen worse rather than better.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 301, Noes 113.

Division No. 152] **[3.46 pm**

AYES

Abbott, Ms Diane	Ballard, Jackie
Ainger, Nick	Banks, Tony
Ainsworth, Robert *(Cov'try NE)*	Barnes, Harry
Alexander, Douglas	Barron, Kevin
Allan, Richard	Bayley, Hugh
Anderson, Donald *(Swansea E)*	Beard, Nigel
Anderson, Janet *(Rossendale)*	Beckett, Rt Hon Mrs Margaret
Armstrong, Rt Hon Ms Hilary	Bell, Stuart *(Middlesbrough)*
Atherton, Ms Candy	Benn, Hilary *(Leeds C)*
Austin, John	Benn, Rt Hon Tony *(Chesterfield)*

Bennett, Andrew F
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brand, Dr Peter
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Dowd, Jim
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keen, Alan *(Feltham & Heston)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Quinn, Lawrie
Radice, Rt Hon Giles
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Roche, Mrs Barbara
Rooney, Terry
Roy, Frank
Ruane, Chris
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tynan, Bill
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Clive Betts and
Mr. Gerry Sutcliffe.

NOES

Arness, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bell, Martin *(Tatton)*
Bercow, John
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*

Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Chope, Christopher
Clappison, James
Collins, Tim
Cran, James
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Flight, Howard
Forsythe, Clifford
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heald, Oliver
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McCartney, Robert *(N Down)*
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maginnis, Ken
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Moss, Malcolm
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Portillo, Rt Hon Michael
Prior, David
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid-Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. John Randall and Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.
Bill read the Third time, and passed.

Opposition Day

[6TH ALLOTTED DAY—SECOND PART]

Patten Report

Mr. Deputy Speaker (Mr. Michael J. Martin): I should inform the House that Madam Speaker has accepted the amendment in the name of the Prime Minister.

Before I call the right hon. Member for Upper Bann (Mr. Trimble), I should make a short statement. Madam Speaker has had to impose a 10-minute rule on Back-Bench speeches between the conclusion of the opening speech and the beginning of the speech of the hon. Member who winds up on behalf of the Ulster Unionist party.

4.2 pm

Mr. David Trimble (Upper Bann): I beg to move,

That this House welcomes the well-deserved award of the George Cross to the Royal Ulster Constabulary; condemns the Government's decision to remove its Royal title; and calls for the postponement of the implementation of other controversial recommendations in the Patten Commission Report on Policing in Northern Ireland until the 'new dispensation' on which it was predicated has truly arrived.

Before I turn to the substance of the debate, may I express my condolences and those of my colleagues to the families of the two Royal Engineers who died in an accident at Lough Foyle. We do not know the details of how the tragedy occurred, but we extend our sympathies to the families.

On the Patten report and the position and title of the Royal Ulster Constabulary, it is ironic that the Government amendment almost quotes from the terms of reference given to the Patten commission under the Belfast agreement. The first sentence of the terms set out in the agreement requires the Patten commission to

bring forward proposals for future policing structures and arrangements, including means of encouraging widespread community support for those arrangements.

We would agree with those objectives, but the flawed and shoddy Patten report fails to meet those terms of reference.

Instead of producing proposals that would encourage widespread support for the police, the report will discourage such support. It has already discouraged support by its total lack of recognition of the service and sacrifice of police officers. On 29 October 1999, in a thoughtful interview in the *Belfast News Letter*, Monsignor Denis Faul commented on that point, saying:

An opportunity for unity was lost this year in the failure to honour and respect the 302 RUC men and women who were murdered and almost 9,000 who were severely injured defending the Catholic and Protestant parts of the community. Even the Patten Report itself inexplicably failed to pay a sufficient decent and detailed tribute to the 302 dead and the thousands wounded.

The report has also discouraged support for policing by ordering a change of the title of the Royal Ulster Constabulary without presenting any rational argument

[Mr. David Trimble]

for that or a shred of evidence in support of the change. By contrast, the Select Committee on Northern Ireland Affairs commented in a 1998 report that:

> Until there is a change in the status of Northern Ireland, inevitably many of the symbols of government will be British. There is no clear reason to make a special case for the RUC by changing its name without changing the name of other organisations which are also either "Royal" or "British". The official symbols associated with the force are not central to the status of the RUC in the eyes of the community. They attract the loyalty of many in Northern Ireland. There is no good reason to change them.

The Northern Ireland Affairs Committee took that view just two years ago, and the Government should hold it today.

In 1995, in a community attitude survey for the Police Authority for Northern Ireland, Catholic respondents divided equally on the question of a name change. The name was not seen as a major reason for low Catholic recruitment. We all know that there are different reasons for that. After the Patten report, the authority commissioned a new survey to see whether that position had changed. It had not. Fewer than half—45 per cent.—of Catholic respondents thought that the Catholic community would give more support to a renamed police force. A similar number—41 per cent.—thought that a name change would make no difference at all to Catholics.

Dr. Nick Palmer (Broxtowe): Does the right hon. Gentleman not feel that if a mere change of name would increase support by 45 per cent. of the Catholic community, it would be worth doing?

Mr. Trimble: I was making the point that there was a near equal division within the Catholic community on the significance of a name change, even after the Patten report. I shall come later to Catholic support for the RUC, and the hon. Gentleman may be interested by the figures that I shall give.

The Police Authority survey also found that a significant proportion thought a name change would decrease Protestant support for the police. My conclusion is that the change would bring little gain, and appreciable loss.

The Patten report has further discouraged widespread support through its proposed changes to the badge of the RUC. Again, it offers no evidence or argument for discarding symbols that are in fact inclusive. There are three symbols—the Crown, the shamrock and the harp of Brian Boru. A member of the Government—whom I shall not name—told me that he had seen the RUC badge only comparatively recently, and that he thought that anyone who set out to design a badge of an inclusive nature for the police force of Northern Ireland would find the existing badge ideal. I agree entirely with the good sense of that member of the Government, but I would never dream of outing him.

Patten discourages support for the new arrangements by its ban on the Union flag. Once again, it disregards the report of the Northern Ireland Affairs Committee, which said, in 1998:

> As Northern Ireland is an integral part of the United Kingdom, the Union Flag is the appropriate flag to be flown over police stations.

Patten also discourages support by its insensitivity towards RUC widows and disabled police officers. The report contains just a score of lines about widows and disabled police officers. It recommends that additional resources be made available to help those people, which is welcome, but the scant recognition for them, added to the grievous insult of removal of the force's royal title and symbols, has added to their pain.

Patten also discourages support for the new arrangements by proposing that there should be discrimination against Protestants in the recruitment of regular and part-time police officers. That is a clear departure from the Belfast agreement, in which the Government undertook

> as a particular priority to create a statutory obligation

on various public authorities

> to promote equality of opportunity in relation to religion and political opinion.

That obligation was carried into law by the section 76 of the Northern Ireland Act 1998, but, within two years, Parliament is being asked to derogate from that priority by enabling what is called 50:50 recruitment of regular officers and a targeted recruitment of 1,000 new reservists only from Catholic nationalist areas, however those may be defined. In the report, Patten claimed that he would put human rights at the core of policing. Those measures make a mockery of that claim. In all the ways that I have mentioned, Patten fails to fulfil its terms of reference.

In a press release in September last year Mr. Patten, in presenting the report, said that one of the key objectives of the report was to:

> take politics out of policing.

That is a nice little soundbite, but it does not stand up in the light of the report. Many people in Northern Ireland find it ironic that someone who says that he is taking politics out of policing proposes a police force that is to be dominated by politicians and district policing partnerships, again dominated by politicians—and constructed, particularly with the gerrymandering of Belfast, in such a way as to enable certain paramilitary-related politicians to exercise undue influence over policing. That is not taking politics out of policing. Not that I think that that objective is correct: in the right way, politics should be involved in policing; it is proper for elected politicians to be involved in police policy and the accountability of police officers.

Patten is trying to do something quite separate and he has got himself confused. He is trying to take the constitutional issue out of policing, as if it was still a live issue. He is trying to deal with the situation as if the state and institutions of Northern Ireland should be neutral as between the two competing national identities. The agreement itself would take the constitutional issue out of Northern Ireland politics and institutions if parties would accept and implement the agreement in its entirety. The commission failed to observe key constitutional aspects of the agreement.

On constitutional matters, the agreement went beyond a mere acceptance of the consent principle. The relevant section of the agreement is paragraph 1, which states that the parties

> recognise the legitimacy of whatever choice is freely exercised by a majority of the people of Northern Ireland with regard to its status.

The key word there is "legitimacy". The same paragraph states that the parties acknowledge that that choice

> freely exercised and legitimate, is to maintain the Union.

Again, the emphasis is on legitimacy. The parties are recognising the legitimacy of Northern Ireland's position within the United Kingdom. Put simply, all the parties to the agreement, whether or not they will acknowledge it, are accepting British sovereignty in Northern Ireland. There cannot then be any objection to the normal and reasonable expression of that sovereignty.

The Belfast agreement did not create a neutral state or envisage only neutral symbols. There is only one sovereignty in Northern Ireland and there should be no unreasonable restriction on the exercise and display of that sovereignty. The agreement acknowledges that there should be sensitivity in the use of symbols and emblems for public purposes, but there would be no need to acknowledge the need for sensitivity if we were dealing with a state that was neutral.

Patten seems to have assumed that there should be such neutrality. In doing so he was following an out-of-date agenda associated with one interpretation of the Anglo-Irish agreement of 1985 with its overtones of joint sovereignty. But the Anglo-Irish agreement has been replaced by the Belfast agreement with its clear line on sovereignty. I am sorry to see that some people still seem to operate within the pre-Belfast agreement mentality. I was particularly disappointed in an article by Sean Farren, a leading member of the SDLP, which seemed to indicate that that party has not yet fully absorbed the implication of the Belfast agreement provisions on sovereignty.

On the other hand, I have to acknowledge that the Secretary of State for Northern Ireland has somewhat greater awareness of this. I noticed in a speech that he made last week a reference to a need for a reasonable balance and:

> a sensitive use of symbols, so that more than lip service is paid to the principle of consent.

Patten did not even pay lip service to that principle. Clearly, I agree with the Secretary of State that we need more than lip service to be paid.

There is also a striking contrast with the recently published report of the review of criminal justice in Northern Ireland. Its recommendations with regard to the courts are in complete contrast to Patten's recommendations on the police. The review suggests that the title should remain the royal courts of justice, that the badge which is the royal coat of arms should be retained and that the Union flag should continue to be flown.

The police and the courts are part of the same system. It would be wrong to have such a completely different approach to symbols within the same system. There should be consistency and it is clear what that consistency should be. The Government have not yet responded to that review. I hope that they are not so determined to defend Patten's mistakes that they extend his mistaken approach to the courts system itself.

One of the interesting aspects of the review is its survey into community attitudes. The opening part of the review makes a brief reference to symbols, merely saying that the Crown symbols "did not feature prominently". The review reports that the courts achieved high confidence ratings from the public: 70 per cent. of those surveyed had confidence in the fairness of the system. Ratings for component parts of the system in some cases were higher: 77 per cent. had confidence in the judges, 75 per cent. in juries, 74 per cent. in the police and 72 per cent. in lawyers—a finding that will come as a considerable surprise and as a great relief to many hon. Members. In each case when those overall figures are analysed in terms of religion, there is a spread between Catholics and Protestants of about 10 to 15 per cent, with Protestants having higher confidence levels.

The breakdown for confidence in the police is interesting: 85 per cent. of Protestants have confidence, whereas with Catholics the figure is 59 per cent. Patten's equivalent references to surveys of popular opinion are slightly different. The approval rating for the police is 81 per cent. for Protestants and 43 per cent. for Catholics. The surveys took place only one year apart. The contrast between the 59 and 43 per cent. ratings for Catholic approval of policing—the 59 per cent. showing in the later of the two surveys—should be followed up.

Interestingly, there is published in the *Belfast Telegraph* tonight an opinion survey in which 61 per cent. of Catholics indicate that they have confidence in the police. The suggestion that the Catholic community has a serious problem with the police needs to be looked at more closely. Yes, tonight's opinion poll indicates that 31 per cent. of Catholics say that they have no confidence in the police, and that figure is higher than one would want, like or expect in a normal society, but it is not so high as to justify provisions such as those in Patten.

Mr. Tony McWalter (Hemel Hempstead): Does the right hon. Gentleman accept that Patten distinguishes clearly between those who have a generalised confidence in the police and those who have specific local confidence? Patten says that Catholics often have greater confidence in their local police than they do in the police taken as a whole. Patten has identified the components that the right hon. Gentleman is describing.

Mr. Trimble: The hon. Gentleman anticipates precisely my next sentence. One must draw a distinction between the generalised opinion given and opinions given on the basis of knowledge of people in the locality and direct personal experience with them, and compare like with like. The figures that I gave were comparing like with like. As the hon. Gentleman said, Patten reported that when people were asked about their local police, the police were given a higher approval rating. There is an even higher approval rating from Catholics who had direct personal contact with the police—69 per cent.—although the approval rating from Protestants was a little lower at 77 per cent. Perhaps people were moving away from making a generalised political statement to one based on experience, and what matters is experience.

It is also worth noting that the reporting of crimes in Catholic areas is at the same level as in Protestant areas. In terms of what people do as opposed to what they say, in an abstract way there is a clear message coming across that there is a high level of confidence. Anyone taking a sensible approach to these matters should have focused on that.

The conclusion to be drawn is that although there are problems, they are exaggerated and exacerbated by the political attitudes that are struck by some. The politics that needs to be taken out of policing is the politics of agitation and hostile propagandising against the police. I fear that far too many nationalist politicians have engaged in that. If nationalist politicians adopted a more

[Mr. Trimble]

responsible attitude, that would achieve much more than everything in Patten. Without such a responsible attitude, Patten is a waste of time which has caused needless hurt to many and serious harm to policing.

I shall not go into detail on the proposed changes to the structure and size of the police, because I consider such discussion to be premature. However, the Secretary of State knows of our concerns about downsizing, the full-time reserve, the command structure, recruitment, special branch and local control of policing. On the latter point, I am dismayed at the ideas in the criminal justice review about so-called restorative justice and the so-called community, safety and policing partnership. Both will offer too many opportunities for paramilitaries to supplant the police and legal systems. No responsible person should countenance such dangerous suggestions.

There is a simple reason for my belief that discussion of structural matters is premature. The provisions on policing in the agreement were predicated on change. The relevant section begins by stating that the participants believe that

the Agreement provides the opportunity for a new beginning to policing.

That phrase occurs in the Government's amendment. The participants to the agreement note that it offers

a unique opportunity to bring about a new dispensation.

The policing provisions in the report are predicated on that new dispensation. But has it arrived? At present, the answer is simply and clearly no. Should the changes be rushed through in advance of that new dispensation? Again, the answer is obviously no, especially as, because of the refusal of all the paramilitaries—particularly the republican movement—to respond even after everything that has been done for them, there is little confidence in the community that the new beginning, or the new dispensation, will ever happen.

Much of Patten is not controversial. The uncontroversial aspects are largely drawn from the RUC's fundamental review of policing, started in 1994. It contemplated three security situations. In the first, there was a high level of terrorist activity, with bombings, shootings, intimidation and public disorder. The review stated that the response to that should be a high level of policing, supported by the Army.

The second scenario was one of intimidation, so-called punishment beatings and racketeering, with terrorist organisations remaining fully armed. In that case, the fundamental review envisaged a high level of policing, but with the Army withdrawn.

In the third scenario, terrorist organisations were dismantled and community relations had improved. In that case, a different form of high-quality, effective policing was needed. Only in that scenario would the fundamental review have introduced significant downsizing and a change in policing strategies.

With the ceasefires and the agreement, we moved from scenario one to scenario two. With the refusal of the paramilitaries to disarm and disband, we have obviously not moved to the third scenario. If anything, with the increased activity of dissident republicans, we are in danger of slipping backwards.

It is wrong to press on with security-sensitive changes. In his January statement, the Secretary of State referred to the fact that changes would be made in some cases only when the security situation permitted. We must ask him to hold back those changes and, indeed, the controversial aspects of Patten, until after the disarmament and disbandment of terrorist organisations that was envisaged by the agreement and on which the fundamental review was predicated.

There is an easy solution for the symbolic issues that have exercised us so much this evening. We should follow one of the general thrusts of the agreement, on which both Patten and the criminal justice review concur. We should devolve responsibility for the police and the courts to the Northern Ireland Assembly and let them settle it: who better to decide those matters than the people who will be affected by them?

4.24 pm

The Secretary of State for Northern Ireland (Mr. Peter Mandelson): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

'welcomes the well-deserved award of the George Cross to the Royal Ulster Constabulary; notes that the award was made by Her Majesty in recognition of the service and sacrifices of the Royal Ulster Constabulary, which must never be forgotten; reiterates its commitment to maintaining an effective police service in Northern Ireland capable of protecting the public and maintaining law and order; and reaffirms the objective in the Good Friday Agreement of creating a new beginning to policing in Northern Ireland, with a police service capable of attracting and sustaining support from the community as a whole.'.

I shall come to the name of the RUC and symbolic matters later in my remarks. In the meantime, I echo the comments of the right hon. Member for Upper Bann (Mr. Trimble) on devolution. I look forward to the time when responsibility for policing and criminal justice matters is properly devolved, as we envisaged under the legislation. That will, of course, mean an early reactivation of the Executive and the institutions in Northern Ireland. I look forward to agreement being reached on that as quickly as possible.

I welcome this opportunity to debate reform of the Royal Ulster Constabulary as a whole—not simply of its name and its symbols, although I readily acknowledge their importance. The debate is not between those who are pro or anti the police, or between those who are for or against the RUC. All of us are for the most effective and representative police service that can be created in Northern Ireland.

During 30 years of conflict, the RUC has been both the bulwark against and one of the principal victims of a sustained and brutal terrorist campaign. That position has led—unfairly—to its being identified more with one side of the community than the other. That, of course, is exaggerated by some for political reasons—I readily acknowledge that—but it does not remove the essential truth that the RUC tends to be associated more with one side of the community.

Policing in Northern Ireland arouses great passions. I have heard—often at first hand—the resentment that some of the proposed changes to the RUC have sparked. I understand the pain that proposed changes to the name and symbols have caused—especially among the families, friends and colleagues of murdered RUC officers. The name, rightly, is a source of great pride to the RUC family. I respect that.

We all owe the RUC a deep debt of gratitude. We shall never forget the 302 officers who were killed and the thousands more who were injured. Like the right hon. Member for Upper Bann, I whole-heartedly support the award of the George Cross by Her Majesty to the RUC. It is a richly deserved recognition of the courage and dedication of the RUC; I include regulars, reserves, full-time, part-time and, indeed, support staff. It is a fitting memorial to those who gave their lives.

In January, when I announced my decisions on reform of the RUC, I was mindful of that history and of the concerns that change provoked. Then, as today, I was clear on one point: the reforms are—emphatically—not an attack on the RUC. They are not about disbanding the RUC. Those who advocated that course lost the argument. The proposed changes do not result from the RUC's failure—quite the opposite.

The RUC has provided a first-class service to the people of Northern Ireland and it continues to do so. That has not changed. However, the world, and Northern Ireland, are changing dramatically, and for the better. We must prepare and equip the RUC to embrace that change for the future.

An opportunity has been offered to create an outstanding modern police service—to allow the police to develop in a way they themselves have wanted to do for years. They will be able to make the transition from an anti-terrorist security force—as they inevitably had to be—to a community-focused and community-based police service working in partnership with the whole community. The new peace in Northern Ireland gives us the opportunity to allow the RUC to do what they wanted and still want to do—I stress that point.

Indeed, many of the central planks of the Patten report—for example, on the size and structure of the police service, on police training, on civilianisation, on community partnership policing, on normalisation of policing, including the amalgamation of special branch and crime branch, the phasing out of the RUC reserve and other proposals that Patten has made—flow directly from the Chief Constable's own fundamental review conducted three years ago. As Les Rodgers, the chairman of the Police Federation, pointed out, Patten was

the adoption in the main of the Fundamental Review.

Even so, when I was appointed to this job a month after Patten delivered his report, I decided to re-examine all the commission's recommendations and to reassess them on their merits. I subjected each to the same test: did it contribute to our aim of securing a modern, effective police service for Northern Ireland capable of attracting widespread community support? In a number of cases, I found it necessary to modify or alter the way in which a recommendation was to be implemented.

I have decided, for example, that the new police oath should not be taken by serving officers, who have already been attested as constables. That would suggest that, in some sense, the RUC, was being disbanded. It is not; that view has been rejected. I also decided that the district policing partnerships should initially be purely consultative bodies and that there should be safeguards to exclude anyone convicted at any time of a terrorist offence from being appointed as an independent member of a district policing partnership. In other matters too, I have gone to every length to ensure the operational independence of the Chief Constable and his officers from political interference.

I am determined to advance these and other changes in a sensitive and balanced way. However, we cannot allow emotions to blind us to the pressing need for change—change that the RUC itself has already acknowledged is necessary and desirable.

The hard reality of policing in Northern Ireland and the reason policing was remitted to the Patten commission in the first place is this: although 80 per cent. of Protestants are content with policing, fewer than 50 per cent. of Catholics are satisfied, as reported by Patten; the annual community attitudes survey—leave aside what the Patten commission established—shows that although 70 per cent. of Protestants think that police treat the two communities equally, only 30 per cent. of Catholics agree. I am not endorsing that statement; I am not saying that it is true. However, we cannot dispute the perception that exists among the Catholic population.

In the same survey, three quarters of Catholics and 60 per cent. of Protestants hold the view that there are too few Catholics in the police service. The reason for that is that 88 per cent. of the police are from the Protestant side of the community. That is in spite of the great efforts made by the Chief Constable and by the police authority to achieve a more balanced service.

Rev. Ian Paisley (North Antrim): The Secretary of State must keep in mind the fact that, when Roman Catholics join the police, they often lose their right to go home. Many Roman Catholics in my constituency are members of the police, and they cannot go to their own homes; their homes are under threat. Sometimes their parents have to meet them outside Northern Ireland. Surely that is why we do not have the input into the present RUC that we did in the old days when about a third of the force were Roman Catholics.

Mr. Mandelson: I entirely accept what the hon. Gentleman says. I know that IRA intimidation—in the past, including murder—has been a significant factor in preventing Catholics from joining the RUC. Such intimidation is absolutely disgraceful, and it must stop.

I say to the hon. Gentleman, however, that intimidation is not the only factor. Peer pressure, lack of community support, lack of identification with the RUC, fear of loss of family contact and an expectation among Catholics of having to submerge their nationalist identity should they go into the RUC—I am not suggesting that they will; that is the fear and apprehension among Catholics—are factors and they have all played a part. It is those factors that we are addressing and trying to remedy in the changes that we advocate today.

Northern Ireland is a divided society and the issue of policing throws those divides into sharp relief. To be fully effective a police force must be representative of the community that it serves and it must also command widespread support across that community. That is why I was persuaded that serious and radical changes were needed to redress the extreme religious imbalance in the composition of the RUC. That included changing the name.

Mr. Robert McCartney (North Down): Is the Secretary of State aware that, between 1918 and 1921, the Royal Irish Constabulary comprised 70 per cent. Catholic constables? However, exactly the same process of

[Mr. Robert McCartney]

demonisation, propaganda and murder—more than 400 officers were murdered—did not solve the problem. Does he not accept that the change of name, or even an increase in Catholic representation in the ranks of the RUC or the new police force, will not solve the problem?

Mr. Mandelson: I believe that the changes taken in the round will address the problem and, over time, they will bring about the change in perceptions and attitudes among Catholics and nationalists which is necessary if we are to promote and secure the applications, the recruitment and the different composition of the RUC that everyone agrees is necessary. Nobody disputes the need for that. Where there are divided opinions is over the type of measures—the form the measures will take—and how quickly they should be applied to redress the religious imbalance that exists.

Mr. Tom King (Bridgwater): As the Secretary of State rightly said, the whole House would wish to see a police service in Northern Ireland that commanded the widest possible cross-community support. In his recommendations on the Patten report, he has put forward some pretty fundamental changes that will obviously cause concern. What confidence does he have that the leaders of the nationalists—and republican elements as well—will be prepared to endorse and support people joining a new police force under the structure that he has proposed?

Mr. Mandelson: I believe that my confidence matches my hopefulness that that endorsement and those calls will come from leaders of the nationalist community. I have been encouraged by what leaders of the nationalist community have said and, if one takes what they have said at face value, I believe that, if we faithfully implement what we have said we will do, that support and encouragement will be forthcoming. I certainly hope that it will be.

Mr. John Hume (Foyle): In reply to the point made by the right hon. Member for Bridgwater (Mr. King), there is no doubt that we want a police service that has the loyalty of the entire community and membership from all sections of our community. As I have often said, the basis of law and order in any society is fundamentally agreement on how it is governed; where that is absent, the police, no matter who they are, will be seen as being on one side or the other. They are therefore victims of politicians' failure to reach that agreement. My hope is that the agreement that we have now reached, including the implementation of the Patten report, will provide the basis for a police service that has the membership of all—

Mr. Deputy Speaker: Order. I am reluctant to stop the hon. Gentleman, but this is an intervention, not a speech.

Mr. Mandelson: It was a very welcome intervention, and an important one because the hon. Gentleman has remarked that if, in implementing the Good Friday agreement, we implement what the Patten commission has recommended, the police service will, in his opinion, command the loyalty of all sections of the community. That is a welcome and important statement, and I am grateful to the hon. Gentleman for making it.

Mr. Frank Field (Birkenhead): May not the House be missing the point when we say that of course we look for support for the changes from nationalist and republican groups in Northern Ireland? Nationalist and republican positions are totally legitimate, but is not the real problem that a very small minority have guns, and they have an influence out of all proportion to their number? The changes might well have the overwhelming support of nationalist and republican opinion in Northern Ireland, but the crucial group with whom we have to deal are those with guns who terrorise.

Mr. Mandelson: My right hon. Friend makes a reasonable point, but it is no more necessary or desirable to have our views about policing and the proposed changes dictated to us by those who hold guns than it is to have the future of our devolved and political institutions, and their establishment in Northern Ireland, dictated to us by those who hold guns. I do not want any blackmail on any decision or policy to be perpetrated by people who insist on carrying arms as members of paramilitary organisations.

Mr. Michael Howard (Folkestone and Hythe) *rose—*

Mr. Mandelson: I am afraid that I must press on, but I shall be glad to give way later in my remarks.

Mr. Howard: My intervention is on this point.

Mr. Mandelson: I defer to the right hon. and learned Gentleman.

Mr. Howard: The right hon. Gentleman is generous in giving way and I am grateful. On the point about the name, is he aware that the police force that is singled out for most praise in the Patten report, and which operates in not entirely dissimilar circumstances to the RUC, is the Royal Canadian mounted police? Is he aware that the Canadian high commission has confirmed that there are no plans to change the name of the Royal Canadian mounted police?

Mr. Mandelson: With respect, the right hon. Gentleman is rather dramatically missing the point. If the Royal Canadian mounted police were operating in a society as divided as that in Northern Ireland and the policing itself were as controversial and evoked such passion and anger as the policing in Northern Ireland, they would be addressing the nature, the form and even the name of the force, just as we are doing with the RUC.

That brings me to the issue of the name. The Patten report concluded that

> the name of the RUC . . . had become politicised—one side of the community effectively claiming ownership of the name and that the use of those words . . . must inevitably go some way in inhibiting wholehearted participation in policing.

To be absolutely frank, my starting point was to challenge that view. I recognised the pain that changing the name would cause and questioned whether it was really necessary and indispensable in attracting a balance in recruits. After a lot of thought and genuine consideration, I concluded that it was necessary.

I concluded, however, that small but significant changes to Patten's recommendations were called for. For example, the new name—Police Service of Northern Ireland—has been modified and will be adopted only

when the first new recruits enter through the new recruitment procedures in autumn 2001. Nothing that we are doing is overhasty or accelerated. Logically, the new badge of the police service will be introduced at the same time, but I have not decided what the badge should be, and I am not convinced that it need be entirely free of association with both traditions.

I have listened carefully to the arguments made by the right hon. Member for Upper Bann. I acknowledge that many Unionists and many in the police family vigorously oppose the change and I have experienced at first hand their continuing opposition. Equally, however, it is very clear to me from all that I have heard from nationalist political, church and community leaders that, in their opinion, a change in the name is essential if the changes to the police are to succeed in changing not only people's perceptions of the police, but their attitudes to volunteering and recruitment to the police service in the future.

That view is not confined to nationalists. Editorials in the *Belfast Telegraph* on 19 and 20 January at the time of the announcement of the Government's decision recognised that while the sacrifices of the RUC should be remembered in a new policing era,

sadly, there would have been little chance of progress towards a broadly acceptable force without some change in the name and symbols, which were a legacy of the past.

The *Belfast Telegraph* got it right.

The *Belfast Newsletter* said that Unionists

would do well to take their cue

from the police who would

take all the changes in its professional stride.

I want to make it absolutely clear: changing the name has nothing to do with the issue of sovereignty or Northern Ireland's constitutional status. Northern Ireland will remain a part of the United Kingdom for so long as that is the wish of a majority of its people. No matter how much smoke some people create, the name change is about effective and representative policing—nothing more and nothing else.

Some have accepted, reluctantly, that the change of name is necessary and have expressed the hope—[HON. MEMBERS: "Name them."]

Mr. Deputy Speaker: Order. The debate has been conducted properly until now, and there is no point in hon. Members making seated interventions.

Mr. Mandelson: Some have accepted the necessity of the change, including some in the Unionist community and, indeed, some in the party of those hon. Gentlemen who are calling out to me. I know that because I have met members of the party who reluctantly accept that the change is necessary. They have also expressed the hope that it will be possible to find a way of commemorating the title and the service of the RUC in some form, not least in honour of those who have lost their lives. I strongly share that view, and I can announce that I have set work in train to identify appropriate ways of honouring the name of the RUC in perpetuity by associating it with suitable and agreed initiatives.

Ultimately, what the police do, how representative they are, and how they are trained and equipped matter more than what they are called. The Government are determined to ensure that the police have the necessary resources and capabilities to protect the community and uphold law and order.

We must tackle the live, day-to-day issues: the all-too-frequent paramilitary attacks that inflict terrible suffering and mock the principles of fairness and justice; the arson attacks; and all the other crimes of violence that wreck lives, wreck homes and deny whole communities their basic right to live free of fear.

There are parts of Northern Ireland in which paramilitaries think not just that they are above the law but that they are the law. The paramilitaries' grip on such communities needs to be tackled and broken, but to achieve that, the police service must have the confidence of law-abiding people in such communities. The police service needs to be more representative of them if confidence is to be built up, if the police service is to command the confidence that it needs in all parts of the community, and if it is to do its job effectively and successfully and take on and defeat the paramilitaries' grip. That is our objective.

Mr. Nicholas Winterton (Macclesfield): The Secretary of State slips his tongue across descriptions of certain parts of the community in Northern Ireland. He describes them at one moment as nationalists, at another as republican and at another as Catholics. I am not sure that those descriptions necessarily all represent the same interest or objectives. Is it one of the right hon. Gentleman's intentions to have sections of the police force who wish to bring Northern Ireland out of the United Kingdom? Is that in his mind?

Mr. Mandelson: I do not know quite what the hon. Gentleman is saying. He seems to be asking whether there will be a separately constituted section of the new police service of those who are dedicated to persuading their fellow citizens to leave the United Kingdom. I must say that that would be an odd way of constituting a police service. All I can say to the hon. Gentleman is that the Chief Constable is responsible for the recruitment of members of the police service and were he to make such a proposal to me, not only would I be extremely surprised but I would have no reluctance in questioning and rejecting the proposal.

The motion also calls for the implementation of controversial recommendations to await a new dispensation. I want to take up what the right hon. Member for Upper Bann has said about that, because he made some important points and I take them seriously. I ask the House to think for a moment about the right hon. Gentleman's argument and what he has said. The British and Irish Governments, and all the Northern Ireland political parties, have to play a part in creating a new social and political climate in Northern Ireland. Reform of the RUC is not a consequence or a by-product of the climate that we want to create in Northern Ireland. Reforming the police is crucial to creating that climate and building up the new dispensation that the Good Friday agreement foreshadowed and which all of us who support the agreement want to usher into Northern Ireland as a new era of inclusive government and unbreakable peace. I say to the right hon. Member for Upper Bann that I believe that reform of the police has an important contribution to make towards creating that climate and ushering in that era, which all of us want to see in Northern Ireland.

[Mr. Mandelson]

None the less, I can reassure the House that there will be no question of rushing forward with change in the absence of a stable security environment. From recent events, including the explosion today, it is clear that we still have some way to go before we have created that entirely stable security environment.

A number of recommendations depend absolutely on the Chief Constable's assessment of the level of threat—recommendations such as phasing out the full-time reserve; amalgamation of special branch and CID; progress towards an unarmed police service; and changes to police buildings and vehicles.

Those changes will be carried forward only on the Chief Constable's advice, and on the basis of his assessment of the security threat in Northern Ireland. That is what Patten said, what I have accepted, and what the Government's policy is—taking account of the security situation and, against that background, the capability of the police as an organisation to absorb the huge changes that are set out.

Some changes can occur quickly. The Chief Constable has begun the process, and we will see the start of down-sizing and the creation of new district command units this November. That is his choice and his decision. Other changes will take longer. For example, Patten envisages the composition of the service changing over a period of 10 years.

In conclusion, I want to say this about the RUC: in its planning and preparation for change, the RUC has shown the same sort of typical professionalism as it has shown throughout 30 years of dealing with terrorism. I have met those responsible in the RUC—the change management team and the assistant Chief Constable, who has an excellent team. I am thoroughly impressed by the conscientiousness of those responsible and by their dedication to the task of bringing about the change, some aspects of which they may not like, but all of which, as professionals, they will embrace, if that is the will of Parliament once the legislation is enacted. They deserve our gratitude and our unfailing support. They certainly have mine.

I want also to pay tribute to the role of the Army in supporting the police in the fight against terrorism. The Army, too, has shown enormous courage in helping the police to uphold law and order and in protecting all sides of the community in Northern Ireland from violence. It, too, has paid a very heavy price, with the loss of 655 soldiers since 1969. In that context, let me join the right hon. Member for Upper Bann in expressing my sympathy to the families and colleagues of the soldiers lost in the tragic accident on the River Foyle last night.

Those who care about the police must resist all temptation to project self-interested political arguments on to the RUC. *[Interruption.]*

Mr. Deputy Speaker: Order.

Mr. Mandelson: Whether in support or condemnation, that does the police absolutely no service and it makes their job harder, as the chairman of the Police Federation in Northern Ireland reiterated this morning, when he asked for politicians and the political parties in Northern Ireland to debate all the changes, but not to seek to link those changes and the future of the police in Northern Ireland to the interests of one section or one political party alone in Northern Ireland.

Therefore to Unionists I say: "You are not being asked to relinquish your pride in or your sense of community with the RUC. You are being asked to share it with others in the whole community in Northern Ireland."

To nationalists, I say: "You must meet Unionists halfway. We can create a service of which nationalists can feel a proper sense of ownership, but it is up to you to embrace it and to join the new police service when it is created."

Our success in achieving a new balance and a new composition will be the litmus test of the reforms. This is an ambitious programme of change. The RUC has risen positively to the challenge, and we must follow the example that it has set in Northern Ireland. We have a framework and the commitment to create a modern, effective police service, drawing support from and putting down roots in all parts of the community. That is the prize. Now we must grasp it.

5.1 pm

Mr. Andrew MacKay (Bracknell): The House is grateful to the Ulster Unionist party which, by using its precious single Supply day to propose a motion on policing in Northern Ireland, has given us an opportunity to comment on what should be contained in the legislation that the Secretary of State will introduce shortly.

I want again to underline the Conservative Opposition's respect for the Royal Ulster Constabulary. During the past 30 years, the RUC has constituted the thin green line in the Province between the rule of law and anarchy. We owe the RUC a huge debt of gratitude on the mainland, in the Province and in the Republic.

Members of the RUC have paid the most horrendous price: 302 officers have been murdered, more than 10,000 have been cruelly maimed or wounded while trying to protect innocent life. In the international context, the police force in Northern Ireland is regarded throughout the world as the best counter-terrorism force ever. Those who recently visited the Balkans, especially Kosovo, know of the excellent work that RUC officers are carrying out there under equally difficult circumstances.

The whole House was therefore delighted when Her Majesty chose to recognise the RUC by awarding it the George Cross. Never has an award been more deserved. Conservative Members fully understand why the Secretary of State will not be with us for Question Time next Wednesday. He will rightly be with Her Majesty in the Province for the exciting occasion of the awarding of the George Cross. We are delighted that that will happen.

I shall repeat the comments that I made when the Patten proposals were published in September. We believe that they offer an interesting and helpful basis for policing in the Province when there is no longer a terrorist threat. However, the terrorist threat remains. In the past 24 hours, a serious explosion has occurred at the Eglinton barracks. A couple of weeks ago, a car was intercepted on the road between Hillsborough and Lisburn, and 500 lb of home-made explosives were found. In the run-up to St. Patrick's day, those explosives would have been used in a dangerous and evil way. I hope that no hon. Member believes that there is no continuing terrorist threat from republican and so-called loyalist paramilitaries. Hopefully, it comes only from splinter groups.

We believe that it would be decidedly premature to introduce some of Patten's security-sensitive recommendations. There are 175 recommendations in all, the great majority of which are straightforward, sensible and necessary. Many were mirrored in the Chief Constable's earlier review and we believe that they should be implemented forthwith. We can get those out of the way immediately.

We have reservations about the proposed name change. Worse than that, I do not believe that we can support the Government when the legislation comes before the House. We see no need to change the name of the Royal Ulster Constabulary. As the Secretary of State and the right hon. Member for Upper Bann (Mr. Trimble) were good enough to point out, this is an extremely sensitive issue, particularly for those who have lost loved ones serving in that force. Therefore, any change of name must not be taken lightly by the House.

The biggest reason that we are given for a name change is that that change would increase confidence in the nationalist-republican community. I rebut that by quoting the Police Authority survey, which was concluded only in October last year—no more than six months ago. It says that a name change

> will cause major offence in the Protestant community but will not lead to significant improvements in support for the Police among Catholics.

I endorse that. In other words, a recommendation to scrap the name of the RUC would create considerable grief and pain in one community without achieving much consequent gain in the other. That has been further endorsed today by the survey in the *Belfast Telegraph*, which shows that 61 per cent. of the Catholic community not only have confidence in the police, but do not believe that there is any need to change the name. I hope that, at this late hour, the Secretary of State will think again. To give him advance notice, I must tell him that, if he does not, we shall seek to remove that provision from the legislation and will press the matter to a Division, both here and in the other place, until we can persuade him to do so.

Rev. Martin Smyth (Belfast, South): One of the specious arguments in favour of changing the name is that people speak of the RUC as "our police force". Perhaps those who use that argument have forgotten that that is an Ulster form of expression. We speak about "our Government" in this place, although no one from either the Labour or the Conservative side stands for election there. Surely that expression acknowledges that the RUC is part of our society and that we are part of it.

Mr. MacKay: I hope that the hon. Gentleman is not asking me to refer to them as "our Government". On a more serious note, he and I agree, as does the Secretary of State, that the police force in Northern Ireland—the Royal Ulster Constabulary—is for everybody in Northern Ireland, with the possible exception of the men of violence in both communities who want to break up the process and are rightly scared of the RUC because of the success that it has had.

I want to discuss the security-sensitive measures. I listened very carefully to the Secretary of State. He rightly identified most of them, but I put it to him that they should not be incorporated in the legislation at this stage. Only when he, the Chief Constable and the General Officer Commanding, Northern Ireland, believe that there is no longer a terrorist threat—in other words, when Belfast is the same as Bracknell—should they be considered by the House for implementation.

Mr. Mandelson: Is the right hon. Gentleman suggesting that we should introduce two Bills? Is he suggesting that we should introduce a Bill to pave the way for half the changes, and a subsequent Bill that would be necessary for us to provide for the restructuring of the force and other matters—for instance, those relating to the Special Branch? Is he saying that none of those matters should be dealt with until the security situation changes, at which point we would introduce a further Bill? Is he really suggesting that?

Mr. MacKay: I am delighted that I have made myself so clear. I believe that, in the legislation that the Secretary of State will present to the House, we should implement only the Patten recommendations that are not security-sensitive. I would then leave the remaining recommendations until there is a lasting peace. The Secretary of State knows full well that, sadly, we are a long, long way from no longer facing a terrorist threat.

There is no doubt that there is still a terrorist threat. It would be extremely foolish for us to put on the statute book recommendations from Patten that are security-sensitive, would potentially harm the police force, and, more important, would lead to a loss of life here, in the Province and in the republic.

Mr. Mandelson: Let me put on record my gratitude to the right hon. Gentleman for changing the formulation of what he said in his earlier contribution, when he referred to delaying the implementation. Delaying the implementation is one thing; providing for changes in legislation is quite another. It is possible to provide for something in legislation without immediately implementing it. The implementation can wait for the security situation to permit it, and for the Chief Constable to give the appropriate advice, but I think that it would be very odd not to take the powers and not to make the provision at all.

Mr. MacKay: Obviously, we do not believe that there should be implementation until it is safe for that to happen. Equally, we do not want the recommendations to be implemented merely by affirmative order, by a nod and a wink from the Secretary of State, or by the imposition of political pressure on anyone else. They should be implemented in fresh legislation on the Floor of the House, with us, the Members of this House, making a final decision.

Mr. Nicholas Soames (Mid-Sussex): Is not the pity of this the fact that the Government have not learned the lesson of the folly of releasing large numbers of terrorists into the community, which everyone with any common sense knows was a dreadful mistake, and the fact that they now insist on going the whole hog on the Patten proposals when, although everyone acknowledges that much in Patten is extremely good and should be implemented immediately, the name change is a change too far?

Mr. MacKay: I agree with everything that my hon. Friend has said. I shall return to the subject of

[Mr. MacKay]

decommissioning and terrorist prisoner releases shortly; first, however, I want to regain the Secretary of State's attention, because he is anxious for me to make absolutely clear where we stand on security-sensitive legislation.

What we object to most is the setting up of new district policing partnership boards, which will include locally elected representatives. That means that Sinn Fein councillors and so-called loyalist councillors, with their clear links to the paramilitaries, will be able to sit on the boards—and, under legislation from this House, the area police commander will be legally obliged to give them security-sensitive information. I hope the Secretary of State agrees that that would be entirely inappropriate, and would put lives at risk.

The idea that any of those elected councillors can sit on any police board at any time while their paramilitary associates—with whom, according to the Prime Minister, they are inextricably linked—have failed to decommission one gun or one ounce of Semtex is outrageous. We would not in any circumstances wish to support the setting up of such boards, even by means of an arrangement that could be implemented later if the peace lasted. We would want fresh legislation. We would want the House to look very carefully to satisfy itself that that has happened.

Mr. Mandelson: I have already made it clear that they are not being set up as executive boards. I have already decided that they will be set up as consultative forums.

As for the right hon. Gentleman's other point about people from Sinn Fein, notably, being part of the forums, he must realise that, by then, it must be assumed—I certainly hope that he assumes it—that Sinn Fein will be part of the government of Northern Ireland, let alone the district partnerships. He should know from his knowledge of Northern Ireland that many of those partnership boards exist already in relation to a host of other policies and activities throughout Northern Ireland, almost all of which include representatives of Sinn Fein sitting down with representatives of other political parties. There is nothing new in all this.

Mr. MacKay: There is something entirely new about recommendations under Patten—which we are still not clear whether the Secretary of State will implement—actually saying that the area police commander, under statute, must give security-sensitive information to the police board, when those people sitting on the police board are inextricably linked, so do we have an absolute guarantee that the board has been scrapped for good?

Mr. Mandelson: I repeat: I have already announced my decision not to accept that aspect of the Patten commission's recommendations. They are not being set up as district executive boards. The district commanders will not have the relationship that the right hon. Gentleman has described to the district partnerships, which will be consultative forums that will not deal with security-sensitive matters and material.

Mr. MacKay: I think that we have to pursue the Secretary of State just a little further, so that we are absolutely clear. He has said that the boards are not going to be set up. They are not going to be set up for good—is that right? There is not going to be something in the legislation that says that the boards can be implemented once certain criteria have been reached. That is what we want to know. Police boards are forgotten now—is that correct?

Mr. Deputy Speaker: Order. I know that there are many questions to which the right hon. Gentleman wants an answer, but he must give the House a speech. We cannot have a situation where the Secretary of State keeps intervening because there are others who wish to contribute to the debate.

Mr. MacKay: With the greatest respect, let me say that the Secretary of State has been making certain suggestions, which need to be clarified. I would like to have those clarified now. I want a guarantee from him that there will be no police boards in the legislation. *[Interruption.]* I hear the Secretary of Sate say that he has said that. Okay. We have now accepted that there will be no police boards and no mention of police boards in the legislation. I am delighted. I hope that I am right.

Mr. Stephen Day (Cheadle): Is the Secretary of State sure about that?

Mr. MacKay: I share the view of my hon. Friend: I am doubtful.

I move to the other security-sensitive areas that I wish the Secretary of State to exclude from the legislation.

Mr. Ken Maginnis (Fermanagh and South Tyrone): Will the right hon. Gentleman give way?

Mr. MacKay: I will in one moment. It is important that I put this on the record.

We believe that there should be no changes to special branch until there is no longer a terrorist threat and that that should not be in the legislation. We believe that the cutting of the strength of the force should not be in the legislation, but, instead, should be left, as it always has been, to the Secretary of State, in conjunction with the Chief Constable and the General Officer Commanding, after judging the terrorist threat. That seems right and proper. We believe that there should be no tampering with the full-time reserve until, again, there is a lasting peace and no longer a terrorist threat. I hope that that will be borne in mind.

Mr. Maginnis: I do not want to delay the right hon. Gentleman, but he might reasonably inquire what body will replace the Police Authority for Northern Ireland because I think that he is being misled by the Secretary of State in terms of both the police board and district policing partnership boards.

Furthermore, the Secretary of State has told us that he would not implement the district policing partnership boards until such times as the criminal justice commission reported, but it has now recommended the implementation of those district policing partnership boards. Is he giving us a firm commitment, then, that he will not take the recommendations of the commission?

Mr. MacKay: Although I cannot answer for the Secretary of State, I should like briefly to observe that the

hon. Gentleman—who has more experience of security and police matters than any other hon. Member—and the right hon. Member for Upper Bann (Mr. Trimble), who is nodding, share the concerns felt by me and my right hon. and hon. Friends about the Secretary of State's comments. I also note that the hon. Gentleman will be replying to the debate for the Ulster Unionist party and can undoubtedly raise those issues with the Minister of State—who is nodding and listening very carefully to the debate. I am sure that the Minister will address those issues in full.

The only other matter that I wish to discuss is Catholic recruitment to the force. I entirely endorse almost everything that the Secretary of State said on that matter. I hope that no hon. Member is not deeply disappointed that the Royal Ulster Constabulary does not more evenly reflect the composition of the two communities. It is patently clear that it would be in the best interests of the Province if the force did so. Those aspects of the Patten report that encourage recruitment of young Catholic men and women to the force are to be commended.

It is, however, very important that we ask why there are so few of them in the force, despite—as the Secretary of State rightly acknowledged—the tremendous work that the Chief Constable and many of his officers have done to try to increase that recruitment. The simple truth is that those men and women have been intimidated within their own communities, not merely by the IRA and other republican terrorist groups, but by peer pressure and the community at large. I call upon the leaders of that community—the politicians, churchmen, local councillors and others who have influence—now to encourage their best men and women to come forward and join the police force. I believe that that is absolutely essential.

My colleagues and I shall be voting for the motion because we believe that the concerns expressed by the right hon. Member for Upper Bann and his co-signatories to the motion are absolutely correct. We wish to see a successful, broadly based police force in Northern Ireland. Again, I call on the Secretary of State and the Minister of State to listen very carefully to this debate and the concerns.

I should much prefer for us not to have votes when we consider the legislation. However, we shall have votes if Ministers proceed with the name change without any compromise and if we are not satisfied with their sort-of assurances—which we found far from clear—on the security-sensitive recommendations that we believe should not be in the legislation.

We await the Bill's publication and First Reading with great interest. Meanwhile, we shall enthusiastically support today's motion.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. I once again remind the House that Back-Bench speeches will be limited to 10 minutes.

5.23 pm

Mr. Eddie McGrady (South Down): I should like to put this debate and the motion into the original context—a programme for peace and for ensuring the stability of that peace. The legislation will not be an isolated consequence of the Patten commission, but part of a very complex series of agreements made by the pro-agreement parties, including the Ulster Unionist party, on how to achieve that peace, permanent stability and good government in Northern Ireland. It is part of a mosaic that included the recognition of the status of Northern Ireland, the equality agenda, the amendment of articles 2 and 3 of the constitution of the Republic of Ireland, the police review, the criminal systems review and decommissioning. Those issues are all intertwined, interlinked and interdependent.

Through the Good Friday agreement, we are trying to resolve a 300-year conflict that has been so bitterly and tragically expressed in the past three decades in our society in Northern Ireland. Opposition Members regularly speak with apparent expertise on what the nationalist community thinks and wants. Not one of them lives in that community and very few of them even visit it when they come to Northern Ireland. Let us not pretend that Opposition Members know about the nationalist community of Northern Ireland and what it desires.

Whether we like it or not, there is a perception that the Royal Ulster Constabulary is the police force of one section of the community. One of the primary reasons for that perception is the antics of the Ulster Unionist party over many years. They must take part of the blame for that partisan attitude to the police service in Northern Ireland. Many statistics have been quoted at us today, but one of the most vital is the percentage of participation by the nationalist community in the Royal Ulster Constabulary. There are many reasons for that, some of which have been articulated this afternoon, including intimidation and the conflict to which I have referred. However, the situation was similar even before 1969–70. That was not the result of intimidation or violence. The problem was the ethos pertaining at the time, which is carried through to this day.

The motion is flawed, because it calls for the postponement of the implementation of the Patten report

> until the "new dispensation" on which it was predicated has truly arrived.

The new dispensation cannot be arrived at until the report is implemented, along with all the other issues. We are trying to create an environment in which the community fully respects, fully participates in, fully supports and fully endorses its Northern Ireland police service or the police service of Northern Ireland. The Government amendment catches that aspiration well. It talks of creating

> a police service capable of attracting and sustaining support from the community as a whole.

Opposition Members should support that, not the motion. The motion is exclusive and is not part of the Good Friday agreement, which the Opposition say they will support and have supported.

Our attitude to the Patten commission and its recommendations is based on our experiences in our community. The Patten commission did not recommend everything that we asked for, but the report is a reasonable presentation that should have the support of the entire community. Law, order and justice have always been the kernel of the conflict in Ireland over many years. We are trying to resolve that conflict once and for all. We are here to engage not in party political point scoring, but in a genuine attempt to establish a police service of a kind that we have not had since the creation of the Northern Ireland state, whose status has now been recognised, subject to the will of the people. That is what we are about.

[Mr. Eddie McGrady]

I regret that the centre of the attack, as it were, on the Patten commission is centred on the name and emblem change. That was one aspect of the commission's remit. Symbols are important, because they are symbolic of what they represent; but the Patten commission did what it was told to do. Why was it told to do that? It was because the terms of reference were directly translated from the Good Friday agreement. The second paragraph on page 23, annex 1, specifically requires the commission to address the problem of partisan symbols within the RUC, and that is what it has done.

It annoys me and the community from which I come that by supporting changing the name of the RUC we are somehow denigrating, trampling on or ignoring the sacrifices of RUC men and women and their families over the years. Are memories so fragile in the community that the continuance of a name is needed for sacrifices to be remembered? That is nonsensical. Two world wars were fought and men and women died. Their regiments were renamed or disbanded and nobody advanced the argument that the war dead had been dishonoured.

There is an attempt to create—

Mr. Trimble: Will the hon. Gentleman give way?

Mr. McGrady: I have only 10 minutes and I am not giving way to anybody.

There is an attempt to make a political football of the problem that we have in the context of the Royal Ulster Constabulary and the new Northern Ireland police service. We are striving for change and a new beginning, and the Patten commission is the way in which, by and large, we think that a change in security can be achieved.

Much was made by those on the Opposition Benches, particularly by the official Opposition, about holding everything in abeyance until the security situation is dealt with and clarified. They have missed the point entirely. It cannot be dealt with and violence cannot be finally eradicated until we have the new police service supported and endorsed.

Mr. Jeffrey Donaldson (Lagan Valley): That is the real position.

Mr. McGrady: I am talking about practical politics on the ground. Until the entire community feels confident to embrace, join and be active in that service, it will not be reflected in that service. Peace and stability in Northern Ireland depend entirely on the commitment that is given to the service by both communities.

Mr. Peter Robinson (Belfast, East): Will the hon. Gentleman give way?

Mr. McGrady: I have said already that I am not giving way. There are only a few minutes left to me.

I ask the House, including the Opposition, despite what they have said, to support the endorsement of a new police service that is capable of being supported by the entire community in Northern Ireland. Otherwise, we have failed. We have failed with the Good Friday agreement and we have failed to map out the way that we are going forward. I could argue—

Mr. Deputy Speaker: Order.

5.34 pm

Mr. Lembit Öpik (Montgomeryshire): Let us remember that the debate is part of the on-going peace process, wherein the Patten report has always played an important role, as we have just heard. The group Friends of the Good Friday Agreement has arranged a conference for the weekend after next, where once again the Patten report will form a key part of the discussions. Yesterday, a student section of that body was launched by the National Union of Students executive member, Sophie Bolt. Again, some conversation was focused on the Patten report.

We need to remember that many people are watching to see what happens to the police force in Northern Ireland. They are judging the actions that are taken and the promises that are made to create an inclusive police force by the degree to which the Patten report is implemented.

The fundamental police role is to uphold law and order. We have heard a lot about that and, in general, the RUC has performed that role admirably in the most extreme conditions. Thanks to the sacrifices of RUC officers and their families, law and order generally has not broken down in large parts of the Northern Irish community. I believe that the George Cross is a fitting tribute for that sacrifice, and I hope that hon. Members of all parties can agree on that.

However, we cannot get away from the fact that a substantial section of the population has had a more strained relationship with the RUC, despite the committed hard work of the overwhelming majority of officers, regardless of their religious denomination. The reasons for mistrust vary, but some tensions are the direct result of the troubles and of matters that have been set out already. As a result, some communities have turned to paramilitaries to enforce some form of trumped-up justice. In some areas, the paramilitary beatings have almost become part of the process of keeping order, although—most evidently—they are not part of the process of law.

The Patten report offers a way to stop that ethos. The Good Friday agreement stated clearly that the participants in the agreement

> believe that the agreement provides the opportunity for a new beginning to policing in Northern Ireland with a police service capable of attracting and sustaining support from the community as a whole.

That is the crucial point in this debate. We must all acknowledge what has been mentioned already—that the polls show that a large proportion of people in Northern Ireland do not regard the RUC as their police force. The Good Friday agreement was signed up to by almost everyone here today. The words that I quoted outline the challenge that the Patten commission sought to answer.

The Liberal Democrats broadly welcome the report as a basis for progress. Changes in the police service had to take place, and they had to be by evolution rather than revolution. In that context, I believe that there can be no question of disbandment. We must retain the vast range of talents and expertise in the RUC. We must also recognise—as the right hon. Member for Bracknell (Mr. MacKay) did—that the RUC is a world authority on some aspects of policing, as a result of the difficult circumstances in which it has operated.

Many of the recommendations in the report are not controversial and I am sure that they will be agreed without much dissent. I was especially pleased at the

emphasis that it placed on human rights. That emphasis is key to the well-being of a democratic society, and to the healing process that has to take place in Northern Irish politics, where human rights have not always been respected.

For a police force, limiting a person's human rights limits the degree to which that person can trust the force. For example, arrest, stop-and-search operations and house searches can lead to very bad community relations if they are carried out in an unsympathetic way. It takes only a small amount of distrust to render effective policing virtually impossible. A police force can barely operate without community support but, unfortunately, that is what has happened in some parts of Northern Ireland.

We therefore especially welcome the inclusion of a commitment to uphold human rights in the police service oath. In themselves, those words will not solve the problem, but they make a lot of sense in terms of the direction in which we must go. The Patten report suggests that the RUC can enhance its human rights practice further. We certainly welcome the report's recommendations, and hope that they will be implemented.

The Liberal Democrat submission emphasised the need for the police to work with the local community. Successful forces tend to be accessible to ordinary people. Given the security situation in Northern Ireland, that has not always been easy there, but a speedy implementation of the Patten report's proposals should help.

Even so, a start can be made now on building and developing trust. As always, there has been much discussion today about culture, ethos and—most important—symbols. All hon. Members, regardless of party, must recognise the sensitivities involved. I recently visited the Province with my right hon. Friend the Member for Ross, Skye and Inverness, West (Mr. Kennedy). Our conversation with police representatives underlined the real worries that the proposed changes have caused. There is a real feeling that they are disrespectful to the many people who have suffered loss or injury during the many years that the RUC has been in the front line. These feelings must be taken seriously. The right hon. Member for Upper Bann (Mr. Trimble) spoke with great authority and insight.

On balance, this is a matter not of principle but of judgment about how to balance the need for reform with the need to respect those sensitivities. Given that the police are there to serve not one or even two sections of the community but all the citizens of Northern Ireland, it is necessary to put that sense of ownership very high on the agenda for reform. Patten believes that the name is a real sticking point and that the historic symbolism, cherished by so many, also causes a proportion of nationalists and republicans to regard the RUC as someone else's police force or one connected with factions rather than individuals. It is a hard call. In my view, the changes must take account of the memory of those who have sacrificed so much, but it would be a far bigger tragedy if, after all that sacrifice, the RUC continued to be seen as a partisan force on account of its name.

This is not the time to discuss what the new name should be. As I have said in the past, I have concerns about the proposal: I still think that the name "Northern Ireland Police Department" would be better. However, it sounds as though we will have an extensive debate when the legislation comes before the House, and I hope that we can then fully air the concerns that have been expressed to us.

The Liberal Democrats also welcome other aspects of the report, such as video recording in custody suites, an effective complaints procedure, formalisation of co-operation with the Garda, and new and extensive information technology and telecommunication systems for local police stations. Those proposals can all make a practical difference to the effectiveness of the force.

We are, however, concerned about sections of the report, primarily recommendation 121. In attempting to address the imbalance between the number of Protestants and Catholics in the police, it says:

> An equal number of Protestants and Catholics should be drawn from the pool of qualified candidates.

We fully support the need for equalisation, but the imbalance will not be fixed by demanding that an equal number be recruited from the qualified pool of candidates. That would simply tackle the symptoms and not the cause, because quotas ignore the fundamental issue. There are so few Catholics in the RUC, not because Catholics have been rejected by the RUC but because the RUC has lost the confidence of so many Catholics who might otherwise apply. There is little incentive to apply. Added to peer pressure, community pressure and, sometimes, paramilitary pressure, that makes it much more difficult for a Catholic to apply to be in the police.

I met Relatives for Justice this afternoon. The group represents people with grievances about the injury or death of members of their family that they allege are a result of state force activity. Having listened to them, I am sure that there is a case to answer. However we may deal with their claims, these people are genuinely aggrieved that their concerns have not been raised sufficiently in the past. In that context, it is not surprising that there continues to be an imbalance.

We need affirmative action. I think that community leaders such as politicians, Church leaders and teachers could actively promote applications to join the police. There are no quick fixes here, and we must not deceive ourselves by thinking that quotas will solve the problem. The same goes for the recruitment of other unrepresented groups such as women and ethnic minorities.

The point about district councils and boards led to an interesting mini-Northern Ireland Question Time between the Secretary of State and the right hon. Member for Bracknell (Mr. MacKay). However, this did not clarify the situation, and I would be grateful if we could have an unequivocal explanation of what is going to happen. I was reassured that safeguards exist to prevent district councils from being infiltrated by paramilitary involvement, but we have to be careful, because I think the right hon. Member for Bracknell was right to raise the issue.

My final point is about downsizing. The right hon. Member for Upper Bann is right to say that we cannot start downsizing when we do not know where we will end up. If there is downsizing, however, we must ensure that retirement packages and severance payments are very generous. That would not cost the taxpayer a lot, and it would be fair to those who have given so much.

Northern Ireland needs the implementation of the Patten report's proposals. The Minister of State has assured me several times that the Government will press

[Mr. Lembit Öpik]

ahead with reform of the RUC, and I was glad to hear that the Secretary of State shares the timetable. Today's motion begins with the George Cross, so I shall end on it. Wherever we stand on the details, all hon. Members should honour the supreme sacrifice made by so many. We are for ever in the debt of those who lost their lives.

5.45 pm

Dr. Norman A. Godman (Greenock and Inverclyde): Except for the reference to the award of the George Cross, I, as a humble Back Bencher, cannot accept the motion. I am pleased that we are holding the debate, however, although I regret that we do not have five or six hours in which to allow more hon. Members to participate.

As we approach the second anniversary of the Good Friday agreement—a few days hence—I should like to be told that the Government seek, in harmonious co-operation with the Irish Government, to do all in their power to implement all of the agreement. I am confident in the Government.

The Government's amendment rightly pays tribute to the courageous service and sacrifices of the officers of the Royal Ulster Constabulary, emphasising that that must never be forgotten. I pay my own tribute to those brave men and women.

The amendment also demonstrates, plainly and uncompromisingly—as the Secretary of State did in his speech—the Government's determination to press on with reform of policing in Northern Ireland. I look forward to the early introduction of a Bill—the Police Reform (Northern Ireland) Bill would be my suggested title. I agree with the view voiced at the Ulster Unionist council meeting by Michael McGimpsey that change is not something to be frightened of as long as it is constructive change that enhances the ability of the police to carry out their duties. Mr. McGimpsey has said many other things, but I certainly support him in that.

I do not altogether agree with Mr. McGimpsey's criticism of the Patten report's "scant and fleeting" acknowledgement of the sacrifice made by RUC officers and their families. Some 302 officers have been killed, and almost 9,000 injured during the troubles. I hope that Mr. McGimpsey will not criticise me for my scant reference to the remarkable bravery and stoicism of those people, but I have only 10 minutes.

In Kosovo, recently I met constituents of some of the Northern Irish Members on the Opposition Benches. I met officers of the 60-strong Royal Ulster Constabulary contingent. They have no objection to my mentioning their names, and they are Superintendent John Middlemiss, Inspector Tim Hanley, Inspector John Adams and a remarkable young officer, Albert McWilliams of N division in Tyrone, who is based in a village that suffered a dreadful massacre. That village policeman is working with Canadian KFOR and doing a remarkable job.

I was so impressed by those officers that I wrote to their Chief Constable when I returned home, and I await his reply. I am happy to quote a letter of my own in the Chamber—I think that this is the first time that I have done so. I wrote:

> We discussed the duties they had to perform in that conflict-ridden province and I came away deeply impressed by their professionalism. More importantly, I was told by their chief, whom I believe Ronnie Flanagan had met, that the sixty-strong RUC contingent was among his best group of international police officers.
>
> Similar compliments were paid to your officers by senior UN officials, army officers and representatives of NGOs. The RUC can be justly proud of these fellow-officers.

Incidentally, the chief of the United Nations international police force said, "Do your best, Norman, to get some more RUC officers over here." I would not volunteer.

Within 36 hours of my return home from Kosovo I visited the RUC station in Musgrave street which covers the markets area. A couple of hon. Gentlemen know about my visit. I met Sergeant Jones and his colleagues who are remarkably positively establishing community policing, such as has been referred to. I need hardly say that that is a Nationalist area. Rightly, they have won a community policing award.

In the few minutes left to me, I had better say something about the Patten report. I have read the UUP's response to the Patten report and I reject the criticism that it is riddled with deep flaws. However, I share the concerns over the creation of district police partnership boards and I was pleased to hear the Secretary of State's emphatic assurance this afternoon. I would not want to see such boards introduced into Strathclyde police. There should be consultation between all groups at local level with local police officers. No one can object to that development in a new police force.

Many of the recommendations are utterly non-controversial. I am not very happy with recommendation 154 on page 121 under the heading "Culture, Ethos and Symbols". Patten and his colleagues recommend:

> The colour of the current police uniform should be retained.

I disagree. If we are to have comprehensive reform of all aspects of policing, why not, with the recommended design of a new, more practical uniform, substitute green for navy blue? As psychologists would say, the population stereotype and the colour we all recognise vis-a-vis police officers is navy blue. Let us switch colour.

This morning, after the hon. Member for Montgomeryshire (Mr. Öpik) met the women from the Relatives for Justice group, they told me that they were not at all happy with the Patten report but they were willing to accept it. They accept what Monsignor Raymond Murray, their convener, said in a letter to all hon. Members:

> The Patten Report on Policing is seen as absolutely the most essential element of addressing the need for change. The confidence of our membership in the Good Friday Agreement was won by the possibility that policing would be properly and thoroughly addressed.

I agree with those sentiments, but that is a most formidable challenge.

Last night's editorial in the *Belfast Telegraph* began with the sentence:

> In the seemingly endless search for a political settlement in Northern Ireland, it is clearly essential to know what core attitudes in the two communities are to be reconciled.

The last sentence of the editorial reads:

> There is no escaping the unwelcome conclusion that changing the name and symbols of the RUC, and producing a police force sufficiently supported by a large majority, will be a crucial issue.

I agree. This Government and this House of Commons with the people and police officers of Northern Ireland have to be equal to that immense challenge. It would be much, much better if these issues could be resolved in the Northern Ireland Assembly based on genuine consultation with all communities in the Province. I should love to see the early reinstitution of the Assembly.

However, if the House of Commons has to introduce that legislation, let us do so constructively—based on genuine consultations with the people of both communities in Northern Ireland. I support the Patten recommendations and look forward to early legislation implementing some if not all of them.

5.55 pm

Rev. Ian Paisley (North Antrim): I associate myself with the tributes that have been paid to those who have given their lives in the battle against terrorism in Northern Ireland—especially members of the Royal Ulster Constabulary and their constabulary reserve and members of the Army.

After 22 months, the Belfast agreement was suspended, but it seems to be a partial suspension, because we are talking about something that is part of the agreement—as the hon. Member for South Down (Mr. McGrady) emphasised. If the agreement is suspended, why are we talking about parts of it? *[Interruption.]* I listened to the Secretary of State and I do not think he knows whether he is suspended or it is suspended. There is no clear message about which parts we can or cannot talk about and legislate for.

The hon. Member for South Down made it clear that nationalists want complete implementation of the agreement before they can give their full support to the suggestions on the police. That will be clear when we read *Hansard*. That represents what the nationalists are saying. Of course, IRA-Sinn Fein is not in agreement with the Patten report, as we hear from its spokesmen. However, I am sure that the hon. Gentleman is happy about Patten. Everything in the SDLP's document on policing has been accepted by Patten—so the hon. Gentleman should be extremely pleased.

When the Patten commission was set up, many tributes were paid to it—by Unionists and nationalists. The leader of the Ulster Unionist party, the right hon. Member for Upper Bann (Mr. Trimble), said:

> The RUC have nothing to fear from the Patten inquiry.

The hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) said:

> If we are going to have a sensible look at the RUC then I believe that Chris Patten's appointment is progress.

Some progress—as we see today. On 4 June 1998, the hon. Gentleman said that he was

> very happy with the make up of the Patten commission. I think practically we could not have hoped for anything better.

When there was opposition in the Province, those who dared to say anything about the Patten commission were hammered down. However, when the report was issued, the Ulster Unionist council passed a resolution stating that it was

> deeply flawed and objectionable to the greater number of law-abiding people in Northern Ireland.

The resolution referred to the need to

> bring forward proposals for future policing structures and arrangements, including means of encouraging widespread community support for those arrangements.

The council felt that the Patten commission was supposed to do that, but had not done what it was asked to do.

Mr. Patten himself does not keep silent on these issues. He said:

> What on earth did these people think they were going to get when they signed up to the Belfast agreement?
>
> I don't say this provocatively, but it really does seem to me that we were given a very clear agenda, and I'm surprised that those who gave us that agenda did not understand what the consequences would be.

The leader of the Unionist party said:

> Nothing the Government say or do can dishonour the RUC and the men who have served in it.

I agree with him on that. He continued

> but they can dishonour and are dishonouring themselves.

I agree with that too. The hon. Member for Fermanagh and South Tyrone has asked the Secretary of State:

> Does he realise that despite his euphemistic language, my right hon. Friend the Member for Upper Bann (Mr. Trimble)—the leader of the Ulster Unionist party—is absolutely right to say that what has been announced today degrades, demeans and denigrates an honourable force . . . ?—[*Official Report*, 19 January 2000; Vol. 342, c. 852.]

Today we see the consequences of the commission. It is a serious matter that runs right to the heart of the debate. Those on the Front Benches have argued whether terrorists can have influence in the new set-up. The argument should have been not about the partnerships but about the main police board that is proposed. That is because the main board will have 10 members who will be appointed by the d'Hondt principle from those who are in the Executive.

The Secretary of State is working and sweating to get IRA-Sinn Fein back into the Executive. That is his purpose; he tells us that it must get back in because the Executive must be all inclusive. If the board is all inclusive, it will not be consultative—it will be the top body. The hon. Member for Greenock and Inverclyde (Dr. Godman) said that he would not want such a fixture in his country; we do not want it in our country, either.

It is all right saying that if a person has been convicted he cannot serve on a partnership, but what about those people against whom the charges have been put in abeyance because of the agreement? We do not know whether they are guilty or not guilty, but there are many unsolved cases of murder, maiming, wounding and bombing. I do not think that anyone who has any link with paramilitaries or with destructive elements should be on the board. We will not solve the problems of Northern Ireland—they cannot be solved—in the way that has been suggested.

Of course, there is real feeling about the name. I am sorry that the hon. Member for South Down does not realise that. I have heard strong discussions in the House about holding on to the names of regiments in the British Army, so such issues do not concern Northern Ireland only. People feel very strongly about them. They feel that their friends or families who have served in the regiments are slighted if the names are changed. How much more do people feel about the Royal Ulster Constabulary?

[Rev. Ian Paisley]

I was in the House when a spokesman told us that, if we could get rid of the Ulster Special Constabulary, all would be well. I remember standing on my own in the House to defend the Ulster Special Constabulary. They got rid of it, but did that make any difference? I pay my tribute to the Ulster Special Constabulary, which not for the money—its members were paid a mere pittance—kept the IRA at bay for years. The historian of the IRA, Tim Pat Coogan, acknowledges that in his book on the history of the IRA.

We then came to the Ulster Defence Regiment. I heard people say in the House that, if we got rid of the Ulster Defence Regiment, the troubles would all be settled and all would be well. We were to get a new regiment, the Royal Irish Regiment, but that is now to be seriously cut in size. Its headquarters are in Ballymena in my constituency and I got word the other day that a very big pruning will take place under proposals that have been made.

All those things happened, but there is no end to the problem. We must be prepared to deal with those who are prepared to take up arms and to kill, maim and bomb. Such people come from both religious sections of the community; there are terrorists and evil men in the Protestant—

Mr. Deputy Speaker (Mr. Michael Lord): Order. The hon. Gentleman's time is up.

6.5 pm

Mr. Frank Field (Birkenhead): I am grateful to be called because I want to place on the record—mercifully, briefly, Mr. Deputy Speaker—the reasons why I cannot support the Government in the Division Lobby this evening. It would be grotesque for me to move on to that stage of the debate without underscoring the messages that the House is putting out this evening to those who served in the police force in Northern Ireland and who were murdered. Similarly, it would be grotesque not to underscore our thanks to them, their families and their children. Although that point may not take up most of our time this evening, I would not want anybody anywhere in the United Kingdom, including Northern Ireland, to think that because we do not keep stressing it, it is not as much a part of our thinking today as it is at other times in the parliamentary process when we are not debating Northern Ireland.

The House can also be careless about its own Members. I proudly represent an English constituency, and I do not want my contribution to go by without my drawing attention to the additional pressures faced by hon. Members on both sides of the House who represent Northern Ireland constituencies. Sometimes we think that our task is difficult, but it is nowhere near as difficult as theirs. I would not want us, in the casual and careless way in which we sometimes approach issues here, to fail to underscore how mindful we are of their personal bravery and commitment.

Similarly, I do not want the debate to go by without saying something about those on the Treasury Bench who look after Northern Ireland affairs. It is not always easy being a Minister, but the Northern Ireland brief is the most difficult one. The pressures, worries and uncertainties and the horrors that happen when politics breaks down and people resort to violence to settle disputes are terrible. I was going to say that our Northern Ireland Ministers are on the front line; I hope that they are not, but they have to face risks that the rest of us do not have to face. That makes it even more difficult to disagree with them on an issue such as this.

I shall explain how the question of the Patten report breaks down for me. It is not that there are not many recommendations in the report about which we can all agree. I want to concentrate on those proposals which if they were implemented quickly would be seen as a victory by one side and a defeat by the other. My hon. Friend the Member for South Down (Mr. McGrady), better than anybody who has spoken so far—I do not knock anybody else because we are all making our own points—has encapsulated the political strategy that the House and the country have to face.

The House and the country are dividing, and I fear will continue to divide, along the following lines: there are those who believe that if further concessions are made, we can bring people who have been used to using methods of murder into the political process; there are, on the other hand, those who believe that that process has been tried and that for us to continue to engage them in the political process requires concessions from them. While we have not made much of it tonight, it is a debate, as the hon. Member for North Antrim (Rev. Ian Paisley) was saying as the time limit came down on him, about what happens to guns and bombs and the people who use them.

In my short speech and in, sadly, not supporting the Government in the Division Lobby tonight, I wish to say that increasingly people will want to see more progress on the handing over and decommissioning of the methods and weapons of murder before further concessions are made. So while one of course looks for progress in implementing those parts of a settlement that neither side thinks is a victory or a defeat, there are proposals in the Patten report that one side will crow about and that will cause the other side even greater anguish.

We cannot realistically move further in the peace process that all of us want until we make more progress, or one might say at least some progress, on the decommissioning of arms. So, although this debate is not about the decommissioning of arms, it is about that for me. Although the debate is not about paying tribute to those people who have been murdered on both sides in Northern Ireland, it is about that for me. Although the debate is not about being mindful of the families on both sides of the divide who will never be able to recover from the murder that the terrorists on both sides have inflicted on Northern Ireland, I merely wish to put down a marker to my Government, whom on many fronts I am so proud to support, that while I may be expressing a minority view among Members, those views I believe are not a minority view among our supporters in the country.

6.12 pm

Mr. Jeffrey Donaldson (Lagan Valley): The motion in the name of the Ulster Unionist party refers to the award of the George Cross. One of the main reasons, if not the reason, for the award of the George Cross by Her Majesty is the sacrifice of the men and women of the Royal Ulster Constabulary. Many officers have paid the ultimate price. In the past 30 years, 302 have been murdered and many more have been seriously injured and disabled.

Two of those 302 officers were members of my family circle. Constable Samuel Donaldson was murdered in 1970 on 12 August in Crossmaglen. He was the first officer to be blown up by the IRA in the conflict that has become known as the troubles. Another constable, Robert Miller, died with Samuel that day. Samuel's brother, Chief Inspector Alexander Donaldson was murdered by the IRA at Newry when it mortared the police station and killed nine police officers, two of them women.

So my family knows something of the sacrifice of the Royal Ulster Constabulary. Today, I salute their memory. The hon. Member for South Down (Mr. McGrady) said that the name of the RUC and our desire to retain that name was rather a tenuous link to our desire to mark the sacrifice, but I have to say to him that I do not believe that he is right. I must respectfully disagree with him.

I quote to the hon. Gentleman and the House the words of Rosemary Graham, who attended a public meeting in Portadown hosted by Chris Patten as he considered the issues relating to policing. Rosemary Graham, who is the widow of constable John Graham, murdered by the IRA in Lurgan, said to Mr. Patten:

> The RUC must remain intact so that my husband John did not die in vain. My husband was a family man. He was not political, he was not sectarian, he was not a Catholic and he was not a Protestant, but a Christian. He was very fair, he treated people equally and I was proud to be his wife. I put the words Royal Ulster Constabulary on my husband's gravestone. That is what he died for, and I do not want to see that changed.

I leave the words of Rosemary Graham with the hon. Member for South Down. I hope that he will understand the depth of feeling that exists within Northern Ireland on this matter. Rosemary gave me her permission to use her words in the debate today, because she wants the House to understand what the name "Royal Ulster Constabulary" means to her and to many others in Northern Ireland.

We have heard much talk about the controversy surrounding the name, yet as the right hon. Member for Upper Bann (Mr. Trimble), the leader of my party, mentioned earlier in the debate, that is not borne out by the attitude surveys carried out in Northern Ireland. Just last evening, yet another of those surveys was published in the *Belfast Telegraph*. Of the people from the Roman Catholic tradition who were questioned, only 31 per cent. found the name of the RUC to be offensive; 61 per cent. were not offended by the name of the Royal Ulster Constabulary. One wonders why there is such a great necessity to scrap the proud name of the RUC. In his contribution today, the Secretary of State made much of the professionalism of the force. His comments have been echoed by other hon. Members on the Government side.

It is easy to talk about the professionalism of the RUC, and when that is set against the propaganda—particularly of the republican movement, which has sought to undermine the RUC—many people, especially those living in Great Britain, ask why there is a need for reform. But when people hear the propaganda set alongside the Government's desire to reform the RUC, they conclude that there must be something to the propaganda, and no longer hear the comments about professionalism.

One must conclude that many of the changes proposed in the Patten report are not about organisational aspects, although there are proposals that deal with organisation. There are proposed changes, particularly those that relate to symbols, that are motivated simply by a desire to appease a small but vocal minority in our community.

We hear about the need to recruit more Roman Catholics to the RUC. As a member of the Select Committee on Northern Ireland Affairs who was a party to the report referred to by the right hon. Member for Upper Bann, I want to see more Roman Catholics serving in the RUC.

It is worth noting that since the IRA ceasefire, the number of applicants to the RUC from the Roman Catholic tradition has doubled. Does that not indicate some linkage between the violence and intimidation of the IRA, and the shortfall in recruits from the Roman Catholic community? I do not buy into the argument that the name and the symbols are a barrier to Roman Catholics joining the Royal Ulster Constabulary.

We hear also of bias by the RUC. Bias in favour of whom? If one visits the Maze prison in my constituency—if there are any prisoners left—one would observe as many loyalist prisoners for terrorist offences as republican prisoners. The RUC's conviction rate against loyalist paramilitarism is much higher than that against republican paramilitarism.

How can one say that the RUC has been biased? It has pursued terrorism from whichever quarter it has come. It has defended and protected the whole community, regardless of politics or creed. It is an insult to the RUC's professional integrity that the Government intend to pursue many changes that have nothing to do with professional policing but are politically motivated.

Sinn Fein-IRA has conducted a carefully orchestrated campaign against the RUC. Hon. Members should consider the disgraceful treatment of Monsignor Denis Faul and his colleagues who participated in a police liaison committee meeting in County Tyrone and the intimidatory tactics of the republican movement on that occasion. Hon. Members should consider the republican movement's bullying tactics against headmasters in schools when it seeks to prevent the RUC from teaching schoolchildren about road safety and the dangers of drugs. Hon. Members should consider the republican movement's intimidation of football teams that are drawn against the RUC team.

What does that tell us about the republican movement and its idea of justice and policing? Recently, we have seen much of the justice that it metes out. I could go through a catalogue of incidents that involve the republican movement and its idea of justice. It is the justice of the baseball bat, the bullet through the kneecap or, worse still, the justice of the kangaroo court: no judge, no jury and execution by a bullet through the back of the head. That is the republican movement's idea of justice, yet so much of the Patten report is designed to appease it. That is why so much of the Patten report is unacceptable to people in Northern Ireland.

Patten was given the task of securing a police service that could command widespread community support. He failed to achieve that. The Patten proposals do not have the support of many people in Northern Ireland. I therefore urge the Government to think again, to listen to the voice of the many in Northern Ireland, not to scrap the name of the Royal Ulster Constabulary, and not to dishonour the proud memory of the men and women who gave their all to defend us all throughout the United Kingdom. I hope that the Government will draw back from implementing the many unacceptable aspects of the Patten report.

6.23 pm

Dr. Nick Palmer (Broxtowe): I should like to raise six points in the 10 minutes available. First, I want to consider the question that was implicit in many speeches: is there a problem with the RUC as it stands? Many statistics have been cited, and we could continue for a long time. However, I shall cite only two.

Fewer than 5 per cent. of Catholics have a lot of confidence in the police force. The level of Protestant confidence is seven times higher. Only 19 per cent. of working class Catholics believe that equal treatment was shown to both communities. The figure for working class Protestants was four times higher.

The hon. Member for Belfast, South (Rev. Martin Smyth) referred to the fact that in Northern Ireland it is common to speak about "our police". The Patten report notes that that form of expression was heard from Protestant but not Catholic contributors. A problem therefore exists, and we are sticking our heads in the sand if we do not acknowledge that.

Secondly, will the Patten changes help to build Catholic, nationalist confidence in the police? We need look no further than the statistic that the right hon. Member for Upper Bann (Mr. Trimble) cited. He said that 45 per cent. of the Catholic community claimed that the Patten changes would increase their confidence. I appreciate his point that a further 41 per cent. said that it would neither increase nor decrease their confidence. However, if the confidence of half the Catholic population is increased, that constitutes a substantial improvement.

Mr. Trimble: I put it to the hon. Gentleman that it is possible that the 45 per cent. are contained in the 59 per cent. who in the same survey said that they found the police acceptable.

Dr. Palmer: I accept that point. However, we are seeking ways to increase acceptance and, under my first point, some people who feel that certain aspects are acceptable still lack confidence in the force.

Thirdly, would the changes reduce support for the police among the Protestant community, as some speakers have implied? Speaking as politicians, we have to say that people will blame us for the change, not the police. They will not support the police force less because we have decided, in the national interest, to change its name. The net effect will be that the Catholic side of the community will strengthen its support, but the Protestant side will not lose confidence in their police.

Fourthly, are there major substantive objections? It has been noticeable throughout the debate that criticism has focused overwhelmingly on the symbolic issues. The right hon. Member for Upper Bann has stressed the need to implement the whole Good Friday agreement and I believe that the overwhelming majority of Members here would agree with that. However, his position has to take account of the fact that recently his party has twice become a substantial obstacle to that fulfilment. Because of the importance of decommissioning, we can, with some difficulty, understand why the party imposed an interim deadline for commencement. It is comprehensible, if unfortunate in effect, that that ultimatum was given. Making participation in the Executive dependent on the name of the police force is a position that most people in Britain find totally incomprehensible. Frankly, no simpler proof could be given that the RUC is seen not only by nationalists, but by Unionists, as a Unionist police force. That problem needs to be addressed.

Fifthly, hon. Members may ask, "Does mainland British opinion matter? Why should it? Surely this is purely an internal matter for people in Northern Ireland. It is their police force and their security." Okay, there may be a day when Ulster is separate from Britain as an independent Province or part of Ireland or part of some larger European unit—who knows? However, as long as Ulster is part of this country, the opinion of the rest of the country matters. To those who claim loyalty to the Union, I say that it will survive only on the basis of mutual consent. I suggest to hon. Members that the opinion of people on this side of the Irish sea will continue to matter.

Finally, it is vital that we do not give any excuse to paramilitaries to withhold the commitment to peace on the ground that we have not played our part in the agreement. I understand that some hon. Members may not be entirely happy with every aspect of the report, but it was commissioned and it cannot be wished away. We must not flinch at implementing it—not as a concession to paramilitaries, as my right hon. Friend the Member for Birkenhead (Mr. Field) suggested, but as part of our commitment to fairness in Northern Ireland and to peace in the United Kingdom as a whole.

6.29 pm

Mr. Robert McCartney (North Down): The right hon. Member for Upper Bann (Mr. Trimble) is to be congratulated on the analytical and perceptive content of his contribution. My regret is that the same qualities were not brought to bear on the remit given to Mr. Patten and his colleagues when they set about the business of preparing the report. As the right hon. Gentleman pointed out, the terms of reference of the Patten commission were to introduce a series of proposals designed to secure widespread support so that the police force it produced could be seen as an integral part of the community as a whole. The commission has signally failed to achieve that.

I do not believe that a single Member representing the pro-Union community endorses these reports. Indeed, a nationwide petition that is particularly relevant to the subject of today's debate—the name and insignia of the RUC—attracted 400,000 signatures, 300,000 from Northern Ireland. It is difficult to imagine how, in such circumstances, the Government can conceivably say that these proposals are designed to bring about widespread support.

The vast majority of Unionists believe that the core of the Patten proposals are a number of political concessions and articles of appeasement to organised terror, wrapped up in technical and administrative reforms to which agreement is largely present, and which were the subject of the chief constable's on-going report from 1994. The changes in the name and insignia were clearly political, rather than policing, imperatives.

The reasons given for such changes have no real foundation in fact. Indeed, the opening paragraphs of the report, particularly those on page 13, suggest that the degree of overall support for the RUC was higher than the support afforded to any continental police force. Indeed, it was comparable with the support given in other parts of the United Kingdom, when we take into account the specific and peculiar difficulties faced by a police force in Northern Ireland.

The right hon. Member for Upper Bann was, I think, right to emphasise the fact that the polls showed a much higher percentage of support among the Catholic community for local policing, in relation to the overall perception of the acceptability of the RUC in the Province. Therein, I believe, lies the real issue. The reality, as exhibited by the support for the local police, is that there was no real objection to the RUC. The perception was the product not of the reality but of enforced propaganda and intimidation—especially in urban areas—imposed by the control of the paramilitaries in ghetto areas in the urbanised regions of Northern Ireland.

Criticism of the RUC is largely directed at its role as an anti-terrorist or counter-terrorist organisation. I know of no great criticism of the RUC's discharge of its normal functions in dealing with rape, depravity involving children, theft, burglary and fraud: little valid criticism is made of the RUC in that context. The criticism relates to its direction of its activities towards the political terrorism of paramilitary organisations and their associated criminal gangsterism.

The same could be extrapolated in regard to criticism directed at the judiciary. Its discharge of its civil functions—from commerce to personal injury and domestic problems—attracts no criticism. Why, then, do its members suddenly become monsters of bias and discrimination when they exercise their judicial function in relation to terrorism?

I believe that the efforts of Government politically to appease and to placate terrorism have effectively increased lawlessness in Northern Ireland. They have broken down the moral infrastructure and civil obedience of a region of the United Kingdom that once had the best record in the UK for observation of the laws, and for lack of crime.

Let me perhaps put in context what it is to live in Northern Ireland under the policies of the Government. How can we expect ordinary people to respect law enforcement agencies or the judiciary, when a Government apply policies that enable, for example, the sniper gang in South Armagh, Carragher and McGinn, who were sentenced after due process to 490 years, to wave to relatives, including, incidentally, those of Lance Bombardier Restorick, and say, "We will be out in 15 months"? How can the murderers of the cross-community chums Allen and Trainor be given a life sentence, yet sneer and snigger at the mother of Damien Trainor because they will be out in a year?

I have personal experience of that because I received a letter bomb, as did Mr. Trimble and Mr. Donaldson—I should give their constituencies.

Mr. Deputy Speaker: Order. The hon. and learned Gentleman should, indeed, give them.

Mr. McCartney: I beg your pardon, Mr. Deputy Speaker. In haste, I perhaps overlooked custom, but I beg their pardon: the right hon. Member for Upper Bann, the hon. Member for Lagan Valley (Mr. Donaldson) and I all received a bomb. Those responsible were apprehended. After due process, they were convicted and given five years. They were out in six weeks. One of them, Gerry McQuoid, was one of those apprehended a month ago with a 500 lb bomb.

The policies applicable to such people, who are fighting turf wars over drugs and racketeering, are demoralising the police force, which sees those people, whom it has risked life and limb to secure, released back into society. If we destroy the morale of those in the force and take away their pride, if they feel that they are not valued in the community, ultimately that policy will be the harbinger of an even greater terror, and an obstruction and obstacle to the peace that we all desire.

6.37 pm

Mr. Ken Maginnis (Fermanagh and South Tyrone): The Secretary of State wound up his contribution very cleverly, by suggesting by inference that this is a party political issue, not an issue to do specifically with the men and women who serve as officers of the RUC. It is not a party political issue. It has been brought forward by my party perhaps only in so far as it is the only party in the House from Northern Ireland that has consistently supported the police through thick and thin, as they have carried out their difficult and dangerous duties over the past 30 years.

We are talking about the future of men and women: not some amorphous mass of people, but the individual men and women who will be called upon to serve in the RUC in years to come, just as tens of thousands have served in it from 1921 until today.

It is important that, if we expect those men and women, who are our police men and women now, and will be in future, to deliver the sort of service that they have delivered, and if we call on them to make the sort of sacrifice that they have made in years past, they must have confidence in the guardians of the democratic system that they are setting out to protect. They must have confidence in the Government, whichever party is in power. They must also understand that they will not be sold short in the face of violence and intimidation from sections of our society, from whichever tradition those small groups emerge.

The reality is that police are the victims of criticism simply because they have been in the front line. More than anyone else, they have had to carry the fight right to the terrorists' door and face them down the barrel of a rifle. They have had to put at risk their lives, and those of their comrades and families, to maintain some form of democracy in Northern Ireland, to stop us from falling into chaos.

In so doing, their greatest enemies have been those who would create chaos. Hence, we have heard story after story and words such as collusion being thrown around. However, if the force that receives more intelligence than could be imagined—intelligence about those who commit those acts of terrorism—had used that intelligence illegally or in concert with other illegal organisations, it would have brought about the slaughter of hundreds of people, particularly of those who now sit in democratic chambers and call themselves Sinn Fein, which we know is still inextricably linked to terrorist organisations. That would have been the outcome, but that did not happen.

It did not happen because of the men and women who have served in the RUC. It did not happen because of those men and women's diligence and honour in performing their duties. Compare that with the 2,200 people—including more than 300 police men and women—who were murdered by the IRA. Consider the

[Mr. Ken Maginnis]

thousand, again including some police officers, who were killed by loyalist paramilitaries. The fact is that 3,600 people have been killed in Northern Ireland, the majority of them by illegal organisations. If we had had anything but the most disciplined police service, the death toll would have been two, three or four times that. The Secretary of State is nodding.

I do not want to spend all day—I know, Mr. Deputy Speaker, that I do not have all day—again addressing the issue of the name change, which is a serious matter. However, by changing the name of the RUC, we shall be disbanding the RUC.

Today, the Secretary of State again let the cat out of the bag. In this debate, he has talked constructively—in a manner that was meant to be kindly and considerate—about means of commemorating the RUC. One commemorates not something that is alive, but something that has disappeared. That would happen while the IRA retains not only its name, but its structure, constitution and desire to bring about change by the use of violence. If that happens, we shall be diminishing those men and women who have served, suffered and died. We shall also be presenting to those who succeed them a legacy that says, "You cannot trust the democratic system that you have been commissioned to defend."

In the short time left, I should deal with the proposed structural changes to the RUC. Many of them would be welcome and would make the RUC more efficient under more normal circumstances. Already, the Chief Constable has proposals to devolve more authority to commanders at local level. That takes time. The Secretary of State should make it clear, as he has not done so far, that, in restructuring for normal police duties, he will ensure that there are sufficient police men and women to prevent society from being put at risk. Society is at risk from a mafia ethos derived from 30 years of terrorism. The void of the present lower level of terrorism, which we all welcome, is being filled by evil men and organisations.

I hope that the Secretary of State will tell us that the Royal Ulster Constabulary Reserve will be retained, and strengthened if necessary, during the period of transition, if such a period can be undertaken. I hope that he will ensure that, while the core structure of the RUC is being dealt with, those men and women, who have played an important role, will be given some reassurance. The men and women of the RUC Reserve are the least assured about their future. Common sense suggests that the anxiety that I come across almost daily should be removed.

My party wants to ensure that the RUC is able to recruit properly so that it reflects the make-up of our society. That will not be done by removing a name or by any gesture made to the IRA—or to the republican movement, as it likes to call itself. There are families in my constituency who would not let their sons and daughters join the Garda Siochana, let alone the RUC, irrespective of its name. There will be no continuing tradition if we undermine the confidence of the police or diminish the level of entry to it. All those issues must be addressed.

It is a question not simply of gestures, but of the confidence of society when people go home, close their door and begin to consider where their protection of life, limb and property rests. It is not in some hall filled with pseudo politicians that such true feelings are made. It is when people are talking privately that they tell us the name that they respect and the name that they will call upon when they are in trouble. Let us remember that these are men and women and not an amorphous bunch in green uniforms. They are men and women who run huge risks and who should be honoured by the House. The implications of the Patten report should be more carefully considered than they have been heretofore.

6.50 pm

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): I have listened carefully to the debate, and there have been some extremely thoughtful contributions. Much of what has been said I can agree with: the Government, too, recognise the huge contribution of the Royal Ulster Constabulary. We will never forget the sacrifices of the 302 officers who have been killed or the thousands who were injured.

As the Minister with direct departmental responsibility for policing in Northern Ireland, I have met many officers at all levels within the RUC. I have been impressed by the professionalism, commitment and bravery of serving officers as they carry out their duties in the most difficult of circumstances.

Two examples stand out. First, the role played by the RUC in protecting the nationalist community in and around Garvaghy road highlights all too graphically the balanced way in which it discharges its duties. It should not be forgotten that the last RUC officer to be killed was a Catholic, who was brutally murdered by so-called loyalist paramilitaries as he stood on duty at Drumcree in 1998.

The second example is the role played by RUC officers in a peacekeeping role in Kosovo, which was referred to by the right hon. Member for Bracknell (Mr. MacKay) and by my hon. Friend the Member for Greenock and Inverclyde (Dr. Godman). These officers have received plaudits from all quarters for the work that they are doing. They are held up as an example to the other police forces serving in Kosovo. Their professionalism and competencies are of the highest standard, and those who criticise the RUC should bear in mind these two examples and many others when they parade their prejudices against the RUC in their own communities in Northern Ireland and further afield. Those who do so show a lack of the tolerance and reconciliation that are the cornerstones of the Good Friday agreement.

As my right hon. Friend the Secretary of State said, the Government have welcomed in a fulsome way the award of the George Cross as a fitting tribute to the RUC and all that it has done over the past 30 years. That is recognised in the motion and in the Government's amendment.

In the time available, I shall respond to as many points as I can. First, I shall clear up a misunderstanding that still rests in the mind of the right hon. Member for Bracknell. He raised issues about policing boards and, in his exchange with my right hon. Friend the Secretary of State, it was clear that he had not done his homework. He had misunderstood the pith of the debate. I think that the right hon. Gentleman was talking about district policing partnerships when he was referring to boards. He then moved on to the debate about the policing board itself.

The Government will make provision in the new legislation to require each district council to create a district policing partnership. The legislation will provide

that these partnerships have a purely consultative role. They will have no executive or expenditure functions. The legislation will create also a new policing board to replace the Police Authority. The composition of the board will depend on whether we have a devolved Administration. Much flows from the political settlement, and different concepts will have to be put in place if a political settlement does not prevail.

Mr. MacKay: Will the Minister of State try to put my mind at rest by giving a guarantee that neither the board nor the consultative bodies will receive from the Chief Constable, if it is against his will, any security-sensitive information that will go to Sinn Fein or so-called loyalist councillors?

Mr. Ingram: I do not think that the right hon. Gentleman understands the relationship between the Chief Constable and the political Executive. It is part of the Chief Constable's operational responsibility to decide how to deal with those bodies and how his officers communicate with them. It would be a matter for the Chief Constable and his officers to decide how to communicate any information that they have in their possession. It would be wrong for me to restrict the Chief Constable's operational independence in the way suggested by the right hon. Gentleman's question.

The hon. Members for Fermanagh and South Tyrone (Mr. Maginnis) and for Lagan Valley (Mr. Donaldson) referred to the allegation that the RUC is being disbanded. I want to refute that suggestion. The RUC is not being disbanded, as my right hon. Friend the Secretary of State made very clear when he opened the debate.

Those who suggested that the RUC should be disbanded lost the argument. The RUC is being renamed, as part of creating a new beginning for policing in Northern Ireland. I repeat that changing the name is essential if we are to make the RUC more representative of the community that it serves. That is what both the House and the RUC want to happen.

The right hon. and learned Member for Folkestone and Hythe (Mr. Howard) intervened to say that the Canadian Government had no plans to change the name of the Royal Canadian mounted police. It is worth bearing in mind that policing in Canada has undergone change. I stand to be corrected on this matter, but I think that the name of the police force in Quebec was changed in 1968, and that its badge was changed in 1970. Those changes were made to take account of the cultural and traditional identities in that very divided community. Moreover, the force's literature is in French because of the divisions in that community.

Mr. Howard: I have checked that point, and it is true that the name of the force in Quebec is in French. However, it is French for Royal Canadian mounted police.

Mr. Ingram: The right hon. and learned Gentleman is wrong. I researched the internet so that I could respond to that point, but there are much more important matters to debate. *[Interruption.]* The Quebec force, the provincial force dealing with local matters, is called la Sûreté de Quebec. That is not the French version of the Royal Canadian mounted police. I shall write to the right hon. and learned Gentleman to make sure that he is fully aware of the situation. *[Laughter.]* I see that the comedians have taken over the Opposition Front Bench, but this is a very serious matter.

From consultations, statements and from face-to-face meetings, I know the strength of feelings of Unionists and police families on this matter. However, it is also clear from the contributions made by the hon. Members for South Down (Mr. McGrady) and for Montgomeryshire (Mr. Öpik), and by my hon. Friends the Members for Greenock and Inverclyde (Dr. Godman) and for Broxtowe (Dr. Palmer) that there is another element to the debate that is shared by people in the Catholic community.

The survey in yesterday's evening edition of the *Belfast Telegraph* has already been referred to. It is open to many different interpretations, but I note that it reported that only one in eight Catholics cherished, or identified with, the name of the RUC, and that 87 per cent. of Catholics do not. That reinforces my belief that we need a service with which both sides of the community can identify.

Rev. Martin Smyth *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 118, Noes 264.

Division No. 153] **[6.59 pm**

AYES

Arness, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Rt Hon Mrs Virginia
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Chope, Christopher
Clappison, James
Collins, Tim
Cran, James
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Field, Rt Hon Frank
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heald, Oliver
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maginnis, Ken
Malins, Humfrey
Mates, Michael
Maude, Rt Hon Francis
Moss, Malcolm

Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Portillo, Rt Hon Michael
Prior, David
Randall, John
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Thompson, William
Tredinnick, David
Trend, Michael
Trimble, Rt Hon David
Tyrie, Andrew
Viggers, Peter
Walker, Cecil
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Clifford Forsythe and Rev. Martin Smyth.

NOES

Abbott, Ms Diane
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Austin, John
Banks, Tony
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Browne, Desmond
Buck, Ms Karen
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Dowd, Jim
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Ellman, Mrs Louise
Ennis, Jeff
Fearn, Ronnie
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Hughes, Kevin *(Doncaster N)*
Hume, John
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
McDonnell, John
McGrady, Eddie
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall–Andrews, Robert
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michie, Bill *(Shef'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mountford, Kali
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Quinn, Lawrie
Radice, Rt Hon Giles
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Roche, Mrs Barbara
Rogers, Allan
Roy, Frank
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Starkey, Dr Phyllis
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill

Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mrs. Anne McGuire and
Mr. Don Touhig.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the well-deserved award of the George Cross to the Royal Ulster Constabulary; notes that the award was made by Her Majesty in recognition of the service and sacrifices of the Royal Ulster Constabulary, which must never be forgotten; reiterates its commitment to maintaining an effective police service in Northern Ireland capable of protecting the public and maintaining law and order; and reaffirms the objective in the Good Friday Agreement of creating a new beginning to policing in Northern Ireland, with a police service capable of attracting and sustaining support from the community as a whole.

LIAISON COMMITTEE

Ordered,

That Dr. Lewis Moonie be discharged from the Liaison Committee and Mr. Stuart Bell be added to the Committee.—*[Mr. Keith Bradley.]*

PETITION

Pathology Services (Devon)

7.13 pm

Mrs. Linda Gilroy (Plymouth, Sutton): I have the privilege to present a petition that has been signed by 313 people from my constituency and the surrounding area in Devon. It has been organised by members of the Manufacturing Science and Finance Union and the Institute of Biomedical Science. The petition raises awareness of recruitment and retention problems in the local national health service pathology services and calls for a pay review body to be set up.

The petition states:

The petition of the members of staff of pathology laboratories in Devon hospitals, members of MSF and IBMS declares that pathology services make a vital contribution to patient care.

The petitioners therefore request that the House of Commons urge the Secretary of State for Health to recognise the current recruitment and retention problems for the service and the urgent need to establish a pay review body as an important part of addressing these problems.

And the petitioners remain etc.

To lie upon the Table.

Widows' Benefits

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Robert Ainsworth.]*

7.14 pm

Mr. Roger Gale (North Thanet): I am grateful for this opportunity to place on record a matter that I regard as of concern and a national disgrace. There are no niceties or courtesies about this debate. It is born out of a sense of monumental injustice and some anger. Had Ministers been responsive prior to tonight, the Under-Secretary of State for Social Security, the hon. Member for Wallasey (Angela Eagle) would not now be sitting on the Front Bench seeking to justify the unjustifiable. The subject before the House is the failure of the Department of Social Security to ensure delivery of widows' payment to those to whom it is justly due.

On 2 June 1999, Alan Keith Smith of Margate was working with highly flammable chemicals that caught fire. At the age of 24, he suffered horrific burns. He was admitted to Margate hospital and transferred by helicopter to a burns unit at Chelmsford in Essex. In order to satisfy car tax authorities and others, his 19-year-old wife Corrina asked for, and was given, a letter, confirming in three lines that Alan Smith was in intensive care and would remain in hospital for the foreseeable future.

On 18 June, he died of the injuries sustained in the industrial accident. On the same day, Corrina was required to identify Alan Smith's body in the Broomfield hospital, Chelmsford. She was required to identify his body for a second time on 23 June after his remains had been transferred to the Buckland hospital, Dover, where a post mortem was carried out.

Alan Smith's corpse was released by the Dover coroner, and he was buried on 8 July. The funeral was arranged by Messrs. Twyman and Holmes of Ramsgate. The Dover coroner provided the burial order necessary for the interment to take place. Corrina Smith borrowed £2,500 to bury her husband and to meet the out-of-pocket expenses generated by that tragic series of events.

The inquest into the death of Alan Smith was held in east Kent on 12 October 1999. The registrar in Chelmsford received a certificate from the Dover coroner, Richard Sturt, indicating that Alan had died of multiple organ failure, septicaemia and burns. The coroner's verdict was accidental death.

Mrs. Elfes, the Chelmsford registrar, issued a death certificate on 14 October 1999; I have a copy before me. She posted it to Corrina Smith with a covering letter. The letter states: "I have today"—14 October 1999—

registered the death of Alan Keith Smith. Please find enclosed Certificate of Registration of Death which should be completed on the reverse side and returned to the Department of Social Security, the leaflets enclosed may be of some assistance to you.

That was the first official document received by Corrina Smith since her husband's death.

Corrina Smith attends Thanet college. As she is under 45, she does not qualify for a widow's pension, so she claimed a £1,000 widow's payment. That would have

[Mr. Roger Gale]

been of some modest help to her. In a pro forma note issued by the Benefits Agency at Nutwood house in Canterbury on 4 November 1999, she was told that

because more than three months had elapsed since the death of her husband

she would receive no money.

Corrina Smith appealed against that decision and appeared before a tribunal. She was told again:

Corrina Smith is not entitled to a Widow's Payment. This is because the claim was made on 26th October 1999 in respect of a death which occurred on 18th June 1999 and there is no entitlement to a widow's payment in respect of a death occurring more than 3 months before the date of the claim.

Let us be clear about the matter. Corrina Smith received from the Essex registrar a notification of death and a death certificate dated 14 October 1999. Notwithstanding the trauma of the coroner's inquest and the distress that she had suffered, her claim was lodged within a fortnight of the receipt of those documents.

Corrina Smith came to see me, her Member of Parliament, at my constituency advice surgery in Birchington on Friday 26 November 1999. All the facts of the case were made known by me to the chief executive of the Appeals Service in a letter dated 29 November. In that letter, I said:

The refusal of Widow's payment is, frankly, adding appalling insult to injury. I am quite astonished that under such circumstances the claim should have been rejected at all and would urge that this be processed as a matter of urgency. While writing I have to say that I find the form sent to her by the Department of Social Security about as insensitive as any Government Document that I have ever seen. Because of my strength of feeling on this subject I am copying this letter to the Secretary of State.

That copy was sent to the Secretary of State on the same day.

On 23 February, the Under-Secretary of State for Social Security, the hon. Member for City of York (Mr. Bayley), responded to my letters to the Secretary of State, saying:

On 4th August 1997 Social Security Regulations were introduced that only allow backdating of claims to a maximum of 3 months.

I should here point out that those regulations were laid under the previous Administration, following consultation with the Social Security Advisory Committee and were, as the Under-Secretary acknowledged, designed to

reduce the complexity of the system.

It is abundantly clear that they have also had unintended consequences.

The Under-Secretary repeated the assertion:

As the claim was made outside the three month limit a WP could not be paid.

He added that he

could appreciate that the time immediately after the death of a spouse will be traumatic and claiming may not be the main priority . . . However, the Benefits Agency does all that it can through its information providing services to ensure that people are aware of the benefits to which they are entitled.

This Minister was

sorry that you were unhappy with the standard notification of the decision advising that the Widows Payment is not payable.

Unhappy! That is one of the most callous, uncaring and thoughtless documents that it has been my misfortune to witness in 16 years in the House of Commons.

Given that a death certificate and the accompanying letter of advice were not sent to Mrs. Smith until after the inquest, is this young widow supposed to have second sight? Her husband had died a horrific death under the most appalling circumstances and the man who signed that letter dares to say that

claiming benefit may not be a main priority.

Without the necessary documentation and information, it was not even possible for her to claim.

The Department of Social Security's "Decision Makers Guide"—which is not public reading—refers to a situation in which there has been a delay in the issue of a death certificate, but says only:

If there has been a delay in the issue of a statutory certificate, for example if inquest proceedings are adjourned, but there is clear evidence of death such as press notices, police statements etc., and no doubt as to identity, the Secretary of State may accept such evidence.

How is a member of the general public supposed to gain access, at a time of distress or trauma, to this arcane information?

In his same letter, the Under-Secretary suggests:

Where a post mortem is required and there is a delay in post mortem procedures an individual can be given an interim death certificate immediately by the Coroner's Office. This would omit the cause of death but be sufficient for benefit purposes.

An individual can be given an interim death certificate, but there is no requirement to do so. Mrs. Smith assures me that she was handed no such document and I now understand that, in any event, where such a document is provided, no guidance note or letter of the kind offered by the registrar accompanies the document.

On 29 February, I wrote to the Under-Secretary suggesting that he examined the rules and the legislation in the light of this case. That letter was passed to the Appeals Service. I next wrote personally to the Secretary of State, on 10 March this year. In that letter I said:

The mere fact that a Coroner's inquest is necessary would suggest that circumstances are less than normal. A Death Certificate or even a notification of death is not issued until a later date . . . If regulations are to be changed at all then they should, most surely, set the clock running from the point at which notification of death is issued, rather than the actual date of death, as it is only at this point that the bereaved is given the letter of instruction to complete the document and send it to the nearest Social Security Office . . .

I would urge you both to have this case specifically reconsidered and also to reconsider the manner in which the regulations apply so that others may not find themselves in a similar position . . .

That letter to the Secretary of State did not receive a response of any kind until this week.

I did, however, eventually receive another letter dated 8 March, from another Under-Secretary of State, the hon. Member for Wallasey, who also understands

that the time immediately after the death of a spouse will be traumatic and claiming benefit may not be a main priority . . .

which would seem to indicate only that both Ministers are worked by the same civil servants pulling the same strings and using the same word processors.

BEST COPY AVAILABLE

The Minister pulled out of her red box more jargon about

seeking to heighten people's awareness of rights . . .

I am told:

Steps have already been taken to encourage widows to make claims within the time limits . . .

and that the

Benefits Agency have recently amended the form which is issued on registration of death to make it clear that it must be sent to them quickly to avoid loss of benefit . . .

That takes us back to precisely where we started because Corrina Smith was not sent

the form which is issued on registration of death . . .

until the three-month limit imposed by the Government had expired.

The chief executive of the Appeals Service, Neil Ward, can only write on 20 March:

The tribunal has no discretion in matters such as these and the Chairman has no alternative but to apply the law . . .

For the record, this is not law at all; it is regulation imposed by the Secretary of State.

On 28 March, threatened with referral to the European Court of Human Rights and this Adjournment debate, the Under-Secretary finally replied to my letter to the Secretary of State. All she could offer was the observation:

An appellant who remains dissatisfied with the tribunal has the right to apply for leave to appeal to a Social Security Commissioner . . . but only on a point of law . . .

I am left with the inevitable conclusion that those charged with the political administration of the Department that is supposed most to provide for some of the most vulnerable people in this country simply do not care. From the Secretary of State to his junior Ministers, this case has received nothing but platitudes and bureaucratic self-justification.

Let me summarise: we are talking about a young man who died in a fire, a young woman who had to borrow money to bury her husband, a coroner's inquest held months afterwards and a notification issued only after that. No information of any kind appears to have been provided to Corrina Smith which might have enabled her to make her pitiful claim within the time limit, and the system and regulation introduced by Government is being used to deny her the £1,000 to which natural justice says she is entitled. Her main concern now is to see this pernicious regulation changed so that others are not, at their most vulnerable, penalised as she has been.

Not once has any Minister, with this full and awful story at their fingertips, acknowledged the nonsense of this system and undertaken to change it so that others do not suffer as Corrina Smith has done. Perhaps the Minister can give that undertaking tonight, so that Corrina's misery will not have been in vain.

7.29 pm

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): The Under-Secretary of State for Social Security, my hon. Friend the Member for City of York (Mr. Bayley), wrote to the hon. Member for North Thanet (Mr. Gale) on 23 February and asked that his condolences be conveyed to Mrs. Smith over the death of her husband, a point in the letter that the hon. Gentleman chose not to quote. I should be grateful if he would also convey my condolences to Mrs. Smith.

The hon. Gentleman has written a number of letters on this matter and I will respond to the points that he raised tonight and those in his latest letter dated 28 March. If there are any other points at issue which are not covered, I shall of course write to him again.

Mrs. Smith's husband tragically died in June of last year. She subsequently claimed widow's benefit. She is not entitled to widow's pension because she is aged less than 45 years and there is no entitlement to widowed mother's allowance because she does not have dependent children. As the hon. Member for North Thanet acknowledged, there is no issue in that respect.

I want to deal with the issue of the widow's payment. It is a tax-free lump sum payment of £1,000 paid to widows who are under state pension age, or whose late husband was not in receipt of retirement pension. Entitlement is based on the late husband's national insurance contribution record. Widow's payment is intended to provide immediate support to enable a widow to adjust to her changed financial circumstances and to help her deal with unexpected costs immediately following bereavement.

There have always been time limits for claiming widows' benefit. It has always been recognised that a reasonable period ought to be allowed in which a person can make her claim, and she should not be penalised for a short period of delay. The current rule, again as the hon. Gentleman pointed out, is three months. Unfortunately, Mrs. Smith's claim for widow's payment was out of time by some six weeks and was therefore disallowed. The nub of the hon. Gentleman's complaint is that it should be possible to extend the three months time limit if there are good reasons for doing so. There is no disagreement over the fact that Mrs. Smith's claim fell outside the time limit. The problem relates to the fact that the time limit is absolute.

The history of the widow's payment is simple. It was introduced in 1988 by the previous Administration to replace a benefit known as widow's allowance. The widow's allowance had been a weekly benefit, but the widow's payment was a one-off payment of £1,000. It was never up-rated. Hon. Members may be aware that we are about to replace it with a bereavement payment, which we plan to introduce in April 2001. Bereavement payment will be a tax-free lump sum of £2,000 and will be available equally to men and women. Entitlement conditions will be the same as for widow's payment.

At the time—widow's payment was introduced in 1988—an absolute time limit of 12 months existed for the purposes of making a claim. The back-dating was automatic. There was no need to show good cause for a delay in making a claim. Hon. Members may recall that the good cause test for late claim applied in the case of a number of other, mainly income-related, benefits. It did not apply in the case of contributory benefits such as retirement pension or widows' benefits, for which slightly more generous rules were considered appropriate because they were contributory benefits. The difference amounts to the fact that if there were no good cause for a delay in claiming one of the income-related benefits, there was no

[Angela Eagle]

back-dating at all, whereas for the contributory benefits there was a 12-month time limit, whatever the reason for the delay.

Strictly speaking, for the contributory benefits it was not really a case of back-dating. Rather, a claimant had 12 months in which to make a claim. Twelve months was the period prescribed in primary legislation. Apart from exceptional cases in which a husband's body had not been recovered or identified, or where the woman was unaware of his death, the 12-month limit was also absolute. A claim outside the absolute limit will inevitably fail.

Then in April 1997, the previous Administration replaced the 12-month time limit with a three-month time limit. It remained an absolute rule, as it still is. There is no statutory basis for any payment to be made if, as in this case, the claim is made after the time limit has expired. There are internal rules about ex gratia payments that can be made if an individual is given clearly erroneous official information which results in loss of benefit. That was not the case. Officials in the Benefits Agency local office telephoned Mrs. Smith on 22 November to find out whether there was any possible way in which she could be helped because there had been official misinformation. They established, however, that there had been no official contact with her on the issue of the widow's payment until the out-of-time claim was received.

I appreciate very much that in Mrs. Smith's case there were good reasons for the delay in claiming benefit. The circumstances of her husband's awful death meant that there had to be an inquest. It was not her fault that the inquest was adjourned and that, by the time that it eventually took place on 12 October, the three months had elapsed. I also appreciate the fact that at a time of traumatic loss, a widow may not be best placed emotionally or otherwise to make the business of claiming benefit the first priority. The hon. Gentleman may think that that is a cliché, but I keep saying it. In the DSS we deal with many tragic cases, but I repeat that there has never been any discretion as to whether the prescribed period of three months, or the previously prescribed 12 months, could be extended. As that is an absolute rule, the reason for the delay is immaterial.

It may be asked why we do not introduce a good cause provision, which would help to avoid such situations. The problem with the good cause rule was that it had become so overlaid with case law that decision-makers found it extremely difficult and time-consuming to wade through the decision-making process. A wholly disproportionate amount of time was taken to make such decisions, and there was still inconsistency and uncertainty about the outcome.

The previous Administration, of whom the hon. Gentleman was an enthusiastic supporter, therefore replaced that system with a set of specified circumstances which left little room for doubt whether a claim could or could not be backdated.

There is an argument that the three-month rule should be extended. That would not help Mrs. Smith, as it was not in place at the time of her husband's death. Unfortunately, it is in the nature of things that wherever a fence is erected, people fall on the wrong side of it. If we extended the claim period to six months, some people might still lose out by the odd week or two by not making timely claims.

The information on backdating is contained in leaflets written in plain English and widely available in Benefits Agency offices, post offices, libraries and general practitioners' surgeries. To complicate the rules or introduce new rules to differentiate between different benefits would cause the re-appearance of the problems that the previous Administration sought to iron out by introducing the new rules.

Mrs. Smith appealed against the decision that she had been given. The appeal tribunal subsequently upheld the decision, as the hon. Gentleman said. Appeal tribunals are independent of the Department. It is essential that they are independent and that they can reach decisions in individual cases by applying the law to the facts of the case. It would be entirely inappropriate for me or any other Minister to seek to interfere in the decision of a tribunal. In all the changes that we have recently introduced to the way in which appeals are handled, we have been careful to ensure that the independence of the tribunal has been safeguarded.

Mrs. Smith's difficulty lay in the fact that some misinformation may have been given to her by her solicitor over the telephone. First, it appears that she may have been told that she could not claim widow's payment until a death certificate was to hand. If so, that information was wrong. The claim should have been made without delay, as the information leaflets for widow's benefit make clear. Had Mrs. Smith contacted the local office, she would have received confirmation of the message contained in the leaflet that any delay in claiming may affect entitlement.

If a claim had been made on time, there may have been a delay in payment while the evidence of death was obtained, but there would have been no question of breaching time limits.

Secondly, it appears that Mrs. Smith was not advised that she could have applied for an interim death certificate. It seems to me that on both of these points the complaint ought to be made against the solicitors.

On the wider issues that this sad case raises, let me say that we aim to modernise the delivery of social security.

Mr. Gale: Will the hon. Lady give way?

Angela Eagle: We have introduced a range of changes to the ways in which decisions on social security claims and child support are made. We have made it easier for clients—

Mr. Gale: Will the hon. Lady give way?

Angela Eagle: No. I am in the middle of replying to the hon. Gentleman.

Mr. Gale: The hon. Lady is not replying—

Mr. Deputy Speaker (Mr. Michael Lord): Order.

Angela Eagle: We have made it easier for clients to get a full explanation and for us to put mistakes right more easily. We have made changes to the way in which

appeals are handled, to cut down on the time that people have to wait for a decision. That is now down to an average of 14 weeks.

These and the other changes that we have introduced are the first step in modernising delivery. We want to make the system more accessible for potential claimants and more straightforward for our staff. We want to provide claimants with advice to help them with their claims, but we cannot stop wrong advice being given by third parties.

People should be advised of the need to claim benefit at the right time. Such advice is available from our offices and from other sources, such as citizens advice bureaux. Leaflets are available on how to claim each benefit. In addition, in tragic circumstances such as those in Mrs. Smith's case, the registrar issues a registration or notification of death certificate. That can be sent to the nearest social security office and can be accepted as a claim for benefit.

I recognise that in Mrs. Smith's case, the delay because of the inquest may have caused the confusion. However, the information is available, and there are voluntary organisations that can help and give advice in such terrible circumstances.

I am grateful to the hon. Member for North Thanet for raising the sad case that we have considered, even though, despite examining it carefully, I am afraid that I am unable to offer much comfort to him or his constituent.

Question put and agreed to.

Adjourned accordingly at twenty minutes to Eight o'clock.

House of Commons

Friday 7 April 2000

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Orders of the Day

Government Powers (Limitations) Bill

9.33 am

Order for Second Reading read.—[Queen's Consent, on behalf of the Crown, signified.]

Motion made, and Question put forthwith, pursuant to Standing Order No. 163 (Motions to sit in private),

That the House sit in private.—*[Mr. Dismore]*

The House divided: Ayes 0, Noes 30.

Division No. 154] **[9.34 am**

AYES

Tellers for the Ayes:
Mr. Andrew Dismore and
Mr. Ian Stewart.

NOES

Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Bercow, John
Blunt, Crispin
Bottomley, Rt Hon Mrs Virginia
Brooke, Rt Hon Peter
Bruce, Malcolm *(Gordon)*
Duncan Smith, Iain
Forth, Rt Hon Eric
Gray, James
Greenway, John
Hogg, Rt Hon Douglas
Johnson Smith,
Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Lansley, Andrew
Leigh, Edward
Lidington, David
McIntosh, Miss Anne
Maclean, Rt Hon David
Malins, Humfrey
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Rowe, Andrew *(Faversham)*
Russell, Bob *(Colchester)*
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Soames, Nicholas
Streeter, Gary

Tellers for the Noes:
Mr. Tom Levitt and
Mrs. Helen Brinton.

It appearing on the report of the Division that 40 Members were not present, MADAM SPEAKER *declared that the Question was not decided, and the business under consideration stood over until the next sitting of the House.*

Wild Mammals (Hunting With Dogs) Bill

Order for Second Reading read.

Mr. Iain Duncan Smith (Chingford and Woodford Green): On a point of order, Madam Speaker. I seek your advice on the fact that, before the opening speech for the Bill that was drawn sixth in the private Members' ballot could be made, those who wished to move on to a Bill that was lower down the order deployed the tactic of a motion to meet in secret. Does that not constitute a massive abuse of the process of the House, and has not a very serious Bill, which took much time to draft, been deliberately moved down the list so that one man's political ambitions may be advanced by the use of this House?

Madam Speaker: I do, of course, take these matters very seriously. The situation that we have been through today is not new; I remember being in the Chair when it was deployed on other occasions. I must tell all Members who are responsible for Bills that it is for them to see that sufficient of their supporters are present at the start of the debate.

9.48 am

Mr. Ken Livingstone (Brent, East): I beg to move, That the Bill be now read a Second time.

May I make it clear that I had no idea—*[Laughter.]* I assume that the strangest things can happen in this place, so I made certain that I was in my office by 9.10 am but, far from there having been what the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) called a plot to advance one man's ambition, as I was not told about it, perhaps some people thought that it might be embarrassing if I had not been here in time to move the motion for Second Reading.

The Bill should be viewed in the context of the debate that has gone on for more than a decade, during which successive private Members' Bills have been introduced. I make it clear at the start that I have seen myself simply as a vehicle to enable the more than 411 Members of the House who, a few years ago, voted for the Wild Mammals (Hunting with Dogs) Bill introduced by my honourable colleague, the Member for Worcester (Mr. Foster), to bring back what is, effectively is the same Bill.

I believe that what happened was an appalling abuse of the basic democratic rights of people expressed at the ballot box, where many people went at the last general election clearly determined to vote for candidates who would bring an end to the barbaric practice of hunting with hounds. They elected people to do so but then saw 411 Members of the House of Commons—the largest majority ever for a contested private Member's Bill, expressing the will of the electorate and the House—thwarted by all the procedural manoeuvrings.

I regretted at the time that the Government did not find Government time to help the previous Bill go forward. It was sad that, in the intervening years, no one prepared to introduce such a Bill came in the top six in the ballot, and if one of my colleagues who had come higher on the list had introduced one, I should have been happy to proceed with a different Bill. However, in the negotiations that

[Mr. Ken Livingstone]

took place among the Labour Members who had been successful in the ballot, it fell to me to bring this Bill back to the House.

It is virtually the same Bill as the one that we debated previously. We have made the necessary textual amendments to take account of the changes relating to the constitutional position of Scotland. We have not taken any similar measures relating to the constitutional position of Northern Ireland, because it changes so frequently. However, that is a matter that could be taken on board if the Northern Ireland Assembly ever comes fully into being again.

I shall be brief, because I know that many Members wish to raise points, including points of objection.

Mr. Andrew Lansley (South Cambridgeshire): I am interested in the hon. Gentleman's observations about his choice of private Member's Bill. Does he agree that the choice of a Bill that bears little relevance to his constituency or to London is entirely in keeping with his past contributions to the House? I am reliably informed that 61.6 per cent. of his contributions over 12 years to December last year were on the subjects of Northern Ireland, defence, and chemical, biological or atomic weaponry, but that only 6.7 per cent.—barely one tenth of the previous figure—related to London.

Mr. Livingstone: In that case, I am sure that the hon. Gentleman will be glad to see me widening my sphere of interest. In reality, in my 13 years in the House, I have voted for every measure to protect animal welfare and I have supported every early-day motion calling for a ban on hunting. I have always been opposed to hunting and, had another Member been happy to introduce this Bill, I would have gone ahead with my second choice, which would have been a Bill to extend the rights of carers—my hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry) has proceeded with that. However, given the weight of opinion in the House that is behind this Bill, I thought it right to introduce it.

I deliberately left the Bill as late in the private Members' Bills cycle as possible, because I know that the Government are awaiting the decision of the Burns inquiry, which is proceeding apace. It is interesting that, as the Burns inquiry has come into being, the Countryside Alliance and those who wish to retain hunting have constantly scaled down their alarming figures about job losses. In particular, the report from Sean Rickard, the former chief economist of the National Farmers Union who is now at the Cranfield school of management, contains evidence that blows a hole in the argument of those who depict a ban on hunting as some sort of disaster that will afflict rural areas and the countryside.

Mr. Nicholas Soames (Mid-Sussex): Will the hon. Gentleman take it from me that the construction of the figures is difficult to argue in the abstract? However, the fact is that were hunting to be banned, there would be very significant job losses. I am sure that he would not want that. Although in some rural areas there are job opportunities, in others—and particularly those where hunting is strongest—there are very few. The hon. Gentleman cannot just dismiss the issue of employment on the basis of an argument between two people.

Mr. Livingstone: As the hon. Gentleman knows, I am not currently able to speak for the Government. However, I do not have the slightest doubt that the Government of Britain would not stand by if there were job losses. They would introduce programmes to make certain that the problem was dealt with, and new work would be created. However, the argument on job losses sounds awfully like the debate that went on about pigeon shooting until world war one. Pigeons were released to be shot out of the sky and tales of woe foretold the collapse of the rural economy if live pigeon shooting were to be banned and replaced by clay pigeon shooting. All those arguments turned out to be wrong; clay pigeon shooting became an industry that created more work and enriched the countryside.

Equally, the Labour party—which I hope, one day, to be back in—now represents more rural areas than the Conservative party. The idea that this Government would neglect rural interests flies in the face of the facts.

I believe genuinely that if we ban hunting mammals with hounds—foxes, deer and—

Mr. Edward Leigh (Gainsborough): The hon. Gentleman is a well known London Member. Does he think it right for urban Members to impose their own will and political opinions on the countryside? If he thinks that there may be some logic in that argument, will he, at least, accept that, even if he gets his way and some form of legislation is passed, there should be a referendum, so that local people in counties such as Lincolnshire can decide whether they want to continue with hunting? Is that not at least an arguable point?

Mr. Livingstone: That sounds awfully like another West Lothian question being brought into play. The whole House of Commons has, across all parties, established over the past 150 years an increasing concern to protect animal welfare, whether for farm animals, wild animals or pets. Cruelty that was once taken to be acceptable has gradually been driven out of British society. Hunting with dogs is the most obvious remaining example that the House immediately needs to tackle. There are issues of factory farming, and the Government have made a start on them.

However, one part of the country cannot opt out and carry on with a practice that a majority of people in this country believe to be an act of unnecessary cruelty. If the hon. Gentleman examines the opinion polls, he will see that there is not just an overwhelming majority in city areas in favour of banning hunting with dogs. The same is true of rural areas. If we extract the 7 per cent. of Britain that is most rural—where hunting is a much more predominant activity than anywhere else—there is still a majority among the people who live in those areas in favour of banning hunting. A unanimity across Britain unites all classes and all political creeds.

Miss Anne McIntosh (Vale of York): Has the hon. Gentleman ever seen a hunt off? There are four hunts in my rural constituency. Does he realise that he is attacking the issue from the narrow viewpoint of animal welfare?

As well as being a great source of income, hunting brings enormous pleasure to those living in the countryside. His Bill, if it were to be successful, would deprive those people.

Mr. Livingstone: I immediately confess that I will always put animal welfare ahead of human pleasure. There is a balance to be struck. People will carry on eating meat—I still eat meat—but I believe that farming should be as humane as possible. Acts of unnecessary cruelty are not acceptable.

I know the complaint has been made that this is a class issue. A detailed examination of the opinion polls, shows that the overwhelming majority have no interest in class on this issue; perhaps one in 20 may be motivated on that basis. The overwhelming reason given by people in towns and rural areas and by people who might normally vote Conservative or normally vote Labour is that they oppose cruelty to animals. That is the only issue that we face.

Several hon. Members *rose—*

Mr. Livingstone: I shall start with the hon. Gentleman on the Liberal Benches.

Mr. Lembit Öpik (Montgomeryshire): If it could be shown that dispatching a fox with dogs is less cruel than shooting, would the hon. Gentleman amend his Bill in any way?

Mr. Livingstone: Certainly not. I recently went to the Waterloo cup, a hare-coursing event, because I was told by my friends in the animal welfare movement, who have campaigned for so long on the issue, that there would be an immediate complaint, if I ever got to introduce the Bill, that I had not been to see a hunt. I am glad to say that nine out of 10 hares got away that day. I saw the hares that did not. I do not believe that it is right, in this day and age, to release a hare in a great open field—not on an upward slope where it would have a natural advantage because of its bodily constitution—and then to release dogs. When the dogs get it, they pull at either end until it is dead. I found the excited cry that went up sickening.

I have not the slightest doubt that if we ban hunting with hounds, we will see a revival of the rural economy. We should remove this divisive, unpleasant issue and extend drag-hunting so that people do not feel that they are caught up in controversy and unpleasantness.

Once this issue is resolved, we will see an increase in countryside sports, including more people riding and a growth in drag-hunting, which can be organised safely. We will not then have the horror of a hunt going across a railway line and the hounds being electrocuted. The accidents and miseries attendant on hunting with hounds can be dealt with.

Mr. Crispin Blunt (Reigate): I want to pick up on the point that 61 per cent. of the hon. Gentleman's speeches in the House have been on security issues. The 200,000 or more people who take part in hunting know that his animal welfare arguments are hooey. Ironically, if hunting is banned, foxes, horses, hounds and everyone involved in the sport will be worse off, and more than 200,000 law-abiding people will be made into criminals. What effect does he think that will have in the countryside?

Although a majority of the population might oppose hunting, I doubt whether a majority want it to be banned because they know how illiberal a measure that is, and most of our citizens probably appreciate that although they might instinctively be opposed to hunting, they do not know much about it.

Mr. Livingstone: I am sure that exactly the same arguments were used when we banned the shooting of live pigeons and when bear baiting and bull baiting came to an end. There is much alarmist rhetoric from those who want to retain hunting with hounds, but as each new study emerges, the arguments are knocked away.

I want to focus on the debate that is taking place in the Burns inquiry. We have heard lies about many thousands of jobs being lost and the rural economy collapsing. I do not ask anyone to believe what I might say about that, but when the chief economist of the National Farmers Union, who is now working for one of the most respected management schools in Britain, uses his wealth of experience in these matters to consider the issue and says that there will be virtually no job losses, that carries a lot more weight than the alarmist rhetoric that we hear from Conservative Members.

Mr. James Gray (North Wiltshire) *rose—*

Mr. Livingstone: Ten minutes ago, I was about to make a point that I never returned to, so I will give way to the hon. Gentleman when I have made it.

I said earlier that I had taken the last possible date on which to introduce the Bill because I know that the Government are concerned about the rural economy and want to be certain that there will not be job losses, and they established the Burns inquiry to consider those issues. They expect it to report at the end of May or in early June, so there was no point in introducing a Bill earlier and then having a long delay. I hope that if we can give the Bill a Second Reading today, the Burns report will be published while the Bill is in Committee.

I have seen the press stories that the Government are thinking of offering the House a multiple choice question, as we had with Sunday trading. I should be more than happy to co-operate with the Government, despite my temporary suspension, to amend the Bill in Committee to take on board the form of voting procedure that the Government want to put before the House. I assure the Government Whips that I will co-operate in every way to make certain that the Government can put a multiple choice question to the House if they want to. We will take the time in Committee to allow the Burns report to be published.

Mr. Gray: Is the hon. Gentleman aware that 11,400 people are directly employed by hunts and would therefore lose their jobs, in addition to 4,851, at the most recent count, who are indirectly employed by hunts? If his answer is that the 11,400 would be employed by drag-hunts, does he not realise that there would be far fewer drag-hunts, so by definition it would not be possible for all those people to be employed?

Mr. Livingstone: Once again, those figures are contested by others who are much less partisan.

Mr. John Bercow (Buckingham): Given that the hon. Gentleman has long championed the causes of minorities

[Mr. John Bercow]

and arguably made his name thereby, in what circumstances does he concede that individual rights can and should take precedence over crude majoritarianism?

Mr. Livingstone: I am happy to deal with that point. My view is that, in a democratic society, individuals should be free to do anything that does not bring harm to another, so I sometimes have great reservations about the nannying instincts of my dear friend the Home Secretary. However, another set of rights is involved.

I believe that animals have the right not to be torn apart on a grand scale. Some people outside the House think that only the occasional hunt takes place. There are great arguments about scale, but the highest estimates are that 100,000 foxes, deer and hares are torn apart by dogs every year. That is totally unnecessary cruelty and suffering on a scale that is rejected by the vast majority of the British people.

I am proud today to be able to build on the work of colleagues who introduced earlier Bills on the subject, and once again to give the vast majority of hon. Members the right to ban the unacceptable face of cruelty and to end the appalling abuse of our responsibility to protect the life that shares these islands with us.

I have foxes in my garden, and it has been a source of amusement to the media that one of them bit off the head of one of my tortoises. I have no illusions about foxes: they are wild animals and they themselves hunt, but we are not wild animals and we can make a conscious choice about the degree of cruelty and pain that we impose on other human beings and on the wildlife in these islands. Having watched those foxes night after night and seen that they are intelligent and genuinely tender to each other, I do not believe that they are any different from the pet dogs that millions of people in this country keep and cherish. We have a duty to protect wild animals in exactly the same way that we protect our domestic pets.

10.8 am

Mr. Douglas Hogg (Sleaford and North Hykeham): I want to begin, as I suspect many other right hon. and hon. Members will want to begin, by expressing my great concern about the circumstances in which the debate has occurred.

Let us be clear about the fact that we had for discussion this morning a very important Bill introduced by my hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith), which is designed to limit the power of the Government to act in a way that many hon. Members and people outside the House believe to be unconscionable. We are deeply concerned, for example, about the number of special advisers who are being appointed. We are deeply concerned about the politicisation of the civil service.

Miss McIntosh: Will my right hon. and learned Friend give way?

Mr. Hogg: In a moment.

We are deeply concerned about the spin that is happening. We are unhappy about the lack of parliamentary—

Mr. Deputy Speaker (Mr. Michael Lord): Order. Before the right hon. and learned Gentleman goes too far down that road, I remind him that we are not now debating the earlier Bill; he must direct his remarks to the Bill that is immediately before the House.

Mr. Hogg: That is of course true. My point is that the first Bill deals with important constitutional questions, and we find that we are suddenly prevented from debating it so as to bring us on to this Bill. One suspicion may be that the Government did not want to hear the discussion on the first Bill. I, for one, regard that as unconscionable.

Mr. Ian Stewart (Eccles): Will the right hon. and learned Gentleman give way?

Mr. Hogg: In a moment.

We have seen an important constitutional debate truncated by a device.

Mr. Stewart: On that point—

Mr. Hogg: In a moment.

The device was that the House should go into private session. No one on the Government Benches, or very few, voted against what most people would consider a denial of democracy. I ask the Under-Secretary of State for the Home Department whether he voted in the Division. He did not. We find, by implication, that Government Members supported a Division to put the House into private session. That is a scandal and a contrivance.

Mr. Deputy Speaker: Order. I remind the right hon. and learned Gentleman that what was done this morning was strictly within the rules of the House. I must ask him now to direct his remarks—

Mr. Hogg *rose—*

Mr. Deputy Speaker: Order. The right hon. and learned Gentleman must direct his remarks towards the Bill that is before the House now.

Mr. Ian Stewart: Will the right hon. and learned Gentleman give way?

Mr. Hogg: I have been told not to proceed on the point, so I will not.

I move on to my second point, which is also procedural, but does not touch on the first point. The Government have established a Committee under the noble Lord Burns.

Mr. Leigh: On a point of order, Mr. Deputy Speaker. Is it not a normal courtesy that after an hon. Member makes a speech, he remains in the Chamber for the speech of the following speaker? Where is the hon. Member for Brent, East (Mr. Livingstone)? He has vanished. [HON. MEMBERS: "Where is he?] That is discourteous.

Mr. Deputy Speaker: The hon. Gentleman is correct. It is the convention of the House that when one has made a speech to the House, one should stay and hear at least the response from the other side.

Mr. Hogg: I shall come to the hon. Member for Brent, East (Mr. Livingstone) in a moment.

The Government have established a Committee under the noble Lord Burns, who is investigating many of the consequences associated with this Bill. The Government presumably believed that the Committee's report would be material to this discussion, yet they have allowed the debate to go forward, although they could have stopped it, without having the benefit of the view of the noble Lord Burns. That is a contempt of the Committee that they established. The only conclusion can be that the Government are displaying hypocrisy of an extraordinary kind.

My third point, on the matter to which my hon. Friend the Member for Gainsborough (Mr. Leigh) drew attention, is that the debate was prompted by the hon. Member for Brent, East in order to further his personal political ambitions. It is a scandal that the freedoms and liberties of my constituents should be pushed aside by an hon. Member in order to further his own political ambitions, yet he does not have the courtesy to stay and listen to the arguments.

The position is worse than that. We are debating criminal law, the rights of citizens and people's employment, and how many hon. Members are in the Chamber to listen to the debate? Virtually none, and the great majority of those who are present are on the Conservative Benches.

The hon. Member for Brent, East skulks in. I am sorry that he was not present when I had the opportunity to address my remarks to him.

Mr. Livingstone *rose—*

Mr. Hogg: No, no. I shall give the hon. Gentleman an opportunity in a moment.

The hon. Gentleman has introduced a Bill which restricts civil liberties and imposes criminal sanctions for his personal political reasons. That is a scandal, and it is a scandal that the House should be debating the matter when there is hardly anyone here, and only on the Conservative Benches at that. We are speaking of people's liberties, rights, the criminal law and offences, and there are hardly any hon. Members present to defend the interests of minorities. That is a scandal.

Mr. Blunt: I am extremely grateful to my right hon. and learned Friend for giving way; I hesitate to intervene on him while he is making such a passionate contribution. As he said, the hon. Member for Brent, East (Mr. Livingstone) has just skulked back in, having presumably gone out to speak to the media immediately after he sat down, and not observing the customary courtesies of the House. If by some mischance the Bill ended up in Committee, how could the hon. Gentleman be expected to guide the Bill through Committee, with all the other burdens that there will be on his time over the next few months?

Mr. Hogg: My hon. Friend makes an interesting point. We know, too, that hon. Members who introduce a private Member's Bill which gets a Second Reading have the opportunity to choose the members of the Committee. Because there are so few hon. Members on the Government Benches, the Committee will be packed by hon. Members who have not heard the debate. That, too, is a scandal.

I have sat through many debates on fox hunting, and I have always adopted one position, which I shall elaborate at some length, but I have never attended a debate that was so poorly attended by those who wished to abolish fox hunting. That seems to show either a contempt of Parliament, or a disregard for the rights and liberties of our constituents, which is deeply shameful.

Mr. David Taylor (North–West Leicestershire): I thank the right hon. and learned Gentleman for giving way. Does he agree that it is bogus to suggest that the number of hon. Members on the Government Benches is low, so the Bill is not worthy of support? In fact, there are equal numbers of hon. Members on the Government Benches and on the Conservative Benches. Is not the point entirely bogus?

Mr. Hogg: No, it is not. The hon. Member for Brent, East wants to impose on my constituents the burdens of the criminal law. He wants to make what is currently a lawful activity an unlawful activity. It is a scandal to see that process happening with, at most, 10 hon. Members on the Government Benches.

Mr. Gray: I am sorry to interrupt my right hon. and learned Friend in his full flow, but the intervention from the hon. Member for North–West Leicestershire (Mr. Taylor) was incorrect. There are 10 hon. Members on the Government Benches, and 14 on the Opposition Benches.

Mr. Hogg: And, of course, one must take into account the fact that we are smaller in number.

Mr. Bercow: I am grateful to my right hon. and learned Friend for giving way. Is he familiar with the celebrated text by Talmon entitled "The Origins of Totalitarian Democracy", which I had the pleasure of studying as an undergraduate? Does my right hon. and learned Friend agree that it is unfortunate that the hon. Member for Brent, East (Mr. Livingstone) had nothing in the way of a cogent argument to offer, and relied exclusively on vulgar majoritarianism, the findings of opinion polls and the research studies of focus groups? Should we not rather follow the advice of Walter Lipman, that in a free society the state does not administer the affairs of men; it administers justice among men who conduct their own affairs?

Mr. Hogg: I do, indeed. I shall refer in a moment to minority rights. My hon. Friend the Member for Buckingham (Mr. Bercow) has spelled out the arguments precisely and crisply, and I know that I shall not be able to improve upon them, but I intend to try.

I began by protesting at what has been going on. I now come to the merits of the Bill or, as I see it, their complete absence. I have some experience in the matter, in the sense that for all my life I have been a shooter. I have also spent quite a lot of time watching, and very occasionally participating in, fishing. I have also seen my wife fish, which is an experience—for the fish.

Although I do not ride to hounds, I have had the opportunity on many occasions of supporting fox hunting and welcoming the participants to my house. I was very pleased that last November we held a meet at my house. I have been out with the foxhounds on many occasions.

[Mr. Hogg]

In my younger and more athletic days, I was a keen beagler, and in my even more athletic days, I have also been the quarry for the draghounds. That was at Oxford. I was not a very rapid drag, but none the less, I was the quarry for the draghounds. I can tell the House that what we had to pull was extremely disgusting. The point is that there is no inherent difference between those country pastimes. They are intrinsically the same. Shooting and fishing probably involve more pain and less justification than fox hunting. To try to draw a moral distinction between those who go fox hunting and those who go shooting or fishing is absurd.

When we last debated fox hunting, I, like many other hon. Members, drew attention to the many learned reports that tackled pain in fish. Fish feel pain; at least, that is what the evidence suggests. Once one concludes that, it is nonsense to distinguish between angling, shooting and fox hunting.

I have shot many times, and I enjoyed it. However, we all know that many wounded birds get away and doubtless die afterwards. If we seriously claim that it is wrong to hunt foxes with hounds, we must outlaw the other activities as well. That cannot be right. As the hon. Member for Brent, East and the Labour party do not suggest that, we face deep hypocrisy.

That hypocrisy is driven by the fact that many Labour Members fish. There is therefore a personal interest at stake. Secondly, Labour Members do not on the whole represent rural areas, but urban and suburban areas where there are anglers aplenty, I am glad to say. They are therefore fearful to touch the anglers. There is deep hypocrisy at the heart of the Bill.

I am a proud supporter of country sports. I believe that they are right and that they should continue. I will do my utmost to ensure that they remain lawful.

Mr. Öpik: Despite the fact that the moral inconsistency was repeatedly brought up during discussions on a previous private Member's Bill, the issue was never addressed consistently in the House or in Committee.

Mr. Hogg: It cannot be addressed because there is no answer. It is similar to the West Lothian question: there is no answer other than a federal state. When Labour Members cannot provide an answer, they pretend that there is no problem.

We have witnessed more examples of extraordinary pretence. Many of us remember the comments of the right hon. Member for Sedgefield (Mr. Blair), who is now Prime Minister and, again, not in his place. The last time such a Bill made an appearance, he claimed it had been stopped in the other place. He said something that was manifestly untrue, not once, not twice, but three times, on television and elsewhere. He repeated it long after he had been corrected. The House is entitled to say that, on fox hunting, there has been a lamentable refusal by the Labour party to face truth and fact.

Mr. Bercow: My right hon. and learned Friend referred to the Prime Minister's repeated errors on the subject, and his incorrect claim that the House of Lords thwarted previous attempts to ban hunting. In view of the requirements of the ministerial code, does not my right hon. and learned Friend believe that it is a scandal that the Prime Minister is not here today to correct his previous errors?

Mr. Hogg: There is no chance of his correcting them. They have been put to him on previous occasions and he has never apologised. He has mumbled, waffled, sidestepped and made comments that are difficult to reconcile with facts. The Prime Minister should correct his errors, but he will not. The House and my constituents will note that.

I shall move from the central hypocrisy—I hope that my right hon. and hon. Friends will develop that theme, because it is at the heart of the Bill—to an even more important subject: the nature of a democratic society. As I said earlier, my hon. Friend the Member for Buckingham presented the arguments in favour of minority rights more crisply and succinctly than I could. I said that perhaps I should not try to improve on them, and then implied that I would have a go.

Minority rights are at the heart of any democratic society. If an individual can do only what the majority of the day wants him or her to do, that is not democracy, but a form of autocracy. Some hon. Members may remember the Dimbleby lecture given by my right hon. and noble kinsman Lord Hailsham of St. Marylebone. It dealt with elected dictatorship. When the House of Commons makes a decision, it is—subject to consideration of several rights, which are now being enshrined in the European conventions—the law. My hon. Friend the Member for Buckingham will not like the parenthesis. What the House of Commons decides is law; what the Government decide is law, provided that they hold a majority in that House.

One of the principal responsibilities of Members of Parliament is to defend the minority rights of individuals. I do not claim to have many political purposes now; I am a man who left the Front Bench and may never return to it. However, during the remainder of my political life, I intend to try to ensure justice, civil rights and freedom under the law, and to prevent freedoms and rights that I believe to be important from being encroached upon by an ignorant majority. I shall defend that position, whatever the pressure or criticism, because it is my duty.

There are many aspects of society that one may believe are distasteful or wrong. Let us consider abortion. I do not believe that abortion is a great sin; however, I recognise that many people have the opposite view, and I can well understand the views of those who believe that it is a great sin. However, whatever their feelings, they should accept that it is a matter for personal conscience and not the criminal law.

Let us consider another example, which is not the same, but not dissimilar: boxing. I dislike boxing. I believe that it is brutal and brutalising; that it does a great deal of harm to individuals, arouses bloodlust and takes advantage of vulnerable people. However, I would not ban it. Individuals should have free choice; that is the nature of society.

Mr. Vernon Coaker (Gedling): Would the right hon. and learned Gentleman legalise dog fighting, bear baiting, cock fighting or badger baiting?

Mr. Hogg: I shall consider fox hunting in detail shortly. The idea that there is a parallel between bear baiting and fox hunting is so absurd that it shows that the hon. Gentleman has no clue about either practice.

I shall continue to develop my point about freedom under the law. I do not like obscenity, and I find blasphemy distasteful. People send me items through the post, usually from Holland, which are deeply unattractive. I can recognise them now; they are addressed, rather surprisingly, to Mr. Hogg Sarah Carpenter—a combination of my name and my wife's. I pop them into a wastepaper bin. However, I do not believe that disgusting items of that nature should generally be subject to the criminal law. It is different if they affect children, but, in general, they should not be subject to the criminal law.

If freedom is to mean anything, it includes the option of doing what is unworthy as well as worthy. That is not to say that country sports are unworthy—I believe them to be worthy—but it defines something about society that we must understand. Free society implies choice. Free will implies choice. The traditions of Christianity imply choice. If we do not have choice we cannot have sin, or at least it is not easy to have sin without choice.

Mr. David Taylor: Will the right hon. and learned Gentleman include in the list of activities with which he is about to regale the House those that are cruel, degrading and pointless? In other words, no matter what the activity, would he endorse and support it as he believes that minorities deserve to be protected?

Mr. Hogg: The presumption always is that minorities need to be protected. It is only a presumption—that I conceded—but those who argue against it consequently have to develop an overwhelming case. Therefore, that presumption is disapplied to cock fighting, bear baiting or dog fighting because of the nature of those activities. *[Interruption.]* The hon. Gentleman holds up his hand in what I suppose he regards as an appealing manner. I can tell him that it is not appealing, but I shall answer his question.

I regard dog fighting and bear baiting as thoroughly disagreeable, but were the hon. Gentleman to ask himself what is the inherent difference between bear baiting and playing a fish he might encounter some difficulty. Those of us who have played a fish, as I have, or, more important still, those who have seen my wife play a fish, will recognise—once they accept that a degree of cruelty is involved, or at least that fish feel pain—that making that distinction is difficult, yet we all defend fishing.

Mr. David Maclean (Penrith and The Border): Perhaps my right hon. and learned Friend would care to ask Labour Members what is the distinction between a fox in respect of clause 1 and rabbits and rodents in respect of clause 2. The Bill permits the hunting of rabbits and rodents, presumably because they are not regarded as being so cuddly as foxes.

Mr. Hogg: My right hon. Friend is right, and his point goes not to one question, but to two. The first is that the Bill contains an inherent hypocrisy, for the reasons that we have already explored, and the second is that there is basic inconsistency in the drafting, which makes us realise at once that civil rights are being removed in a cavalier fashion. I say that that is astounding in this House.

My point is that there are many activities in society of which you, Mr. Deputy Speaker, may disapprove, although I know that you are a broadminded man. However, you would not wish to make them criminal. I, who am an even more broadminded man—through long experience, you, sir, know that to be true—also disapprove of many things, but I do not wish to make them criminal. The defence of human rights is one of the important matters on which the House must focus.

Mr. Bercow: I am grateful to my right hon. and learned Friend for giving way because he is making a powerful point. Have I previously told him that I was once roundly attacked by a distinguished retired major in my constituency, Major Jeremy White, on the ground that I did not practise the sport of hunting? In reply to that distinguished gentleman, I assured him that I had no intention whatever of hunting at any stage in my life, but that I would vigorously and permanently defend his right to engage in the pursuit.

Mr. Hogg: My hon. Friend makes an important point and is absolutely right. He could gain great kudos by becoming the drag-hunt quarry and I am sure that the major in question would be delighted to chase him.

May I develop the question of freedom a little further? I think that I had the pleasure of seeing you, Mr. Deputy Speaker, either in the Chair or in the Chamber—perhaps up there in the Box—when we debated terrorism. You will remember that we were discussing its definition and the classes of individual who fell within it. You may also remember that I asserted liberty. One of the arguments that I advanced gained considerable sympathy from the hon. and learned Member for Medway (Mr. Marshall-Andrews) and the hon. Member for Linlithgow (Mr. Dalyell). Hunt saboteurs are a group of which I profoundly disapprove. Their activities are usually criminal and almost always offensive, but I do not want them to be made terrorists. I notice my hon. Friend the Member for Buckingham nodding his assent. I believe that he was in the Chamber when we discussed that important question. Conservative Members, who are more numerous than those on the other side when civil liberties are being discussed, defended those of whom they thoroughly disapprove on the ground that although they are criminal they are not terrorist. That is the point. We are consistent in the matter and it is important for the House to recognise that.

Before I move from the argument about freedom to other important issues, I emphasise that freedom is at the heart of my case. I have never been fox hunting, but I champion liberty. That is the key argument, but others cannot be ignored. Indeed, Lord Burns is examining them at present. No doubt the debate among those on the Labour Benches would have been more informed had his report been published. Owing to the Government's connivance at the shabby trick—

Mr. Deputy Speaker: Order. I am following the right hon. and learned Gentleman's remarks carefully, but it would be easier for me to do so if he addressed the Chair.

Mr. Hogg: I remember that I addressed you rather personally, Mr. Deputy Speaker, and I am happy to continue that practice, if that is more convenient.

I turn from the general principles to detailed consideration on which we must reflect. Nobody knows how many jobs will be lost. There are various estimates,

[Mr. Hogg]

but we know that some will go. The figure is bound to run to thousands—whether 16,000 or 5,000 I do not know—but I ask myself why on earth anybody should lose a job to indulge the political ambition of the hon. Member for Brent, East, who keeps newts in a tank.

Mr. David Taylor: That argument was effectively demolished by the right hon. Member for Maidstone and The Weald (Miss Widdecombe) in her memorable speech in the Second Reading debate in November 1997. She said that it did not hold water to the extent that we do not criticise those who seek improved education and improved health because those improvements bring unemployment to doctors and teachers or, in relation to crime, to police officers. Is not the right hon. and learned Gentleman's argument bogus?

Mr. Hogg: I agree with my right hon. Friend the Member for Maidstone and The Weald on many things, but I have made it plain over many years, to her in person, that I do not agree with her on this matter. I do not agree with her conclusions or with many of her arguments. I have said so in public, I have said so in private and I shall never change my mind. I think that she is wrong.

I was dealing with the question of employment or, more particularly, unemployment. It is perfectly true that nobody knows the exact number who will be made unemployed if the Bill passes through the House to indulge an hon. Member who keeps newts in a tank. I do not suppose that the newts like that particularly and I do not remember many people railing on behalf of newts, certainly not the hon. Member for Brent, East.

Mr. Livingstone *rose—*

Mr. Hogg: Ah! The newt fancier.

Mr. Livingstone: I agree with that point, which is why, with my own loving hands, I built a 60 ft pond in the garden for them to swim in, in freedom and safety.

Mr. Hogg: Before that, the newts must have been kept in a smaller tank. Otherwise, the hon. Gentleman would not have needed a bigger tank. We find that there is a degree of hypocrisy in the argument that is being advanced. That does not surprise me.

I return to the chief point, which concerns employment. I have made my point three times now: we do not know how many people will lose their jobs, but quite a number will, Mr. Deputy Speaker, and in your constituency, too.

It is artificial to debate how many jobs would be lost. We only have to face the fact that some would be lost. My bet is that thousands would be, but I cannot prove it. Kennelmen and huntsmen would lose their jobs immediately. The turnover of my local shops that sell riding equipment would be reduced. Those who shoe my horses would have fewer horses to shoe. Those who repair my saddles from time to time would have fewer saddles to repair. There would not be such a demand for the services of those who repair riding kit. Those who provide hospitality in the pubs, would find that their hospitality was not required. Those who hire out horses would also be affected. We do not know how many people would lose their jobs, but we are entitled to say that they would be numerous.

Even if they were not numerous, why in God's name should they lose their jobs at all? That is at the heart of the matter. Labour Members wax vigorous when it comes to employment, unless it is to indulge their social and political preconceptions. The nature of freedom is that we defend everyone even if we disapprove of their activities. It is a scandal that Labour Members are so cavalier about unemployment, which will certainly accrue as a result of this measure.

Mr. Maclean: Is my right hon. and learned Friend aware that the British Racing Board has forecast that there would be not only large jobs losses in other industries, but highly detrimental consequences for national hunt racing, a loss of skills, loss of breeding and loss of the bold riding style that we have in this country? There would be serious detrimental effects for horse racing generally.

Mr. Hogg: I have no doubt of that. I do not have my right hon. Friend's experience of high-level riding. My wife and I ride out each weekend on rather modest horses: they do not have overmuch to do with the breeding associated with fox hunting. I have no doubt that the horse industry's relationship with hunting would be damaged were we to pass the Bill.

Employment matters. The cavalier approach adopted by Labour Members is deeply offensive. I know you have been concerned, Mr. Deputy Speaker, that I have been ignoring you, so I want to say something to you personally. I had the pleasure and privilege of welcoming to my house last November the Blankney hounds. We had the hunt meet at my house. There were 100 people gathered outside my house for the hunt, of whom a great majority were foot followers.

Mr. Bob Russell (Colchester): Michael Foot.

Mr. Hogg: Not Michael Foot—they were foot followers. I am glad to say that they came from a wide range of backgrounds and with various interests and pastimes. It is important that hon. Members ask themselves whether those people, who are like us in every respect, should be made criminal for participating in a sport which is important for them and is wholly lawful. One has only to consider the kind of people who were there—honest, honourable citizens—to realise that to suggest that their activity should be made criminal is an outrage. It is a denial of freedom so basic that it is a disgrace to this House that it should be debated in this manner.

There is another way in which one can come to the same conclusion. There is no intrinsic difference between angling and fox hunting. I regularly walk my dog by the Trent river. Many fathers and sons come out of big cities—in this case Lincoln—to fish. Should the activity that they pursue on a Sunday afternoon be made criminal? The proposition is repellant. Why on earth should what they do be made criminal? What is the difference between what they do and what the people who attended my house last November do? There is no difference, except of course that Labour Members perceive a political advantage in doing what they are doing today—it is hypocrisy and dishonesty

writ large. *[Interruption.]* Did I hear that someone wanted me to give way? I am sorry, I am a bit deaf. No, they did not, which is probably a good thing.

Mr. David Taylor *rose—*

Mr. Ian Stewart *rose—*

Mr. Andrew Miller (Ellesmere Port and Neston) *rose—*

Mr. Hogg: Ah, I thought so.

Mr. David Taylor: The right hon. and learned Gentleman seems to be arguing that the urban masses are trying to impose their philosophy on those who live in rural areas, and that that is a disgrace. Is he interested in the fact that repeated surveys have shown that the substantial majority of people who live in rural areas want an end to the barbaric practice of fox hunting? This is not an urban versus rural issue.

Mr. Hogg: There we have the authentic voice of elected dictatorship: the majority want something to be done, so it should be done. The majority want capital punishment. I have always resisted that—no, that is not true, I have voted for capital punishment in the past, but I will not do so again. I suspect that the hon. Gentleman does not support capital punishment, but if he were to take samples in his constituency he would find a majority in favour.

I promised to give way to the hon. Gentleman with a beard, who is not looking at me at the moment. You, Sir. [*Laughter.*] He does not want to intervene.

Mr. Ian Stewart *rose—*

Mr. Hogg: Ah, he does.

Mr. Stewart: I apologise to you, Mr. Deputy Speaker, but my eyes had glazed over as I listened to the right hon. and learned Gentleman's prattle. The right hon. and learned Gentleman has presented an argument about democracy. Let it be recorded that his intention is to spew forth spurious and specious prattle to prevent Labour Members voting in favour of this good Bill.

Mr. Hogg: I do not think that one could call that a reasoned intervention. I give way to the hon. Gentleman who I think wanted to make a more reasoned intervention.

Mr. Miller: One of my first qualifications was a certificate in horse management. I put it to the right hon. and learned Gentleman that his argument is specious. Is he really saying that because all of us drive cars there should not be criminal offences associated with that activity? People who ride horses usually conduct themselves lawfully, but why should there not be criminal offences associated with activities that are done on horseback?

Mr. Hogg: No doubt some activities that can be done on horseback should be made criminal, but they do not include fox hunting. I am perfectly willing to contemplate that if a person rides a horse when terribly drunk and causes a road accident, he is committing a criminal offence, but that is different in kind. The hon. Gentleman should restrict his enthusiasm.

I was discussing employment, and a suggestion was made by the hon. Member for Brent, East. Where is he? Talking to the press no doubt. His duty is to be in the Chamber when his Bill is being discussed, but he is not here. He suggested that drag-hunting could be a substitute, and that would address the employment issue. I speak with some authority, because when I was at Oxford I was the quarry for the Bullingdon drag-hunt—perhaps my hon. Friend the Member for Mid–Sussex (Mr. Soames) used to ride with them. I know quite a lot about drag-hunting, as I did it for three years.

Mr. David Tredinnick (Bosworth): I have always looked up to my right hon. and learned Friend. I was the master of the Oxford drag hunt, and I think that he would have made a distinguished quarry. The difference between fox hunting and drag-hunting is very important and germane to the debate.

Mr. Hogg: Absolutely. Drag-hunting is a perfectly good and viable sport in itself, and gives great pleasure. However, it is not an alternative for many people who go fox hunting. Farmers who are willing to allow the foxhounds to cross their ground do so largely because the hounds kill foxes. They would not allow the draghounds over their land. You know a lot about rural matters, Mr. Deputy Speaker.

Hounds can damage land. Gates must be opened, fences adjusted and so forth. Quite a lot of trouble is involved in allowing hounds to go over land, and in general farmers will only allow it to happen in connection with fox hunting. They will not do it in connection with drag-hunting.

Again, I speak with authority, because I am well aware of the thoughts of the farmers among whom I live. Foxhounds run over the park in which my house is set. Unfortunately, I do not own the park. Hounds involved in drag-hunting would not be allowed to do that.

Mr. Tredinnick: In the case of the Oxford university draghounds, there was always a problem with persuading local farmers, apart from a few who were used to regular meets, to allow the hounds to run over their land. As my right hon. and learned Friend has pointed out, broadly speaking farmers want to support an organisation, namely fox hunting, that exists for their benefit—to reduce the fox population, thereby protecting their livestock.

Mr. Hogg: That is absolutely true. I do not think that there is any serious dispute about it. No one who lives in the country can suppose for a moment that my hon. Friend is other than wholly right.

Mr. Soames: My right hon. and learned Friend is entirely right about drag-hunting. As a champion of individual liberties and choice, he will know that, although it can be great fun in its way, drag-hunting accounts for only about 4 per cent. of meets in any one year. A very small proportion of people choose to engage in it. If it were as much fun as it is cracked up to be, many more people would take part in it.

[Mr. Soames]

Not only do farmers have a vested interest in hunting, as my right hon. and learned Friend pointed out—some do not, of course, but many do—but fox hunting is a much bigger operation, so the argument about drag-hunting is not germane to the debate.

Mr. Hogg: My hon. Friend is probably right. I have not ridden to hounds, but I imagine that the unpredictability involved in fox hunting makes it much more exciting and attractive than drag-hunting, which involves predictability. In this instance I do not speak with a great deal of authority, but I suspect that those who enjoy fox hunting would not necessarily gain anything like the same pleasure from drag-hunting.

Mr. Tredinnick: As my right hon. and learned Friend will recall, having chased across the countryside as a student at Oxford, in drag-hunting someone lays a line across country and hounds then follow it. They tend to follow the dragline much faster than they would ever follow the scent of a fox, because foxes are inclined to stop and check. Drag-hunts tend to follow a line of perhaps 30 or 40 jumps that have already been prepared: drag-hunting is much more akin to steeplechasing or point-to-point than to fox hunting.

Another question that my right hon. and learned Friend may wish to explore is whether drag-hunting is suitable for young riders, because of its speed and because lines are generally laid for pursuit at a certain pace.

Mr. Hogg: I do not want to express opinions on matters of which I am bound to say I have no technical knowledge, but I am sure that both my hon. Friend and my hon. Friend the Member for Mid–Sussex are right. In any event, my point is that drag-hunting would not be acceptable as an alternative to many who take part in fox hunting, and that it is wrong to look to drag-hunting as a way of solving the unemployment problem that would follow a ban on fox hunting.

Mr. David Taylor: The hon. Member for Mid–Sussex (Mr. Soames) said that only about 5 per cent. of those who hunt engage in drag-hunting as opposed to fox hunting, because of an innate lack of interest. Could it not also be said that the fact that only 5 per cent. of the 400,000 foxes that die each year are killed as a result of hunting demonstrates the ineffectiveness of fox hunting, which is often said to be the vital controlling mechanism in rural Britain?

Mr. Hogg: I am talking about freedom at this juncture, and about employment. If the hon. Gentleman is suggesting that because not many foxes are killed, fox hunting should not be indulged in, that is a different argument. I was talking about drag-hunting and employment.

Saying that people should stop fox hunting and take up drag-hunting is as silly as saying that people should stop shooting pheasants and take up clay pigeon shooting. Why on earth should people have their affairs meddled with by the hon. Member for Brent, East—who is not even present now?

Mr. Tredinnick: I do not think that my right hon. and learned Friend has dealt sufficiently with the question of employment. Having heard what the hon. Member for North–West Leicestershire (Mr. Taylor) said, I must point out that drag-hunts tend not to employ many people. The hon. Member for Worcester (Mr. Foster) should note that.

Drag-hunts usually use six couple—in other words, 12—hounds, or dogs, as they are called by those who oppose hunting. Fox hunts require 40, 60 or even more hounds. The hunt is generally responsible for breeding the hounds, and in any case many more hounds are needed to find a scent than are needed in drag-hunting. In drag-hunting, the scent has already been laid by distinguished students such as, in his younger days, my right hon. and learned Friend.

When it comes to the economics—

Mr. Deputy Speaker: Order. The hon. Gentleman's interventions are becoming longer and longer. He should allow the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) to answer.

Mr. Hogg: In the matter of drag-hunting, I bow to the expertise of my hon. Friend the Member for Bosworth (Mr. Tredinnick). I hope that he will have an opportunity to speak later, as he clearly has real knowledge of an activity that is very relevant to what we are debating.

Mr. Bercow: Does my right hon. and learned Friend think it possible that the capture last night by the Conservative party of a seat on Kennet district council, in the constituency of my right hon. Friend the Member for Devizes (Mr. Ancram), was attributable to a desire on the part of voters in that area to demonstrate their support for the continuation of minority country pursuits?

Mr. Hogg: I cannot answer that, but I can say this. It is perfectly true that from time to time opinion polls ask people whether they want fox hunting to continue, and that the majority usually reply that they do not. If, however, people are asked a different question, namely "Do you want the activity to be made criminal so that your fox-hunting neighbour can be put in jug?", they usually answer no. An awful lot depends on the question that is asked.

More particularly, I think that the country is more sensitive to the issue of human rights than Labour Members appreciate.

Mr. Soames: My right hon. and learned Friend has reached the kernel, or core, of the argument, which is something that the Labour party cannot ever understand. The Countryside Alliance organised a march in London to which nearly half a million people came, from the length and breadth of the land and from every walk and circumstance of life, to express their view that fox hunting should not become a criminal offence. Whatever views may be held on fox hunting, my right hon. and learned Friend's point about turning a legitimate sport into a criminal activity is at the centre of the argument.

Mr. Hogg: My hon. Friend makes an important point. I develop it in the following way. We can often judge whether an activity should be made unlawful by looking at the people who pursue that activity. That tells us about the quality of philosophy involved, the nature of the people, the social implications and this and that. I was on

the London march. I think that my hon. Friend was, too. Those on it were my neighbours—there were a lot of people from Lincolnshire, whom I knew well. They were in Hyde park, too. They are the sort of people whom I live my life with. I am glad to say that many of them vote for me, although many do not. They are ordinary citizens like us, decent or indecent.

One asks oneself whether decent ordinary citizens pursuing activities that they and their fathers have done for years should be turned into criminals. I find that question so repellant that it is difficult to contain myself. I am very, very angry.

People talk about net benefit to animals. I have been the Minister of Agriculture, Fisheries and Food. I know about suffering to animals. If I wanted to abate their suffering, I would look at battery cages for chickens, for example. There are many more urgent things on the agenda than fox hunting. If one asks oneself what benefit will come from banning fox hunting in terms of animal welfare, the answer, surely, is none. Some will be poisoned. If any Member thinks that poisoning is a nice way to dispose of animals, they had better think again and come and live in the countryside.

I have seen foxes shot. I will never shoot a fox—certainly not with a shot gun, or at least not without a very heavy round. I have seen them shot and they get away. I am ashamed to say that I have shot at foxes in my youth. It is a thing never ever to do. I am deeply ashamed of myself.

That will happen in very considerable numbers because there will be foxes who will cause trouble in farming communities of one kind or another. They will be poisoned. They will be shot. They will be snared and otherwise disposed of. In God's name, there is no net benefit for foxes. We need to be clear about that.

Mr. Tredinnick: I would not want my right hon. and learned Friend to be in danger of misleading the House, but the fact is that he has not really explained that fox hunts normally set a very high priority on killing foxes who are wounded. He will recall that the Oxford university draghounds were kept at Stratton Audley, at the Bicester and Whaddon kennels. I remember going there as master and discussing that very point with the then huntsman, Brian Feasly.

The master always tried to look out foxes that were wounded. They were invariably wounded by people with shot guns or air guns. Perhaps my right hon. and learned Friend would share with the House his experiences of that problem.

Mr. Hogg: I deplore the shooting of foxes with shot guns and, obviously, with air guns. I would never do it again. I did it when I was young and I am very ashamed of myself. One should never do it. Unless one has a heavy round, the foxes may get away and die of gangrene. One should never do that.

Mr. Blunt: I am convinced by my right hon. and learned Friend's argument. He should turn his attention to clause 3, which in effect encourages shooting foxes. It is one of the exceptions: dogs are allowed to flush foxes out so that they can be shot.

Mr. Hogg: Absolutely. There is even further hypocrisy about clause 3. If people are going to shoot foxes with a rifle, which is the only sensible way to shoot a fox, they will not need dogs, so the implication is that they will use a shot gun on them.

Mr. Soames *rose—*

Mr. Hogg: I give way to my hon. Friend, who may know more about the matter than me.

Mr. Soames: I do not think that there is anything on which I know more than my right hon. and learned Friend, but I am sure that he will not wish in any way to denigrate the admirable work by the gun packs in Wales, about which the hon. Member for Montgomeryshire (Mr. Öpik) knows a great deal, and in Scotland, where it is impossible to hunt in a conventional hunt. Hounds—not dogs, incidentally; there is an inappropriate use of word "dogs": they are hounds—are used to flush the fox out. He is then shot by keepers who know exactly what they are doing. They always use, as my right hon. and learned Friend rightly says, a very heavy load. If they did not shoot those foxes, the consequences for the ground-nesting bird population of all sorts would be catastrophic in the highlands. Their work is very valuable.

Mr. Hogg: I stand rightly corrected. I am grateful to my hon. Friend. Although I know about gun packs and I have seen some, I have never been out with them, so I do not have his expertise, but I am sure that he is right. A heavy round must be used. If people use No. 5 or No. 6, or whatever, it will not be enough to bring a fox down at close range with total certainty.

Mr. Öpik: On that point—I hope to develop some of these points, if I catch your eye, Mr. Deputy Speaker—while I accept what the right hon. and learned Gentleman says about the dangers of an unclean hit, is he aware that, in some places it is not possible to use hounds to dispatch the fox, so gun packs, for example, following a run from cover in a wooded environment, might be the most efficient way?

Mr. Hogg: I am sure that the hon. Gentleman is right. Gun packs have a role to play. I am sure that the keepers who use them have heavy rounds in their shot guns; otherwise, it would not be acceptable.

My next point goes to what my hon. Friend the Member for Bosworth said about the fact that fox hunters and hounds search out wounded animals. He is right. They have been shot previously and wounded, but there is another and more important point. A fit adult fox almost always gets away from the foxhound. Those who are caught are the old, the sickly and the lame, who should be culled, in the interest of the population and, probably, in their own interest, too. An active healthy fit fox almost always gets away.

I am coming to the conclusion of my speech. [HON. MEMBERS: "No."] I am deeply flattered by the way in which that remark was received by my hon. Friends, who have sat with great patience, but I sum up where I stand. I will mention it only once because I know your views on the matter, Mr. Deputy Speaker, but what happened earlier was a disgrace. However, we will leave that aside.

It is also a disgrace that the hon. Member for Brent, East has barely been in the Chamber. He is seeking to make criminal the activities of my constituents and he has not even had the courtesy to spend much of his time in the Chamber.

[Mr. Hogg]

Further, it is disgrace that the Government should allow the debate to take place when they were awaiting the report of the noble Lord Burns, which they themselves have commissioned. That shows contempt for that committee, which is deeply troubling.

Mr. Eric Forth (Bromley and Chislehurst): On the conduct of the debate, it must surely be the case that the tradition here, as the House will know, is that the Member promoting a Bill seeks to wind up the debate to give the House a proper view of matters. How will the hon. Member for Brent, East (Mr. Livingstone) be able properly to wind up the debate and to refer to the contributions if he has not been here during the debate? Has my right hon. and learned Friend thought of that?

Mr. Hogg: I have not, so I am grateful to my right hon. Friend, whose parliamentary experience is second to none in this place. He is right, but underlying the attitude of the hon. Member for Brent, East is contempt for this place. He has benefited from a procedural device that is shameful. He has not been here to listen to the debate. He is unable to answer any of the questions that have been raised. He is pursuing his own political ambitions at the expense of my constituents. I regard that as a shameful disgrace. I wish he were here to hear me say so.

There are lots of technical arguments regarding whether hunting is an effective way to cull foxes, whether there is greater or lesser suffering, questions of employment and all the rest of it. All that is important, but, in the end, it is about freedom and liberty. That is where I stand.

If we stand for anything as Members of Parliament, in God's name, it is to defend liberty and the rights of minorities. That is the obligation that we take on when we come to this place. We are here to fight overmighty Government, but we are also here to fight overmighty majorities. I ask my hon. Friends to stand for that cause.

11.10 am

Mr. Lembit Öpik (Montgomeryshire): I commend the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) on making a very lucid and well-argued case. *[Interruption.]* I should hope that those who disagree with him will at least accord him the courtesy of acknowledging that he made a rational and well-argued case. I am always disappointed when responses become personal, and I hope that hon. Members will at least consider some of the points that he made, even if they do not agree with them.

I should like to say how absolutely disappointed I am that the hon. Member for Brent, East (Mr. Livingstone) has not found it possible to be in the House for the majority of the debate. *[Interruption.]* That will be him now.

Mr. Deputy Speaker: Order. Madam Speaker takes an extremely strong line on electronic devices that are not under hon. Members' control in the Chamber.

Mr. Öpik: Perhaps that was a wrecking tactic by someone outside the Chamber.

Mr. Tredinnick: I apologise, Mr. Deputy Speaker.

Mr. Öpik: As I said, I am deeply disappointed that the hon. Member for Brent, East has, so far, not found it possible to attend the majority of the debate. Although I appreciate that he may have been caught unawares by the debate's timing, he has failed in his responsibility to listen to arguments on both sides of the debate, which he would do if he really were serious about the debate. One can only conclude that he is unable to entertain the prospect of having his views influenced by the debate in this Chamber.

I have respect personally for the hon. Gentleman, but if he does not think it sufficiently important to cancel whatever it is that has taken him from the Chamber, to listen to the debate, it is hard to respect his motives for promoting the Bill.

Those who have heard me speak on the issue before will know that, for me, this is a debate of profound moral importance. We are debating a libertarian issue that goes way beyond the issue of jobs, to those of minority rights and animal rights. In some ways, it is a test case of whether logic can triumph over emotion. I shall therefore judge this debate in rather the same way that I judged the debate on the previous Wild Mammals (Hunting with Dogs) Bill, which was promoted by the hon. Member for Worcester (Mr. Foster)—who, as we all know, in 1997, initiated the current epoch of fox hunting debates. He showed, to his credit, that he was willing to listen to the various arguments, some of which I shall deal with later.

I hope that, as I develop my argument, hon. Members will genuinely listen and think about what I am saying. I see colleagues on the Labour Benches who may disagree with my views, but surely they will respect the fact that I and the organisation with which I have been closely associated, the middle way group, are genuinely trying to find an alternative that will satisfy the consensus—the majority view on the issue—in the United Kingdom.

Mr. Bob Russell: Does my hon. Friend agree, so that it is put firmly on the record, that the majority of Liberal Democrat Members are opposed to blood sports such as fox hunting, and that, when we had the one vote on the issue, the majority of Liberal Democrats supported legislation to ban blood sports?

Mr. Öpik: As we all know, this is a free-vote issue, not a party political issue. In trying give my hon. Friend a constructive answer, I tell him that a majority of hon. Members—unquestionably, as the record shows—voted to support the Bill promoted by the hon. Member for Worcester and for a ban. That is not a point of contention. What is in contention is whether polls and majority views should necessarily determine how we address libertarian and liberal issues.

A point that I shall develop later is that the hon. Member for Brent, East is a champion of minorities. He is one of those who has often stood up for minorities who would otherwise be discriminated against. I therefore think that it is incumbent on him to think seriously about the hypocrisy of his proposal.

Mr. Bercow: I am grateful to the hon. Gentleman for giving way. I first jousted with him in political debate, if memory serves me correctly, the best part of 15 years ago, and it is always a pleasure to listen to him. Could he tell the House, and inform me, whether he has always supported the right to hunt, or whether he was persuaded by people in Montgomeryshire to do so?

Mr. Öpik: That is a pertinent question. Having changed my own views on the issue after debate and

argument, I hope that other hon. Members may follow the same logic and be persuaded in the same way. Seven or eight years ago, if I had been asked to vote on the issue, I probably would have supported legislation similar to the previous Wild Mammals (Hunting with Dogs) Bill. However—after debating the issue, listening to those who are involved on both sides of the issue, and, perhaps most important of all, having observed the practice of fox control—I have been forced to change my view.

I do not think that this issue is a vote winner or a vote loser, even in my constituency. I should like to think that if I were persuaded by the hon. Members for Brent, East or for Worcester to hold a position on the issue contrary to that which I do hold, my constituents would respect that I had done so on the basis of moral argument and logic. I think that the most important task of Members of Parliament is to be able—rationally, not emotionally—to justify the positions that we take. I should also like to think that people in any constituency would respect that.

The issue of votes, therefore, does not come into it. If I returned to live in Newcastle upon Tyne, I would do so with the views that I now hold on fox hunting—although there are no hunts in Newcastle upon Tyne, Central, the constituency in which I stood in 1992.

Mr. Soames: We all the more admire and respect the hon. Gentleman because he came to his views in the way that he did. However, does he accept that, in the intervention of the hon. Member for Colchester (Mr. Russell)—who represents a wholly urban seat; has never, ever been fox hunting; knows nothing about it at all; could not possibly know about it, but professes to hold strong views about it—he has encountered the problem that everyone faces in debating fox hunting? Does he accept that, although he and the hon. Gentleman are members of the same party—I differ with members of my own party—the issue deals with individual liberty, individual rights and protection of minorities? He is to be warmly congratulated for so firmly sticking to his guns.

Mr. Öpik: I thank the hon. Gentleman for his support. In defence of my hon. Friend, although we may differ in our views on fox hunting, the alternative for Colchester was unthinkable, and I am pleased that he is in the Chamber. I implore him, however, to think about the argument and to do what I had to do—to move by logic from a fairly uninformed position, based on an emotional reaction and some very emotive language from those who wish to ban hunting with dogs, to a reasoned position. I believe that I can justify my position on the issue to people on either side of the debate.

Mr. Blunt: The hon. Gentleman has used the words "liberty" and "liberal" in the same sentence. The difficulty that he has to reconcile with his membership of the Liberal Democrat party, a majority of whose Members voted for the Bill of the hon. Member for Worcester (Mr. Foster), is that the Bill is thoroughly illiberal and constrains liberty. He and his colleagues cannot lay claim to the word "liberal" in defence of liberty.

Mr. Öpik: Tempting as the offer is, I do not intend to join the Conservative party in the foreseeable future—I do not suppose that I would be welcome anyway—even if there is a potential moral conflict between liberalism and the position of some of my colleagues. I believe that this is a libertarian issue. I do not want to get into a semantic argument. The central issue is the balance between human rights and animal rights—between individual human freedom and the desire to regulate and protect the interests of animals.

Mr. Tom King (Bridgwater): I should like to reinforce what the hon. Gentleman is saying and give him some encouraging support. The best speech that I have heard in support of the case that he is making came from the former leader of his party, then Sir David Steel, now Lord Steel, the Presiding Officer of the Scottish Parliament. He said that we all have the right to hold a different view from somebody else, even to despise their opinions, but that to seek to ban a lawful pursuit in which someone has chosen to engage is another matter, and no right-thinking liberal could possibly hold a different view.

Mr. Öpik: The difference between a policy based on logic and one based on prejudice is that one based on logic can be approved in the House even if a large proportion of individual Members find the freedom in question distasteful. It is a mark of a democracy that, to quote a well-used phrase, we may abhor what individuals sometimes say or do, but we defend to the death their right to do it. This is one of those issues. It is of profound significance not just for the countryside, but because of the message that it sends to the general public about protecting minority rights and the extent to which we allow ourselves to be influenced by emotion when we should be guided by logic and fact.

The current debate on fox hunting was kicked off again last July when the Prime Minister made a slightly careless statement on television, saying that he would like a ban on hunting. That led to a huge reaction in the countryside and among many people here. I do not blame the Prime Minister for not being clear at the time. To his credit, he subsequently clarified his position by asking the Home Secretary to commission an independent hunting inquiry under Lord Burns. The Prime Minister made that mistake because this is a tremendously technical issue. It may come as a shock to those who think that it is a simple issue to discover that fox hunting does not always involve hounds. There is an involved and complex series of four or five methods, any one of which could be used to dispatch a fox.

I shall come back to the processes in a moment, but first I shall outline the moral issue. The Government, the League Against Cruel Sports, the Countryside Alliance, the middle way group and many others accept the case for controlling fox numbers. Put bluntly, all those organisations—and, to his credit, the hon. Member for Worcester—accept that it is justifiable to kill foxes at least under certain conditions. That is important, because it moves the debate on from where the public are often led to think it is to where it really is. The debate is not about whether we kill foxes, but about how we do so. Once that point is established, we move away from an emotionally charged principle to a practical question about the efficiency of the various techniques and, more importantly, their relative cruelty.

I see that the hon. Member for Brent, East has returned. I hope that he will now be able to stay. Perhaps he might even be willing to intervene to clarify some of my points.

[Mr. Öpik]

We have agreed that it is acceptable, even under the Bill, to kill foxes. We are talking about processes. It follows that the Bill is not about saving foxes' lives. The public need to be clear about that. Even if the Bill were passed, fox numbers would be controlled. I am willing to bet that they would be controlled in greater numbers—more foxes would be killed—because there would be less reason for countenancing a certain amount of attrition by the fox on account of the sporting benefits of hunting.

Mr. Bob Russell: Will the hon. Gentleman tell the House the approximate percentage of foxes that are currently killed by hunting? If killing by hunting is the preferred route, is he advocating more fox hunting, rather than less?

Mr. Öpik: My hon. Friend has not specified which process he means. I do not have the percentage to hand.

Mr. Gray *rose—*

Mr. Öpik: Perhaps the hon. Member for North Wiltshire (Mr. Gray) has the figure. I shall give way to him.

Mr. Gray: Game Conservancy recently carried out a study of different methods of fox control. In Norfolk, where they are all shot, there is now a zero population of foxes, whereas in Leicestershire and the west country, where there is a strong fox hunting tradition, there is a healthy number of foxes. That shows that, even if hunting is inefficient in killing foxes—16,000 foxes have been killed by organised hunts in the past 12 months—it preserves the species better than lamping and shooting, as happens in Norfolk and other pheasant-shooting areas.

Mr. Öpik: I thank the hon. Gentleman for providing those figures. I hope that they are helpful to my hon. Friend the Member for Colchester (Mr. Russell). There is a dynamic homeostatic equilibrium in the countryside. The fox population remains more or less constant. Farmers tolerate a certain amount of attrition and do not feel the need to eliminate the fox population. If we start messing around with that equilibrium by taking away what many feel are useful processes and their human rights, there is a good chance that fox numbers will be reduced.

Mr. David Taylor: Perhaps I could help the hon. Gentleman to answer the question from his hon. Friend the Member for Colchester (Mr. Russell). Estimates are that there are around 400,000 fox deaths each year, of which around 20,000 are the result of fox hunts. The figure is about 5 per cent., which shows that hunting is a peculiarly ineffective method of controlling the population.

Mr. Öpik: I could direct the hon. Gentleman to any number of farmers in my constituency, for whom hunting is the chosen way of controlling fox numbers. Farmers do not hate foxes. They respect foxes, but they believe that the equilibrium should be maintained by methods which the hon. Gentleman regards as inefficient, but which they regard as familiar and traditional systems.

Mr. Tredinnick: Those 5 per cent. are often the foxes that need to be killed because they are wounded. Those are the foxes that the hounds seek out.

Mr. Öpik: My local hunt, the David Davis pack, which keeps me awake at night because the dogs are within 200 yards of my house, is sometimes called out by farmers to track down killer foxes. Amazing as it may seem, that process seems to work. The hunt can track down specific foxes.

Mr. Soames: The hon. Gentleman makes an important point by identifying the different types of hunting. At this time of year many lambs are born. On Exmoor, for example, and elsewhere in the west country, the packs provide a service to farmers. They will go out at any time of the day or night to get rid of a fox that has been taking lambs. There is no other way to do that. Farmers do not have time to sit up all night with a lamp and rifle, so they have to get the hounds out. That is an important part of the service that hunts provide for the local community.

Mr. Öpik: That is right. For the benefit of the House, I shall describe the various processes involved. There are four main ways to control foxes—shooting, digging out and shooting, trapping or snaring, and hunting with a pack. Those methods can be varied or combined.

Shooting is self-explanatory. One way or another, a fox is tracked down and shot. When dogs are used, the process is called flushing from cover. For example, dogs may be put into woods to flush out a fox, and then the hunters try to shoot it. Lamping is the process by which people go out at night with a lamp. The fox is then shot, perhaps by a trained marksman.

Digging out is an important part of the process. It involves digging out a fox that has been run to ground, often by terriers wearing locator beacons. A hole is dug, the fox pulled out and shot in the head.

Trapping and snaring need no explanation.

In hunting with dogs, the dogs are the primary means by which the fox is dispatched.

Hon. Members will be smart enough to work out how the various techniques that I have described can be combined. I do not think that the public understand that, even were this Bill to be passed, foxes would continue to be killed in those various ways.

No persuasive case has been made by any supporter of the Bill to explain why killing foxes with dogs is more cruel than other techniques. I do not believe that it is, although I would have difficulty providing an objective justification for that belief. To do so, I would have to use circumstantial evidence, as would people arguing the opposite case.

I would also turn to my own experience, and to evidence from respected sources such as veterinary surgeons who have examined foxes killed by hounds. However, I repeat that supporters of the Bill have provided no objective evidence that dispatching a fox with hounds is more cruel than the alternatives that they accept as reasonable.

One of the challenges for the hon. Member for Brent, East is to develop an objective argument to explain why killing foxes with dogs is more cruel than the alternatives. That was never achieved when the subject was last debated in connection with the Bill introduced by the hon. Member for Worcester.

People use emotive language, and talk about the barbaric practice of tearing a fox apart. They assume that using dogs has to be cruel, and that that assumption need not be justified further. That is not acceptable, as it is based on prejudice.

In an intervention earlier, I asked the hon. Member for Brent, East whether he would amend the Bill if it could be shown that killing a fox with dogs was less cruel than shooting it. He said that he certainly would not.

Mr. Livingstone: I said that because I do not believe that to be the case. If, at the end of my days, the people at Millbank tower offered me three choices of death—being torn apart by dogs, being hanged, or being shot—I would choose being shot.

Mr. Öpik: That would depend on the size of the dogs, and I thought what the hon. Gentleman described had already taken place.

That is a useful point. It shows that the underlying assumption is that dispatching a fox with dogs must be cruel. The hon. Gentleman's mind is closed to the possibility that other people may think differently, in which he is not unique. That demonstrates my point. We must look at the facts. The hon. Gentleman's view in effect invalidates the Burns inquiry, whose specific remit is to look at the facts and provide some objective basis for a determination about the relative cruelty of killing a fox with dogs.

Mr. Leigh: Does not that facetious point from the hon. Member for Brent, East (Mr. Livingstone) make our argument? He is a creature of the light. He moves in daylight, surrounded by television cameras, and so could be dispatched easily by a Millbank tower sniper with a high-powered rifle. Foxes are different: they go by night, and are impossible to kill cleanly. Even expert marksmen often only wound them. That would not happen to the hon. Gentleman.

Mr. Öpik: It would also explain why the hon. Member for Brent, East is perpetually on the move. Given recent events, one has to have some sympathy for that strategy.

The crucial point is that to have a closed mind and automatically assume that killing foxes with dogs must be cruel is to give way to prejudice. If the hon. Gentleman and the supporters of his Bill are so certain of their facts, why do they fear an objective debate? Why are they unwilling to analyse the counter-arguments with an open mind? If they are right, an objective argument will confirm their view. They might even convince people like me, who have shown that we can listen and modify our views. I hope that he and others will take that point seriously.

I am optimistic. The hon. Member for Worcester listened to some important arguments from me about using dogs to flush foxes from cover, and he amended his Bill accordingly. Those changes have been carried over into this Bill. We succeeded in having some dialogue, and I hope that we can make similar progress again.

I turn now to the grounds on which the hon. Member for Brent, East has based his proposal. Let us assume that Lord Burns's inquiry finds that hunting with dogs is immeasurably worse than any other way of dispatching foxes. Let us assume that it is cruel and see where we end up.

To be consistent, fishing would also have to be banned. That has been lucidly explained already. There is plenty of evidence that fish feel pain. In the Standing Committee considering the previous Bill, I made that point and was told that fish were not mammals—at least not yet. At that point, I thought that I would be in Committee for hundreds of millions of years as fish evolved into mammals. In the event, it only seemed that long. Whether fish are mammals or not is irrelevant to whether they can feel pain. There many people here whom I regard as reptilian and I am sure that they feel pain at times. *[Interruption.]* I will not name names. We cannot distinguish whether it is acceptable to kill cold-blooded animals rather than warm-blooded ones. The inconsistency stands.

Mr. Gray: Is the hon. Gentleman aware that, in advancing what I believe to be extremely flawed arguments against fox hunting, the Royal Society for the Prevention of Cruelty to Animals advances exactly the same arguments with regard to shooting and fishing? The RSPCA would ban all three. If Labour Members who are pouring obloquy on his head for raising the issue of fishing believe in the RSPCA's arguments, they must also believe in banning fishing.

Mr. Öpik: The hon. Gentleman is absolutely right. I would go further, and say what it may be hard for Labour Members to say. The only reason why the inconsistency persists is that the desire to ban fox hunting is based on emotion rather than logic and, secondly, that the fear of the logical consequences of that is so great that they are unwilling to reconcile a glaring inconsistency which any first-year philosophy student would have spotted straight away.

Mr. David Taylor: Is it not an unworthy suggestion that the arguments put forward by Labour Members and supporters of the Bill are based entirely on emotion and not logic, when it could equally be argued that the hon. Gentleman's own Damascene conversion on the road from Newcastle to Westminster occurred only because he has a large number of fox-hunting farmers as constituents?

Mr. Öpik: I do not want to suggest that I do not respect the motives of those who support banning fox hunting. One of the ironies of the Bill promoted by the hon. Member for Worcester was that I made some good and enduring friends among those who took the opposing view of the argument, among whom I include the hon. Gentleman, for whom I have a great deal of time and fondness. *[Interruption.]* I will not be going on holiday with him, however, and certainly not on a fishing holiday. I believe that the hon. Member for North-West Leicestershire (Mr. Taylor) and his colleagues have sincere and genuine beliefs. My concern is, however, that those positions are based on emotion. We can disagree on that; it does not make their position wrong, but it is not how I want the argument pursued.

[Mr. Öpik]

It is contradictory to argue that I was converted on the way to Montgomeryshire from Newcastle. The hon. Member for Brent, East said that he believes that in every constituency in the United Kingdom, a majority of people support banning fox hunting. He is probably right. I have never done a poll in Montgomeryshire, which is a very rural area, but he could be right. More people might like to see fox hunting banned: there are towns in the area, and only a minority of people hunt foxes. This is not a vote winner for me. Nor do I think it a vote winner for those who support a ban. I think that it is a neutral issue when it comes to elections. Although it generates a lot of noise, it is not of more concern than the condition of the health service or education, and all the other issues that we regard as the key determinants of how people vote.

Mr. Taylor: I have a piece of information for the hon. Gentleman from the fox-hunting county of Leicestershire, of which I represent 10 per cent. In my constituency, the Quorn hunt is to the north and the Atherstone hunt to the south. I conducted a large-scale survey in the urban areas of north-west Leicestershire, where the figure in favour of a ban was 80:20. In the rural areas, in which about 50 per cent. of the electorate live, the figure was approximately 60:40. Therefore, on average, the figure is exactly typical of the United Kingdom, with at least 70 per cent. of people in favour of a ban. Even in rural areas, where the well-known fox hunts are active, a substantial majority of the local population favour a ban.

Mr. Öpik: That corroborates my belief. Just as with hanging, the majority of people in the United Kingdom, if asked, would probably support a ban on what they think of as fox hunting. If they were asked if they supported a ban on fox hunting, they would say yes, not recognising that it can take various forms. In some ways, the hon. Gentleman has answered his earlier question. I do not think that my having changed my view is a big vote winner. In fact, I would much rather be doing work on other things this morning than talking about fox hunting. However, because it is an important moral issue, I find myself standing here and talking about it way beyond its significance to Montgomeryshire.

Angling has no pest-control benefit whatever. Not one sheep has ever been taken by a fish in my constituency, to the best of my knowledge, even during the severe floods of 1999. There is no case for justifying angling on grounds of anything other than sport. It is cruel—the fish are wounded, and then thrown back in the water. What kind of justification can there be for that kind of sport if fox hunting is banned? I would not ban angling or fishing.

Mr. Tom King: Why not?

Mr. Öpik: Because I believe that there must be a balance between human rights and animal rights. Although I find angling slightly distasteful, if somebody drafted a Bill to ban it, I would make similar moral arguments about the rights of individuals to choose.

These are not black and white issues. We are a meat-eating society; we could have a legitimate debate about whether that is right. I object to the willy-nilly approach in which some activities are regarded as acceptable prey for banning and others are practised by the very individuals who seek to take away individuals' rights to catch foxes.

Mr. Vernon Coaker (Gedling): If we follow his argument all the way, would the hon. Gentleman legalise badger baiting, cock fighting, bear baiting, and so on?

Mr. Öpik: A similar question was asked earlier, and was not answered, so I shall give my perspective. No, I would not. Just before the hon. Gentleman intervened, I said that these issues are not black and white. Society progresses slowly. The hon. Members for Worcester and for Brent, East are trying to move us forward to what they think is the next step in our civilisation or our attitude towards animals. There is a grey area here. If one were a purist, one could either support complete deregulation and do whatever one liked with regard to pets and animals, or one could be vegan and not harm animals in any way. Those are not realistic positions.

I believe that British society, which cares about animals, has it about right. I am concerned about the danger of creating inconsistent moral codes based on our assumptions and prejudices about certain sports because they are emotive, while leaving others untouched.

Mr. Ian Stewart: The hon. Gentleman talks about having a choice and what is acceptable. Earlier in the debate, the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) talked about his wife playing fish. What, I take it, was implicit in that statement was that once his wife had played the fish, she did not engineer for other animals to rip it apart in front of her while it was still alive, for pleasure.

Mr. Öpik: Again and again we see the assumption that killing a fox with dogs is the cruellest method. I assume that the hon. Gentleman believes that that is the cruellest form of dispatching a fox, although I hope not.

Two important points flow from the hon. Gentleman's intervention. First, I sense that, to the credit of the House, right hon. and hon. Members are beginning to see that it is possible to have a different and more objective view of whether killing a fox with dogs is as cruel as shooting or other techniques. If a chink of light has been shed on that matter, I am most encouraged because we can have a constructive debate on it if the Bill reaches Committee. I have forgotten his second point—

Hon. Members: Playing fish.

Mr. Livingstone: If the hunting lobby plans to filibuster until we have to move a closure at 2 pm, there is no point in my side being restrained.

Hon. Members have referred to cruelty in the ways that foxes are killed. Some people who support hunting assume that a quick nip by a dog will dispatch the fox. That would be true if they were hunting with a tiger or a lion, which kill rapidly with one bite. Dogs—like wolves—are pack-hunting animals. They bite and tear down their prey and disembowel it. Death usually takes a long time if an animal is being hunted by a pack-hunting animal.

Mr. Öpik: I shall not pursue the subject of fish, as I have made my point. We are not discussing a Hunting Fish with Dogs Bill, so I shall move on.

The hon. Member for Brent, East does not understand how a pack of dogs kills a fox. I have talked to vets about that, and they told me that it takes about 0.6 seconds, on average, from the arrival of the dogs—*[Interruption.]* The dogs get there by chasing the fox. If we added the time for the chase, we should get into a debate about whether the chase plus the kill is more or less cruel than the alternatives. That is my point. The hon. Gentleman can say that he thinks that that practice is more cruel than anything else and I can reply that it is not unduly cruel compared with the alternatives, but we need to move from such tit-for-tat debate to some more objective facts.

It is a tall order to expect Lord Burns to provide us with a complete and unequivocal analysis with which we can all agree, but if we could at least reach the stage at which we can accept that there is a genuine debate to be had—leaving aside all the emotive and barbed language—we should have made progress. Even those who feel strongly on the issue could at least respect that process. However, to date, there has often been a tendency to make claims such as, "The fox was literally torn apart and that is unbelievably cruel and obviously wrong." That is not an argument. It is not a logical or coherent point; it is simply a feeling that is not necessarily backed up by facts.

I realise that I have been speaking for some time, but I assure the hon. Member for Brent, East that I am not making spurious or illogical arguments or going back to points that I have already made—I hope that he is aware of that by now.

Mr. Livingstone: The hon. Gentleman is much better on asteroids.

Mr. Öpik: I have not mentioned asteroids once during this debate. I will take that as a cue to move on to my concluding remarks.

Mr. Tom King: The hon. Gentleman has received a certain amount of abuse from Labour Members who have made suggestions similar to the comments of Lord Steel in 1995. He said that the right hon. Member for Chesterfield (Mr. Benn) was correct to say that if clause 2 of the Wild Mammals (Protection) Bill—which would have introduced a ban—was accepted, it would not be long before other Bills came before the House to ban other country sports. Lord Steel said that one of the reasons for his concern was that he enjoyed fishing even though he did not hunt.

There may be a misunderstanding. I am not sure whether the hon. Member for Montgomeryshire (Mr. Öpik) knows whether the hon. Member for Brent, East (Mr. Livingstone) is prepared to accept the cruelty in fishing—it is undoubtedly cruel—or whether he wants to ban fishing too.

Mr. Öpik: That is for the hon. Member for Brent, East to answer. If I had been on the ball earlier, I would have pointed out to him that asteroids would be a much clumsier and more expensive way of controlling the fox population.

Mr. Livingstone: I am not sure whether we should make interventions through third parties. However, I point out to the right hon. Member for Bridgwater (Mr. King) and the hon. Member for Montgomeryshire (Mr. Öpik) that I do not go fishing; I did so once, but found it monumentally boring because I did not catch anything. It is not something that I should choose to do. However, there is a different scale of pain involved in fishing, when a creature is being dragged around with a hook in its lip, compared to that involved in being torn apart by dogs. I would not go fishing, but I have no intention of voting to ban it. In 31 years in public life, I have received only one letter urging me to ban it.

Mr. Öpik: I want to move on from that point. There is no need to filibuster on this measure; many Members with strong views are in the Chamber, so I shall try to bring my remarks to a close.

I have one further point on cruelty. If we stop hunting with dogs, or dispatching foxes with dogs, we should not pretend that that would not cause its own cruelty. Tens of thousands of dogs will be put down, because a dog cannot be retrained to go drag-hunting. If it has been trained to catch foxes, it will always follow their scent. The hon. Member for Brent, East should include in his utilitarian analysis of what is most cruel a consideration of the premium he puts on the lives of tens of thousands of dogs that would make terrible pets. We would be signing their death warrants.

Mr. Bob Russell: Will the hon. Gentleman explain what currently happens to hounds that are no longer required for hunting?

Mr. Öpik: No. That is not the moral issue about which I am arguing. I know what my hon. Friend is alluding to; he believes that the hounds are put down. I am not an expert on the matter, but I hope that other hon. Members may be able to give him more detail about that in their speeches.

Mr. David Taylor: I am sorry to bombard the hon. Gentleman with statistics. However, 7,000 foxhounds are born each year, of which 5,000 are put down because they are unsuitable for hunting. There is no logic in the argument that all foxhounds would be put down if hunting were banned. As those hounds were trained to hunt foxes, so they could be trained for other forms of hunting that did not involve the pursuit of mammals.

Mr. Öpik: Hounds cannot easily be retrained. I am aware that there are experts in the Chamber who probably want to speak on that subject, and I want to conclude my speech to give them the chance to do so. However, it is my judgment, and that of those who have given me guidance, such as David Jones—one of the best in the business when it comes to hunting—that hounds cannot be retrained to go drag-hunting if they have been trained to go fox hunting. Others may want to pursue that issue, but I am covering so many aspects already that I do not want to go into that. I do not want to be accused of gratuitously trying to cover every single subject or subsection.

There are some good elements in the Bill. Some changes have been made, and I have complimented the hon. Member for Worcester on a pretty constructive dialogue, given where we started when his Wild Mammals (Hunting with Dogs) Bill was being considered, some time ago. This Bill permits flushing from cover; it is quite well worded on that. It seems to recognise that

[Mr. Öpik]

terrier work may be necessary. As I read the Bill—the hon. Member for Brent, East may be able to clarify this—it seems to accept, by implication, that terriers may be used, as long as they are not used to dispatch the fox underground. If that is what is meant, that is sensible, because terriers can be trained not to enter a dogfight. However, that is a technical matter, better suited to the Standing Committee. There are some other bits and pieces that would clarify ambiguities in the Bill.

However, overall, it is my fundamental moral concern that the Bill makes criminals out of law-abiding people who are simply pursuing a traditional method of fox control in their area.

Several times, the hon. Member for Brent, East sought to justify his Bill by saying that the majority supported it. I covered that point earlier, but let me remind him of my point, now that he is present. He has a worthy reputation for standing up for minority rights, even when he has been criticised for doing so. This is a classic example of minority rights being under threat, and I hope that he realises—this is not a spurious or specious argument in the slightest—that if he wants to be consistent, he should at least seriously think about supporting the minority that is under threat now, on the same grounds on which he has taken publicly unpopular decisions to support other minorities. I give him credit for the work that he has done in that regard.

The hon. Gentleman may not like the people who go fox hunting—he may have his own view about their class, or about the fact that they actually enjoy catching foxes—but, whether or not he finds the individuals distasteful, if he restricts himself to the question of cruelty, as he said he would do at the start of the debate, he must set aside his emotional reaction to the individuals carrying out fox hunting and confine himself to the philosophical question.

Mr. Livingstone: When I attended the Waterloo cup, I confirmed that there were all classes there. Interestingly, most of the working class were on one side of the field and most of the aristocracy were on my side of the field—I was invited into their tent and offered some nice game soup. I have not the slightest doubt that vast numbers of working-class people go hunting; anyone who assumes that only toffs hunt is wildly wrong. The majority of the people who go hunting are working class. The majority of the people who go out without any form of organisation and hunt animals illegally are working class; I am sure of it. This is not a class but an animal cruelty issue.

Mr. Öpik: I will accept the hon. Gentleman at his word. He has an honest face—at least from this side of the Chamber. I am glad that he reassured us that, for him, this is not a class matter. However, I would still encourage him to recognise that the fact that he finds fox hunting distasteful himself is not, in itself, sufficient grounds to ban it.

The hon. Gentleman also mentioned that had seen the tenderness of foxes, and that that was one of the motivating factors that had caused him to believe that foxes should not be killed in such a way. Cows have feelings too, as have sheep, amazing as it may be. One can see a farmer becoming attached to his animals, and farmers often find it hard to eat animals that they have reared because—believe it or not—they have developed an emotional bond with the animals. That leads us down the path of vegetarianism or something else. There is nothing wrong with vegetarianism, but there is something wrong with an argument that looks at the emotions of the animals as a justification for questioning one method of controlling those animals.

What would be the best way forward on this issue? There seem to be three options. The first is a total ban. I believe that we have established that that is not on the agenda. It is not in the Bill, so I shall not waste the time of the House in explaining why that would be a bad idea. The second is not to change at all. I know that some people feel that the status quo is acceptable, but I am not among them, and neither is the middle way group.

There are cowboys who pursue activities that are, in my judgment, cruel and unjustified—who torture animals and so on. I believe that there should be regulation, not least to get rid of the cowboys who do it for fun, and who are not represented in the House by myself or any other Opposition Member. That leads us to the third way—the middle way. Not surprisingly, that is the way that I believe that we should go. In simple terms, the middle way group proposes that we establish an independent hunting authority, with statutory powers to enforce a legally binding code of practice, and with inspectors who can drop in unannounced on a kennel or a hunt to compare practice with the standards that are set in that code.

Penalties should exist, ranging from a caution to the revocation of the hunting licence together with, potentially, court proceedings and more serious penalties. The authority—some suggest that it should be called "Offox"—would be paid for entirely by a fee for a licence to go hunting, so it would not cost the taxpayer anything to set up.

I should like to think that even Labour Members and the hon. Member for Brent, East could find some merit in the idea of an independent hunting authority and a code of practice, whether or not the hon. gentleman agrees with the detailed point about hunting with dogs, because I think that such a regulatory structure would be publicly seen as sensible and a fair-minded means of enforcement.

I hope that the hon. Gentleman would agree that there should be some degree of political independence in that independent hunting authority. It should not be a political or party political grouping. It should consist of individuals who are generally regarded as expert and fair on the question of fox hunting. I have described the middle way group's proposals, and I hope that we can debate them as the Bill progresses, as I imagine it will.

For me, this is a libertarian issue. I hope that, without too much digression, I have explained why it is such an issue. I hope that I have also set forward a challenge in unequivocal terms to the Bill's supporters to explain how they square the circle of dealing with hunting with dogs, but leaving fishing and angling untouched. It is not that I want them to ban other activities; I would like them to think again about what is a prejudicial move based on strong and sincerely held emotions about the apparent cruelty of killing a fox with dogs.

Sometimes we must introduce unpopular measures because they are right, but sometimes it is tempting to do the wrong thing because it is popular. We are faced with that dilemma in this debate. Many people will judge the quality of the House on whether we can set aside our

strongly and sincerely held emotions and consider the objective facts. That is how we got rid of hanging, and I would like to think that is how we will ultimately protect the most valuable thing that we have in the United Kingdom—the freedom of the individual to pursue activities in a balance between human and animal rights.

12.6 pm

Mr. Michael J. Foster (Worcester): I wish to make a brief contribution to this important debate. I am grateful to Labour colleagues for enabling it to take place by their use of parliamentary procedure. They are to be commended, and I thank them.

The Bill has all the hallmarks of what was termed the "Foster Bill". A similar Bill not only received an overwhelming majority on Second Reading in November 1997, but went through Standing Committee and reached Report before Opposition Members—although not all of them—decided to use procedures to frustrate its progress; the Bill subsequently ran out of time.

The Foster Bill was without doubt about one issue alone—animal welfare. I, like the vast majority of Members in the House, believe that hunting with dogs is cruel and unnecessary.

Mr. Andrew Dismore (Hendon): All sorts of theories have been put forward as to why I moved the motion to enable us to move on to this debate. The answer is pure and simple and there is no hidden conspiracy. I want fox hunting to be banned as much as my hon. Friend does and as much as hundreds and thousands of my constituents do. That is why I moved the motion; there was no hidden agenda.

Mr. Foster: The record will show how grateful I am to my hon. Friend for getting the debate on to the Floor of the House. This is an important issue, and one in which the British people think the House has frustrated their wishes. Opinion polls show that overwhelming numbers of people rightly want a ban on hunting with dogs. One day the British people will thank my hon. Friend for the way in which he has helped, I hope, to bring that about.

Mr. Bob Russell: Will the hon. Gentleman give way?

Mr. Foster: I wish to make a bit of progress, and I shall then give way.

I said that the Bill is about animal welfare and that hunting with dogs is cruel and unnecessary. One argument used in favour of hunting with dogs is the so-called quick-kill theory. The hon. Member for Montgomeryshire (Mr. Öpik) said that it takes 0.6 seconds for a kill to take place, but I would like to see the evidence. I think that he is talking nonsense, and I shall explain why that is so.

Mr. Gray: The hon. Gentleman is just about to tell us how hounds dispatch a fox. He will remember that in the Committee stage of his Bill he was forced, under heavy questioning, to admit that he had never been at a hunt of any kind and that he had never seen hounds killing a fox. He knew nothing about it, because he had no hands-on experience. Has he put that ignorance right in the meantime by going to a hunt and seeing the hounds kill a fox?

Mr. Foster: I shall certainly deal with that point. I went on a hunt with the Worcestershire hunt before my Bill had its Second Reading in 1997. The hon. Gentleman is totally wrong, and the record will state that.

Mr. Gray: Will the hon. Gentleman give way?

Mr. Foster: No, I want to make progress before I take any more interventions. The way in which a pack of dogs chases a fox—

Mr. Gray *rose—*

Mr. Deputy Speaker: Order. The hon. Gentleman has indicated that he is not giving way at the moment.

Mr. Gray: On a point of order, Mr. Deputy Speaker. The hon. Gentleman said that I was incorrect in saying that he had not attended a hunt. I should like to correct the point—

Mr. Deputy Speaker: Order. That is not a point of order for the Chair; it is a matter for the debate.

Mr. Foster: Invariably, when dogs are pursuing a fox, the fox's rear quarters come closest to the dogs when the chase comes to an end. It is obvious that the dogs will get hold of the fox at the rear and bring it down so that it can no longer run. That is a tendency of all canine hunting packs. The fox is then flipped over, attacked and disembowelled. The occasional kill might take 0.6 seconds, but that is not the norm. We have seen post-mortem evidence of the remains of foxes where the spinal column was intact and had not been cut in a quick kill. The veterinary evidence was that the fox had died of haemorrhaging, through being torn apart while alive. Let the record state that that is the case.

Mr. Tredinnick: I have seen foxes killed in hunting, and I have to say to the hon. Gentleman that foxhounds' instincts are to go for the neck, and foxes are normally killed in that way. There may be occasional aberrations, but they are a tiny percentage and most foxes are killed very quickly.

Mr. Foster: We have not only veterinary evidence from post-mortems but video evidence of dogs bringing down a fox and tearing at its stomach before it is killed. We also have evidence from individuals who have witnessed kills, sometimes in their own back garden, where hunt havoc has taken place and they have had to witness an episode that has disgusted them.

Mr. Öpik: Will the hon. Gentleman give way?

Mr. Foster: No, I want to make a little progress before I give way again.

It has been said that there is no alternative way to dispatch foxes, but shooting is viable and it is the recommended way in which to dispose of foxes. It has been said also that hunting with dogs does a great service

[Mr. Foster]

to the fox community because it culls the weak, the old and the lame. Unless I am very much mistaken, foxhounds cannot, by picking up a scent, distinguish between a healthy young fox and a three-legged or old fox. I do not believe for one moment that once the hounds are on the scent and in full cry, the huntsmen will call off the chase. That is utter nonsense.

Furthermore, why does cub hunting still take place in the autumn, when fox cubs are about six months old? If cub hunting did not take place, the arguments of Conservative Members would have some credibility, but young foxes are killed in cub hunting.

Mr. Leigh: Of course the hounds do not differentiate between the scent of an old, sick fox and that of a young, healthy one. The point is that the young, healthy fox simply gets away. There is overwhelming evidence that the great majority of foxes caught by the hunt are the old, the sick and the wounded, including very often those that have been inexpertly shot. The hunt therefore fulfils an animal welfare purpose in dispatching elderly or sick foxes.

Mr. Foster: I thank the hon. Gentleman for making that point because it allows me to nail another myth put forward by Conservative Members, which is that many foxes that have been wounded by inaccurate shots are roaming the countryside. The RSPCA, which has looked after thousands of sick and injured foxes that have been brought to its animal hospitals, says that less than five have been brought in suffering from shot wounds. There are clearly not vast numbers of wounded foxes hobbling around the countryside.

Sir Archie Hamilton (Epsom and Ewell): I am grateful to the hon. Gentleman for giving way. Is he aware that the fox is extremely prone to gangrene? If it is shot by lead shot, gangrene kills it relatively quickly, so that is probably why so few have ended up at the RSPCA.

Mr. Foster: I accept that the wound of any wounded animal can turn gangrenous, but I do not believe the myths put forward by pro-hunt groups.

To maintain a healthy rural economy, a relatively easy switch could be made to drag-hunting. All the jobs associated with hunting with dogs would continue to exist, all the services provided to hunts would still be needed, and the social aspects of hunting, which I know give great pleasure to those who go hunting, would be preserved. When I was out with the Worcestershire hunt in autumn 1997, the hunt followers told me how important the thrill of the ride and the chase was to them, and what great pleasure they get from it. I know that they do not go into it for the killing. They go hunting for the pleasure, the chase and—to use a term that the hon. Member for Montgomeryshire will understand—the crack.

Mr. Martin Salter (Reading, West): My hon. Friend mentions jobs. Does he welcome the inquiry set up under Lord Burns to examine the potential impact of a ban on hunting on employment opportunities, particularly in the countryside? Does he recall that when we debated his Bill on 28 November 1997 and it received such overwhelming support in the House, one of the best contributions came from the right hon. Member for Maidstone and The Weald (Miss Widdecombe)? She said that the jobs argument was fatuous, and that if we listened to it, we would not try to tackle crime because it would put police officers out of work, and we would not try to tackle disease because it would put doctors and nurses out of work. How would my hon. Friend respond to those comments, and how does he feel about the jobs argument in general?

Mr. Foster: I hope to deal with the Burns inquiry later in my contribution. There is no doubt that the right hon. Member for Maidstone and The Weald (Miss Widdecombe) made an enormously powerful contribution in that debate. It was widely noted, especially by the press, and her arguments about jobs is logical and stands up to scrutiny by the House.

The hon. Member for Montgomeryshire commented that dogs that had been used for fox hunting could not be retrained. With all due respect, he should seek out the facts. Last September I went to see the New Forest draghounds. We spoke to people who had previously hunted live quarry with the dogs, and asked how they had made the switch to drag-hunting. One of the aspects that concerned me was the welfare of the dogs, and whether dogs could be retrained.

I spoke to the chaps who trained the dogs and asked how long it took—weeks or months. In fact, it takes two days to train a dog that is used to following a natural scent to follow an artificial scent. It can be done right across the country. I urge the hon. Member for Montgomeryshire to go down to the New Forest and have a chat with the people there.

Mr. Gray: Will the hon. Gentleman give way?

Mr. Foster: I have given way already to the hon. Gentleman.

There is an argument that farmers will not allow drag-hunting on their land—that they allow fox hunting because it is a form of pest control and gets rid of the fox, whereas with drag-hunting there is no kill, so they will not allow it. I believe that farmers allow the hunt on their land because it picks up the fallen stock that they would otherwise have to dispose of in a more costly manner. That would encourage farmers to allow drag-hunting on their land.

Mr. Coaker: I thank my hon. Friend for giving way. I am listening to his speech with interest. From the fact that some people resist the change to drag-hunting, the only conclusion that one can draw is that they would miss the thrill of the kill. Is not that the reason why they do not want to move to drag-hunting?

Mr. Foster: The majority of people who take part in hunting do not do so for the kill. Many have never seen a kill, and I do not believe that they hunt for that purpose. The minority may like the blood, but the majority participate for the ride, the chase, the pleasure and the day out in the countryside. That is why drag-hunting is such an obvious alternative; people can enjoy all that without a kill.

Mr. Gray: Will the hon. Gentleman give way?

Mr. Foster: I have already told the hon. Gentleman that I shall not give way.

We all accept that farming is in difficulties. Why not let farmers charge for allowing a drag-hunt to go over their land? That would encourage farmers to allow drag-hunting. They could thus earn some income on the side. We embrace the free market; charging for drag-hunting is private enterprise.

Mr. Soames: I entirely endorse the hon. Gentleman's comments about how quickly hounds would take to following a different scent if they were taken into a drag pack. A foxhound will follow a scent because that is its instinct. If one chucks a ball at a Labrador puppy, he will return it instinctively.

I have addressed the mid-Surrey farmers' dinner, and a famous pack of draghounds runs in my constituency and nearby constituencies. Farmers welcome the drag, but they also welcome the hunt. They welcome it not only because of the fallen stock—although the hon. Member for Worcester (Mr. Foster) was right to mention that the hunt fulfils a useful function for farmers—but because they love having the hounds on their land, even though the hunt gets in the way on agricultural land. The hon. Gentleman should not dismiss tradition and love of the sport as a motivation for many farmers.

Mr. Foster: I endorse the hon. Gentleman's words. I shall extend his argument. Hunting is a bit of nuisance on agricultural land, but it is welcome because some farmers like to experience the pleasure of the hunt. Drag-hunting would provide that pleasure, with the additional benefit of greater certainty about its direction. A fox will go where it wants to go; a drag-hunt will lead the chase to its intended destination. It would help farmers if they knew where the hunt would go on their land.

Let us consider pest control. It has already been said that up to 20,000 foxes are killed by hunting with dogs. Eighty thousand are shot and 100,000 are killed by cars. The pest-control argument is not therefore a reason to allow hunting with dogs to continue. The hon. Member for Montgomeryshire claimed that the Bill excepted terrier work. I ask him to read clause 3(3), which prohibits flushing out from underground. Terriers would not be allowed to flush out a fox that had sought cover.

Let us be clear about what happens during a hunt. To prolong the hunt and the chase, people go out on the previous night and fill up the holes where foxes would naturally seek refuge. The official term is "stopping". If it is claimed that hunting is part of some sort of natural existence, why stop holes where the fox could escape? It is done to prolong the chase. That is unacceptable.

Mr. David Taylor: Does my hon. Friend agree that at least poachers use the fast-running lurcher to kill their prey, while fox hunts use foxhounds because they are slow running, thus prolonging the chase and the agony?

Mr. Foster: The Bill would also outlaw the type of poaching to which my hon. Friend refers because it involves dogs.

Mr. Öpik: I do not want to keep bothering the hon. Gentleman, but may I quickly put two questions? Is he against terrier work because he does not think that it can be done in a way that prevents the terrier from attacking the fox? Does he agree that Lord Burns's report needs to consider the process of terrier work and get into the points on cruelty that he made a few minutes ago?

Mr. Foster: I shall come to the Burns inquiry shortly, but we made our arguments on terrier work in Committee and the hon. Gentleman knows that I am against it. He suggested the idea of timing a dog and getting it to come out of an earth after exactly an hour. I have yet to see a dog that can tell the time, so I dismiss that argument.

Hunts always create artificial earths. In its submission to the Burns inquiry, the Masters of Foxhounds Association acknowledged that they are used to encourage the fox to seek refuge and shelter. I do not understand why that goes on. Why would anybody who thinks that killing a fox is suitable pest control do that?

Mr. Barry Gardiner (Brent, North): To encourage the fox to be there.

Mr. Foster: Using artificial earths does not make sense—it is illogical—and, as my hon. Friend says from a sedentary position, people must want to encourage the fox to be there so that they know where the quarry is when they go out hunting. That is why artificial earths exist.

I return to the submission to the Burns inquiry, which says that cub hunting is designed not only to kill young foxes, although it is acknowledged that there is a greater concentration in autumn so hunting is easier, but to train the dogs. I accept that, but it is also stated that cub hunting involves dispersing foxes. Why disperse a pest? Why push a pest into the countryside so that no one knows where it is? If the fox is a pest, surely people want to know where it is so that they can kill it—if they think that needs to be done to a pest—and they should not disperse or hide it. Again, that shows the inconsistencies in the arguments made by the pro-hunt lobby.

Mr. Gardiner: Will my hon. Friend give way?

Mr. Foster: I would like to make progress, if I may.

That brings me to the Burns inquiry, which is considering the whole issue of hunting with dogs. I am on the record as expressing concern over the membership of the inquiry team—that is no big secret—but I believe that if the inquiry considers the submissions objectively it will reach no conclusion other than that hunting with dogs is cruel and unnecessary.

Allied to the Burns inquiry, which the Government set up, is the promise that Government time will be made available to push the issue through should we not be successful before the inquiry concludes. Indeed, they have promised the use of the Parliament Acts as well, so seriously do they take bringing this matter to a conclusion. The House and Members from all political parties have already voted once, in overwhelming numbers, to ban hunting with dogs. I welcome the opportunity created by Labour Members to have a debate on the Floor of the House. The sooner we deal with the issue, the better.

12.28 pm

Mr. David Lidington (Aylesbury): I should make it clear at the outset that, as always when this subject is under debate in the House, Members from my party will

[Mr. David Lidington]

have a free vote in any Division. Although I speak from the Front Bench, I shall express my own opinions rather than any corporate policy of the Conservative party.

I preface my remarks by repeating what a number of hon. Members have already noted. It is extraordinary and disgraceful that the hon. Member for Brent, East (Mr. Livingstone)—having secured time for his private Member's Bill, in which he presumably believes very strongly—should so disdain the House of Commons that he cannot even be bothered to attend the debate. I remember the sense of privilege that I felt at obtaining a high place in the ballot; the hon. Gentleman's conduct brings nothing but contempt on him and his reputation here.

Mr. Salter: Will the hon. Gentleman give way?

Mr. Lidington: No, I shall not give way on that point.

The Government's failure to vote against a motion that the House sit in private is also contemptible. I cannot recall that happening in my time in the House. The Countryside Alliance and others who have been engaged in this debate have trusted the Government's protestations of good faith and have been prepared to give them the benefit of the doubt, but that will send a message to people outside the House that the Government put the quick soundbite and photo opportunity ahead of any serious regard for the arguments.

I hope that when the Minister responds to the debate, he will make it clear, especially in the light of the comments made by his hon. Friend the Member for Worcester (Mr. Foster), how the Government intend to approach the findings of the Burns committee, which they established. The hon. Member for Worcester clearly made the assumption that, whatever the conclusions of the Burns committee report, he expects the Government in due course to introduce legislation to outlaw hunting with hounds. That is what he and those who support his line of argument expect. I should be interested to hear from the Minister whether the hon. Gentleman is correct in that assumption, or whether the Government will approach the conclusions of the Burns committee in an impartial spirit, given that they may be at variance with those to which the hon. Members for Worcester and for Brent, East would like it to come.

For the avoidance of doubt, I should make it clear that two hunts are based in my constituency: the Vale of Aylesbury hunt and the Old Berkeley Beagles. I do not hunt myself: I have never done so, and have never felt any inclination to do so. However, I have reached the conclusion that the case for a ban on hunting with hounds is misguided and wrong.

I want to speak briefly about the impact of a ban on the rural economy, about the conservation and animal welfare aspects and about the matter of civil rights, which was dealt with at length and with great eloquence by my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) and the hon. Member for Montgomeryshire (Mr. Öpik).

Mr. Salter: Is the hon. Gentleman implying that the comments of his right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) on 28 November were misguided and wrong? What unanimity is there among Conservative Members on this issue?

Mr. Lidington: I have had many cordial discussions with my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) on this subject. We disagree firmly about hunting with hounds. On this issue, if on no other, my right hon. Friend is wrong. I share the views expressed by another formidable lady, my constituent Baroness Mallalieu, who talks a great deal of sense on this subject.

Mr. Gray: Does my hon. Friend agree that the other lady who talks a great deal of sense and was in the Chamber briefly this morning is the Minister for Sport, who spoke so powerfully in the debate on 28 November?

Mr. Lidington: My hon. Friend makes the point well.

I shall first deal with the economic impact of a ban on hunting with hounds.

As a number of hon. Members have pointed out, there can be no certainty about the economic cost of a ban. A report produced about three years ago by Cobham Resource Consultants estimated the total expenditure in the economy generated by hunting at just over £300 million a year. It also concluded that about 15,200 jobs in Great Britain owed their existence directly to hunting, and that the existence of just under 8,000 could be attributed to it indirectly. According to a survey of the hotel and guest-house trade in the Exmoor and Quantocks area, about 25 per cent. of business in the local economy could be attributed to hunting.

Even if the claim by Labour Members that only a few jobs would be lost as a result of a ban were proved right, I do not think that that would make it right for the House to dismiss the cost as unimportant or irrelevant. For many years, it has been our duty to take careful stock before enacting legislation that would make unlawful the livelihoods of people who are going about their legitimate business. During my time here, we have engaged in debates about the impact of the BSE regulations on small occupational groups such as cattle head deboners. I remember my hon. Friend the Member for Salisbury (Mr. Key) making the case very strongly. During the passage of the Firearms (Amendment) Act 1997, we discussed the possible cost, in terms of employment, to manufacturers and sellers of firearms and ammunition.

Even if the hon. Member for North–West Leicestershire (Mr. Taylor) were right in saying that the cost in terms of jobs would be much less than the Countryside Alliance estimates, I would still contend that we should reflect carefully, and that we should require an overwhelmingly powerful argument to be presented before depriving people of their livelihoods by Act of Parliament.

Mr. David Taylor: If it is right—and it often is—to fight vigorously in the Chamber in defence of jobs, will the hon. Gentleman tell us how vigorously he fought to oppose the large-scale job losses that resulted from the activities of the right hon. Member for Henley (Mr. Heseltine) under the last Government, when tens of thousands of mining jobs were lost, and there was barely a peep out of Conservative Members?

Mr. Lidington: I do not think that the hon. Gentleman has given an accurate account of the history of that time;

and I think that, in the light of announcements made earlier this week, he should hesitate before heaping contumely on Conservative Administrations for the loss of jobs in the mining industry.

A ban would have a further economic impact, which was mentioned by the hon. Member for Montgomeryshire and which is important to farmers in my constituency and elsewhere. I refer to the disposal of fallen stock. I believe that, in the absence of hunts, that would be a heavy cost for farmers to bear, especially at a time when every sector of British agriculture is in deep and prolonged recession.

Sir Nicholas Lyell (North–East Bedfordshire): My hon. Friend is making an important point about the rural community. Does he agree that this is a matter not just of cost—although that is extremely important at a time when farming is under such pressure—but of public health? The collection of fallen stock by hunts, which is carried out on a wide scale, solves a problem that is difficult to solve in other ways.

Mr. Lidington: My right hon. and learned Friend makes an important point.

The contribution of hunts to the disposal of fallen stock was admitted by the Government. The right hon. Member for Birmingham, Perry Barr (Mr. Rooker), when he was Minister of State, Ministry of Agriculture, Fisheries and Food, said in a written answer on 25 June 1998 that a survey undertaken by the State Veterinary Service had indicated that hunt kennels were responsible for the disposal of well over half the carcases of calves, for more than a third of adult bovine carcases, and for about a quarter of all sheep carcases following falls.

Any hon. Member who has a significant agricultural sector in his or her constituency will know that the problem of fallen stock has become a lot more acute since that MAFF survey, and that the withdrawal of the payment scheme for disposal of new-born calves has added enormously to the burden on hunts and others, who take on the responsibility of disposing of fallen stock. There would be a clear economic cost if the Bill became law.

There would also be damage over the medium to long term to conservation. We know—I think that it is accepted even by most opponents of hunting—that animals such as foxes and deer damage agriculture and forestry. It is common ground between those of us who oppose a ban and a number of those who support a ban that the populations of those animals need to be controlled and that some sort of culling system should be permitted.

The argument for hunting is that culling can be selective, as my hon. Friends have pointed out, and that it provides farmers and landowners with an incentive to maintain habitats in a state that does not add to the productivity of their businesses. Those habitats benefit not only quarry species, but other forms of wildlife.

Ms Glenda Jackson (Hampstead and Highgate): Some of the hon. Gentleman's hon. Friends made the point that the hunt destroys foxes who are injured, elderly or diseased. Therefore, the argument that the hunt is necessary to keep fox populations down and that it is a form of culling is absurd. According to his hon. Friends, it is the healthy fox, the fox that is still in a position to be able to breed, that inevitably evades and escapes the hunt, so the argument that hunting is a form of culling is clearly absurd.

Sir Richard Body (Boston and Skegness) *rose—*

Mr. Lidington: May I respond to the hon. Lady first? The point about hunting is that it enables the effective management of the fox population, or, for that matter, in Exmoor and the Quantocks, the deer population. Hunting provides the mechanism whereby those who make their living from agriculture and forestry are prepared to tolerate the presence on their land of a larger number of potentially pest species than would be the case if a ban were in force.

Sir Richard Body: I have simultaneously managed two farms about 10 miles apart. On one, I was happy to see foxes; on the other, I was not. The reason is that, if foxes are fairly young and healthy, they tend to keep down the rat and rabbit population, but, as foxes get older, once they have had a taste of chicken or duck, rather like human beings, they do not want to eat rats. Again, they cease to be useful predators for farmers and become what some us of would call vermin. It is those foxes that tend to be hunted successfully and culled by a pack of foxhounds.

Mr. Lidington: I agree with my hon. Friend's point.

The conservationist argument for hunting was perhaps best summarised in an article in *New Scientist*, on 19 April, which stated:

> Foxhunting has helped change the British landscape. Areas where it is common often have more hedgerows and thickets which benefit other wildlife besides the fox. These would disappear if hunting was banned.

Ms Glenda Jackson: Will the hon. Gentleman give way?

Mr. Lidington: No; I have given way once to the hon. Lady.

The core of the argument made by hon. Members speaking in support of the Bill has been that a ban is justified because it would prevent unnecessary cruelty to animals. Even if one opposes a ban, one has to take that argument seriously. My problem with the way in which those arguments have been expressed so far today is that ban supporters seem to be reflecting very little on the cruelty of alternative methods of animal control.

Sir Nicholas Lyell: Before my hon. Friend deals with that very important point, will he say whether he agrees that his point on the balance of nature is fundamental to the argument? Where one finds hunting flourishing, one finds a balance and wide variety of nature. One always finds in such places a healthy fox population, but it is a fox population that is under reasonable control. Such habitats are always diverse and flourishing, not only for foxes, but for a huge range of wildlife—which I think every sensible hon. Member much cherishes in the British countryside.

[Mr. Lidington]

Mr. Lidington: My right hon. and learned Friend puts the case accurately and I agree very much with what he said.

Ms Glenda Jackson: Will the hon. Gentleman give way?

Mr. Lidington: No, I shall not give way to the hon. Lady.

If hunting were banned by law, other methods of pest control would be available to farmers and foresters, such as the currently legal remedies of snaring and shooting. However, both those methods are far less selective than hunting with hounds. Snaring, quite clearly, can involve the trapping not only of a fox, but of any other animal that might be caught in the snare. The snare also makes no distinction between the condition of the animal that it catches, whether the beast is healthy, elderly or unhealthy.

Some Labour Members have said that shooting is the appropriate way of controlling fox and deer populations. Shooting is already legal in some circumstances. However, supporters of a ban seem to be underestimating the difficulty of shooting quick-moving animals such as the fox, and especially animals that are more likely to be out in the open at dusk, at dawn or even at night. It seems to be common sense that the risk of simply wounding such an animal and letting it loose to die a lingering death is very high. I am far from persuaded that there would be any net benefit to animal welfare if the United Kingdom were to outlaw hunting and to rely on shooting as effectively the only control method available to farmers and landowners.

I suspect also that if hunting were to go, we would see pressure—although I should regret it—for the legalisation of gassing and poisoning foxes in certain circumstances. My fear is that, even if those methods were not made lawful, we should discover at least poison being used as a method of illicit control. If we outlawed hunting, we would end up with a system of control that was not selective, was less certain and carried a greater likelihood that an animal would be left wounded to die a lingering and unnecessarily cruel death.

Civil liberties are at the heart of the debate. Whether we like it or not, hunting is an interest or hobby of a large number of people in this country. The total annual attendance at hunt meetings is more than 1.2 million. About 40 per cent. of those are riders and 60 per cent. are hunt followers. There are 302 registered hound packs in the country and the British Equestrian Trade Association estimated last year that about 56,000 horses were used predominantly for hunting. We are talking about making unlawful the leisure-time pursuit of more than 1.25 million of our fellow citizens.

Mr. Gray: I hope that my hon. Friend will forgive me for correcting him on a small factual error that the other side might pick on. There are 1.2 million hunting days enjoyed per year, rather than 1.2 million people.

Mr. Leigh: It is 1.2 million people.

Mr. Lidington: I accept those corrections from my hon. Friends.

The Human Rights Act 1998 has a bearing on the issue. I hope that the Minister will address the concerns that have been expressed by those who take part in hunting that the Bill will breach several provisions of the European convention on human rights, which was incorporated into British law by virtue of that Act. Although the Act has not yet come into force, the Government have adopted the practice of certifying on the front of each Government Bill that they believe that it is compatible with that Act. This private Member's Bill carries no such statement. Has the Home Office made any assessment of whether it is compatible with the commitments that the Government have entered into?

Mr. John McDonnell (Hayes and Harlington): The hon. Gentleman may be aware that I have raised that point at least nine times in relation to private Bills. There is a requirement on the promoter of any Bill to verify that it complies with the European convention on human rights. Conservative Members have opposed that provision for the City of London (Ward Elections) Bill. I take it that the hon. Gentleman will now ask the right hon. Member for Cities of London and Westminster (Mr. Brooke) to confirm the congruence of that Bill with the convention.

Mr. Lidington: It is a legitimate matter for the House to consider how it should deal with any proposed requirement for certification of private Bills, which are a different category from private Member's Bills, although the issue also applies to those Bills. It is asking a lot of a Back Bencher to carry out such research unaided on a Bill that they are promoting, but it is legitimate for the House to consider the issue through the usual channels.

Mr. Livingstone: I am not a lawyer, but the lawyers who advised the organisations supporting the Bill assured me that it was fully compliant with the human rights provisions to which the hon. Gentleman has referred.

Mr. Lidington: I am grateful for that intervention. I hope that the Minister will say whether the Government have formed a clear opinion on that matter, and whether they agree with the hon. Gentleman.

Mr. Bercow: Will my hon. Friend give way?

Mr. McDonnell: Will the hon. Gentleman give way?

Mr. Lidington: No, I will not give way on that point. I give way to my hon. Friend the Member for Buckingham (Mr. Bercow).

Mr. Bercow: Does my hon. Friend recall the wise observation that my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) made in the debate on 28 November 1997? He said that toleration was not about putting up with activities about which we did not much care one way or the other. He said that that was just apathy, acceptance and neutrality. Toleration, he said, was about allowing to continue activities that the many people who strongly disapproved of them nevertheless recognised should not be subject to criminal sanction.

Mr. Lidington: I agree strongly with that point.

Mr. McDonnell: Will the hon. Gentleman give way on that narrow point?

Mr. Lidington: No. I have given way once to the hon. Gentleman.

The other point on which I should be grateful for the Minister's comments has to do with the Bill's impact on the police force. The Bill would impose new criminal penalties on many fellow citizens, and the police would have to ensure that the legislation was enforced. The Bill provides for powers of arrest, property searches and so on. Have the police made representations to the Home Office about the resource and manpower implications of implementing the Bill?

I doubt that the Home Secretary would consider enforcing this measure a high priority for the police. I am pretty certain that my constituents, regardless of whether they support a hunting ban, would prefer their already stretched police to catch burglars and street robbers. They would not want them to be tramping around open fields in capes and gumboots trying to apprehend people chasing foxes with hounds.

Sir Richard Body: We in Lincolnshire have that very problem. Illegal coursing is pretty cruel and nasty and a lot of it goes on. The people taking part are often violent, and there have been many assaults on the farmers and farm workers who have tried to restrain them. The police have been asked to intervene over and over again, but they always say that they are so overstretched that officers cannot be allocated for the duty.

It used to be that officers were so allocated, and helicopters were used to catch the people involved. However, Government cuts in the police force mean that there are no longer enough officers to deal with existing animal welfare crimes in the county. It would be hopeless to expect the police to implement the provisions of the Bill.

Mr. Lidington: My hon. Friend makes a powerful point, and the situation that he describes prevails in many parts of the country.

Mr. Barry Gardiner (Brent, North) *rose—*

Mr. Lidington: The Bill would make criminal the lawful behaviour of a large number of fellow citizens. If a similar measure were to be proposed in respect of almost any other minority, Labour Members would lead the outcry against it. The promoters and supporters of the Bill should be careful. I fear that they underestimate the anger and resentment that the Bill is already provoking among decent, law-abiding people who believe that it abuses Parliament's power to make law.

Mr. Gardiner *rose—*

Mr. Lidington: I believe, that as my hon. Friend the Member for Buckingham put it, the definition of a liberal society is one in which we are prepared to defend not just the interests of those with whom we sympathise and agree but of those minorities from whom we differ and of whom we disapprove.

I believe that the Bill is misguided and wrong. If it comes to a Division, I shall vote against it.

1 pm

Mr. Martin Salter (Reading, West): I welcome the opportunity to contribute to this debate. I have had such opportunities before. The Bill promoted by my hon. Friend the Member for Worcester (Mr. Foster), which unfortunately did not pass into law, attracted some interest, it is fair to say, in the Chamber.

I am also pleased to have an opportunity to witness the use of a procedural device. I am still not sure whether it was designed wholly to have this Bill debated today or to cause embarrassment for others. However, I welcome the fact that we are debating it. I am pleased that my hon. Friend the Member for Worcester is here; I enjoyed the time that we spent together in Committee, knocking down the arguments from Conservative Members and, of course, the rogue Liberal Democrat Member, the hon. Member for Montgomeryshire (Mr. Öpik), who I am sure is a bit of an embarrassment to his party.

Sir Robert Smith (West Aberdeenshire and Kincardine): May I make it clear that none of the Members of the House who carry the Liberal Democrat Whip is an embarrassment to our party?

Mr. Salter: May I assure the hon. Gentleman that he is wrong? They are a cause of deep embarrassment.

I wish to look briefly at the arguments in favour of hunting wild animals with hounds. We have had some ludicrous claims from the Countryside Alliance and the pro-hunt lobby about the number of job losses. It put the figure at 16,000. I understand that in a press statement last week, the Countryside Alliance made the crucial admission that there may have been a slight exaggeration. I think that the Burns inquiry will show that it was more than a slight exaggeration—it was probably a bare-faced lie. We shall wait and see.

Mr. Gray: The hon. Gentleman uses rather extreme language, and I hope that the Burns inquiry comes up with figures that are as close to accurate as possible. I am sure that the hon. Gentleman will not accuse me of lying when I say that to the best of my knowledge, the full-time equivalent of 11,400 people are employed directly by hunts. A further 4,000 or thereabouts provide the other services that hunts need. Roughly speaking, 15,000 or 16,000 people seems to be the best estimate. For him to accuse the Countryside Alliance of lying is extraordinary.

Mr. Salter: Well, I did, and I will tell the hon. Gentleman why. The facts are quite straightforward. About 1,000 people are directly employed by hunts. Let us wait until the Burns inquiry comes out. We will also have to weigh the beneficial effects of a potential transfer to drag-hunting and other forms of pursuing this so-called sport before we can make an accurate assessment of the likely job losses to result if the Bill becomes law.

Mr. Blunt: Will the hon. Gentleman give way?

Mr. Salter: No. I will lay the hon. Member for North Wiltshire (Mr. Gray) a small wager that the figure will be nothing like 16,000.

I dealt with the argument about jobs as best I could in my earlier intervention by quoting the right hon. Member for Maidstone and The Weald (Miss Widdecombe). I should like now to deal with the argument that hunting with hounds is an essential pest-control tool. If it is effective, why do members of the pro-hunting lobby

[Mr. Salter]

constantly tell us that hunts do not really matter, because they rarely catch anything? Either hunting is an effective tool for pest control, or it is not.

The fact that drives a coach and horses through the pest control argument is that hunts, such as the Sinnington and others, continue to breed cubs in order to hunt.

Mr. Tony Banks (West Ham): Of course, there is also an argument about the close season. Does my hon. Friend agree that if we are talking about dealing with vermin, it is nonsense to suggest that there is a close season? We would not decide not to put down mouse traps at certain times of the year, if our houses were infested with mice—as is this House, on the ground and on the other side of the Chamber.

Mr. Salter: My hon. Friend makes a very good point. It had not occurred to me that there could be any logic for a close season in hunting.

Sir Nicholas Lyell: With respect, the hon. Member for West Ham (Mr. Banks) does not make a very good point. Does the hon. Member for Reading, West (Mr. Salter) agree that we want a balance of nature so that a reasonable number of foxes live healthily in the countryside without causing a problem? To compare that with the extermination of mice and rats in a domestic house is not fair or sensible.

Mr. Salter: I am struggling to follow the logic of that argument. We are being told that we want a balance of nature—so we must breed and then kill foxes to achieve it. I am sorry, but I cannot follow that logic.

Mr. Gardiner: Does my hon. Friend agree that, if a balance of nature was really required, simply to hunt and kill those foxes that were already lame and about to die—as some hon. Members have described the matter—would not assist in producing it. Only if we killed the foxes that were healthy and able to breed—the very ones that we have been told get away—would it make any sense to pursue that means of vermin control.

Mr. Salter: I am trying to follow the logic. Some hon. Members are trying to convince us that we should give the fox a fertility test before we hunt and kill it, so as to achieve the balance of nature.

Ms Glenda Jackson: I do not want to add to the burden of my hon. Friend's attempts to find a way through the illogicalities, but is there not a further illogicality? If one accepts the argument that the only foxes killed by hunting are those that are old, diseased or lame, why does it take a hunt so long to catch them? Why do hunts engage in activities specifically designed to prolong the hunt?

Mr. Salter: I thank my hon. Friend for that point. Later in my contribution, which was intended to be short, I shall refer to the havoc caused by hunts.

One problem is that hunts are not confined to fields but stray on to roads and railway lines. It is a miracle that they ever manage to catch foxes. That is why it is nonsense to claim that this so-called sport has anything to do with pest control. I should have more respect for hunters and their Conservative supporters if they did not make such claims.

Mr. David Taylor: Does my hon. Friend endorse the conclusions of research into control of the fox population, which suggest that the population is largely self-balancing? If foxes are vigorously hunted, leaving only a small number in a large terrain, they will breed more frequently and produce larger litters. If the population grows larger than can be supported by the terrain, the animals breed less frequently and produce smaller litters.

Mr. Salter: I am sure that that is so, but I am also sure that there is a case for pest control in certain circumstances. Let us be in no doubt—we farm the land, putting animals on the land to produce food for ourselves, and that upsets the balance of nature.

On a humane alternative to hunting or, as I would prefer to put it, a sensible method of pest control, let me tell the House a short anecdote. Before the general election, I was involved with many other colleagues in campaigning for—

Mr. Taylor: My hon. Friend had a proper job then.

Mr. Salter: I did.

I was campaigning for the House and the Labour party to take the issue of a hunt ban seriously. We were collecting signatures in Broad street in Reading, and we had no problem whatever in attracting the support of the local population for a ban on hunting. In fact, I believe that most Members will concur that by far the largest amount of mail that they have received on any one issue in this Parliament has been that in support of the Wild Mammals (Hunting with Dogs) Bill introduced by my hon. Friend the Member for Worcester.

Mr. Leigh *rose—*

Mr. Blunt *rose—*

Mr. Salter: I should like to develop this point; then I shall be happy to take an intervention.

I was genuinely surprised that one fellow signed the petition. He was a gamekeeper, working on a rural Berkshire estate. This was a person whose job depended on the countryside. I asked him, "Why do you support the campaign against fox hunting?" and he replied, "Mr. Salter, hunts will often protect areas to allow foxes to breed so that the hunt will have a quarry to hunt." That simple fact drives a coach and horses through the pro-hunt lobby's argument. I asked the gamekeeper, "What is the alternative for humanely controlling the fox population where it is necessary?" and he said to me, "If you want to put a fox down, you can shoot it. We are gamekeepers; we are professionals. We rarely miss, and we know our job. That is the humane way to control foxes where they are pests."

Mr. Gray *rose—*

Mr. Blunt *rose—*

Mr. Salter: I give way to the hon. Member for North Wiltshire (Mr. Gray).

Mr. Gray: The hon. Gentleman makes a fair point, and many gamekeepers would say exactly what he describes

his Reading gamekeeper as having said. He has just arrived and was not in the Chamber when I made this point earlier, so I shall repeat it. One need only look at a big shooting area, such as Norfolk, where the gamekeepers are concerned about pheasants, to see the entire obliteration of the fox population. The Game Conservancy Trust says that there are now no foxes in the big shooting areas in Norfolk. That is because hunting is a selective culling method of killing foxes, whereas shooting obliterates the entire species.

Mr. Salter: I thank the hon. Gentleman. I am not quite sure of the relationship between pheasant shooting and the deliberate professional culling of foxes that are proving to be a pest.

Mr. Blunt *rose—*

Mr. Salter: I will take no more interventions; I want to conclude.

I want to touch on the libertarian arguments that were pursued primarily by the hon. Member for Montgomeryshire. All societies draw a line somewhere in controlling the activities of the population, by legalising or outlawing certain activities. The age at which sexual activity between consenting persons is deemed lawful is an example. The fact that we are in favour of lowering the age of consent, be it for heterosexuals or homosexuals, be it from 21 to 18 or from 18 to 16, shows that we are prepared to draw a line in the sand. It does not mean that we are in favour of anything else. I am afraid that the libertarian arguments that are advanced by the pro-hunt lobby are exactly the same arguments that are used to justify badger baiting, otter hunting and cockfighting.

I shall now discuss a related point. I am a fisherman and enjoy country sports. I do not speak as a townie who does not spend much time in the country. I should like to know how a pack of hounds on the scent of a mink can distinguish between a mink and an otter when they are hunting on the river bank. We are reintroducing otters to the river banks of our countryside, which is great, but they are threatened by the existence of minkhounds, because we all know perfectly well that hounds cannot distinguish between mink and otter scent, and otters face further extermination if hunting is allowed to continue.

It is nonsense to say, as many people do, that if hunting goes, fishing and other sports will be next. As I said, we choose to draw a line in the sand, and members of the pro-hunt lobby would love to use my sport and the sport of my hon. Friend the Member for Worcester for their own ends. They would love to use the fact that there are 3 million of us and that we have votes, by telling us that our sport is under threat. However, Labour Members have worked hard with the angling organisations. We have made it perfectly clear to them, and they respond. The future of angling, especially coarse fishing, in this country lies with the environmental lobby. Anglers should join Greenpeace, not the Countryside Alliance.

Mr. Leigh *rose—*

Mr. Salter: I am not giving way.

It was interesting that the latest opinion polls showed that coarse fishermen and women were as opposed to the barbaric sports of fox and stag hunting as the rest of the population. All the attempts by Opposition Members and the pro-hunt lobby to pray anglers in aid to defend their views will not work.

Like my hon. Friend the Member for Worcester, I have seen the New Forest draghounds. I was appalled at the intimidation and the bullying that the master of those draghounds experienced at the hands of the fox and stag-hunting fraternity. He was blackballed, outlawed and discriminated against, because he had taken a brave decision that was triggered by the deliberate execution of hounds elsewhere. He showed that there is a viable alternative.

Fox and stag hunting with hounds are cruel and barbaric sports on a par with cock fighting and badger baiting. They have no place in 21st-century Britain and it is time that we ended them.

1.16 pm

Miss Anne McIntosh (Vale of York): I am delighted to contribute to the debate, but I wish to comment on its timing and the tactics deployed by Labour Members. This week, the House has seen the passage of the Freedom of Information Bill. Will the Minister tell us whether new Labour's and the Government's reaction to so-called freedom of information was that the first motion on a day available for private Members' business proposed that the House should meet in private? I am sure that those who have witnessed the debate will take a dim view of that.

I congratulate the hon. Member for Brent, East (Mr. Livingstone) on securing the place that he did in the ballot. However—if I may use the term—I accuse him of being on a slight ego trip; the Bill's timing is an entirely cynical electioneering ploy. Perhaps I should also congratulate him on that timing.

I have expressed my disappointment that the hon. Gentleman's approach to the Bill is from the very narrow viewpoint of animal welfare. I wish to put on the record my commitment to animal welfare. Those Members who are interested may like to know that my curriculum vitae shows that animal welfare is one of my great interests. I also draw the House's attention to my declaration in the Register of Members' interests, which shows that I own a modest co-share in a farm in the north of England—in Teesdale, County Durham. Regrettably, I do not have the time to engage in country pursuits, but I hope that the farm has given me an understanding of the countryside.

In my previous career, Mr. Deputy Speaker, I was your Member of the European Parliament. On several occasions, I participated actively in the Parliament's all-party animal welfare group, and I represented Brightlingsea at the time when the movement of live animals was attracting a great deal of attention. I do not think that any hon. Member could doubt my concern for animal welfare.

I shall explain why I think that hunting is the least cruel and most humane form of killing a fox. Not only is it the most effective method, but the alternatives are more painful, more cruel and less humane.

I want to consider the role of the hunt and hunting in the countryside. It is clear that foxes are a pest and I regret that the hon. Member for Brent, East lost his pet tortoise to a fox. As hon. Members will be aware, foxes are increasingly leaving the countryside and coming into towns. I am not advocating that the four hunts and several

[Miss Anne McIntosh]

beagle packs in the Vale of York should move to Westminster to eradicate hares and foxes, but I am sure that it is a source of great concern to the Prime Minister and others with positions of responsibility in Whitehall that several ducks have been killed by foxes that are hiding under the temporary huts erected for the building works. I cannot remember the correct term for those huts.

Mr. Livingstone: Portakabins.

Miss McIntosh: Indeed, portakabins, which are made in North Yorkshire, just outside the Vale of York. I am most grateful to the hon. Gentleman.

Although I do not suggest that hunts should relocate to Westminster to eradicate pests, hon. Members will be only too aware of the damage that foxes do to all animals, including pet tortoises and rare ducks.

To my knowledge, no hon. Member has considered the duty that the hunt performs, in the absence of large numbers of knackers' yards in rural areas, in disposing of fallen stock. I am sure that hon. Members with rural constituencies will be aware that such disposal is an increasing problem. More than 400,000 carcases have to be disposed of each year, and for the most part—the Vale of York is no exception—they are collected and disposed of by hunts. The Meat and Livestock Commission estimates that, if that activity were undertaken by others, the cost would be £36 million a year.

Mr. Gardiner: I am interested to hear that the hon. Lady thinks that the hunt performs such a valuable service in collecting carcases. Has she estimated the number of new jobs that might be created in that service once the hunts have disappeared?

Miss McIntosh: As I was not expecting to have to share that information with the House today, I am not in a position to answer that. Perhaps my hon. Friend the Member for North Wiltshire (Mr. Gray) can do so.

Mr. Gray: Between 400,000 and 600,000 calf carcases had to be disposed of this winter because of the appalling catastrophe in the dairy and beef industries. Those carcases are worth only a few pennies, and putting in an ear tag costs £5. A recent circular from the Ministry of Agriculture, Fisheries and Food acknowledged that if the hunts did not remove the carcases, farmers would, regrettably, seek to bury them on their farms, with possibly catastrophic environmental consequences.

Miss McIntosh: I am grateful to my hon. Friend, but that is not quite the point that was raised. *[Interruption.]* If Labour Members will hear me out, I will make a conservative estimate and say that the number of jobs that would be created by the need to dispose of carcases would not reach 11,000, which is the figure for hunt employment that my hon. Friend quoted earlier.

I make no criticism of the hon. Member for Brent, East for simply having no understanding of the countryside or rural issues. Many Conservative Members admire his contributions, which are not always in keeping with those of his colleagues. I am slightly amused by the position that he is occupying today. I had thought that he might join the hon. Member for Tatton (Mr. Bell) and we could have had a leadership contest for the independents party as represented in the House.

As my hon. Friend the Member for North Wiltshire has joined me in saying, in the normal course of farming, cattle and calves, sheep and lambs, goats, horses, ponies and foals die each year and have to be disposed of. Opposition Members would not want to face an environmental problem were the hunt to disappear. We would argue vigorously in favour of keeping the hunt for that task, which it performs so adequately.

It is a source of great regret to me that the knacker's yard no longer exists. The year in which my husband and I were married, our family pony, a half-Shetland and half-Welsh pony, had reached the staggering age of 36. It was a source of great sadness that the month before we were married, the animal had to be disposed of.

As I mentioned earlier, the Meat and Livestock Commission estimates that, by disposing of fallen stock, the hunt's contribution saves farmers £36 million. The hon. Member for Brent, East has not recognised that and—I stand to be corrected on this—has not proposed a viable alternative to the role of the hunt in disposing of dead stock. Farmers and landowners are worried that the hon. Gentleman may even be accusing them of not being as actively concerned about animal welfare as he is. The loss of his pet tortoise suggests—

Mr. Livingstone: I thank the hon. Lady for giving way. As I said earlier, I do not believe that the debate is an issue of class or an issue between rural and urban areas. The vast majority of people in every sector of society oppose hunting because they regard it as cruel. As we know, analysis of opinion polls shows that even in the 7 per cent. of Britain that is most rural, a large majority of those living there are oppose to hunting.

Miss McIntosh: There the hon. Gentleman and I must agree to disagree. I believe that other methods are more cruel and less humane.

I shall move on, as many of my hon. Friends wish to speak. Will the Minister tell us the position of the Government and the Prime Minister on the Bill? The Prime Minister set up the Burns committee, and I understand from a leak released to the media this week that he intends to offer hon. Members a multi-choice questionnaire. It will be interesting to see whether all hon. Members will have the opportunity to express their choice.

I understand that we, or at least Labour Members, will be presented with four options: the abolition of hunting, as the Bill proposes; an alternative method of killing or controlling foxes; the licensing of hunts, which would continue to meet under strictly controlled conditions; or the status quo. In the event that I am not asked, I want to record my personal preference for no change. We should reject the Bill today and await the findings of the Burns committee.

I believe that there was confusion earlier on the Government Benches. Not only was the hon. Member for Brent, East not in his place at the time of the Division this morning, but he was not in the precincts of the Palace. There was some concern that we would move on to the third Bill—

Mr. Livingstone: I understand that there is a lot of conspiracy going on, so let me clarify the position. I was

approached by a Government Whip earlier this week to check that I would be available from 9.30 this morning, and I gave that assurance. When I arrived at 9.10, I went straight to my office. I did not happen to see any other hon. Members, so a suggestion may have gone round that I was not in the building. But if anyone wants to check, the staff at Norman Shaw North will say that I arrived in the precincts at 9.10. So there is no conspiracy and no stress—just good fortune all round.

Miss McIntosh: Good fortune for the hon. Gentleman, but poor management by the Government.

Mr. Blunt: On a point of order, Mr. Deputy Speaker. The hon. Member for Brent, East (Mr. Livingstone) has made it clear that the Government were party to the disgraceful action this morning that denied my hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith)—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. That is not a point of order for the Chair.

Mr. Dismore *rose—*

Miss McIntosh: I shall take no more interventions, because I wish to conclude.

The Government's approach to the Bill is a kneejerk reaction to a poor turnout in recent elections, especially in Labour heartlands. *[Interruption.]* In last year's European elections, there was a turnout of only 11 per cent. in Barnsley, where the Labour party had convincingly won a by-election in the previous year. In one ward in Sunderland, which is staunchly Labour, there was again a turnout of only 11 per cent. The Government are therefore tackling the wrong issue if they want to pacify their heartlands. *[Interruption.]* In trying to do that, they ignore at their peril the voice of the countryside.

More than 300,000 participated in the countryside march; more than 120,000 took part in the countryside rally in July 1997—

Mr. Deputy Speaker: Order. I am sorry to interrupt the hon. Lady. The hon. Member for Worcester (Mr. Foster) cannot conduct a committee meeting while the debate is in progress. I have also heard quite enough from a sedentary position from the hon. Member for West Ham (Mr. Banks). I hope that he will now keep quiet.

Miss McIntosh: I am grateful to you, Mr. Deputy Speaker, for drawing attention to a persistent lack of courtesy from certain quarters.

The presence of huge numbers on the marches to which I referred reflects the rural voice, and the depth and breadth of anxiety about the threat to rural life as we know it and the natural pursuits of the countryside.

I oppose the Bill mainly because of its infringement of personal liberty. The Bill would lead to losses of rights and personal freedom, and would encroach on the tolerant, free and open society that we know in this country. The right to hunt or not to hunt is a matter of choice. Foxes are pests, do wanton damage to farms and livestock, and increasingly move from farms to towns.

I passionately believe that, in the countryside, fox hunting is the most efficient and humane way of controlling the fox population. I was elected on a platform of toleration and choice, individual freedom and my personal strong support for the natural pursuits of the countryside. I therefore oppose the Bill.

1.33 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): As is customary, I congratulate the hon. Member for Brent, East (Mr. Livingstone) on securing a place in the ballot. Doubtless, he took account of the views of his constituents before deciding to introduce a Bill to outlaw hunting. Hon Members will know the considerable interest that the issue generates in all parts of the country, rural and urban—and even in Brent, East.

I represent a predominantly rural constituency with a large hunt, the Atherstone hunt, which many people join. I visited its kennels early last year to explain why I personally would support a ban. The Government want a free vote on the matter.

The hon. Member for Brent, East has provided the House with an explanation of the Bill. Its intentions are straightforward and clear. It would put a stop, in most circumstances, to hunting with dogs, especially fox hunting. It would also make it an offence for an owner or occupier of land to allow hunting on his land, and for anyone to own or control dogs for hunting purposes.

Sir Robert Smith: Will the Minister clarify the extent of the Bill? Does he share my anxiety that the hon. Member for Brent, East (Mr. Livingstone) is trying to legislate for Scotland when the House has decided that Scottish affairs should be properly determined by the Scottish Parliament? Is it not odd that someone who wants to be mayor of London steps over the mark on constitutional propriety?

Mr. O'Brien: Fox hunting is a devolved matter and, following the introduction of a private Member's Bill by a Labour MSP, I understand that the Scottish Parliament will discuss some of the issues. The hon. Member for Brent, East might take that into account.

Mr. Livingstone: I am happy to do that.

Mr. O'Brien: I am grateful for the hon. Gentleman's indication that he is prepared to consider amending his private Member's Bill.

During the 1997-98 Session, a free vote took place in the House during proceedings on a similar Bill to outlaw hunting with dogs, promoted by my hon. Friend the Member for Worcester (Mr. Foster). It received a Second Reading by 411 votes to 151 and was dealt with in Committee, but my hon. Friend withdrew it before it could reach its Report stage and receive its Third Reading, because he recognised that no further progress could be made.

Following that Bill's demise, my right hon. Friend the Home Secretary announced on 11 November last year that the Government would offer reasonable time, if necessary, for the House to debate hunting through consideration of a private Member's Bill on a free vote. Assistance with drafting was also offered for a private Member's Bill such

[Mr. O'Brien]

as this. However, the House will know that, before any legislation was considered, the Government decided that there should first be an inquiry—a fact-finding exercise.

It became clear to us from the discussions on the way forward that the facts about the hunting of fox, deer, mink and hare and the consequences of any ban needed to be properly considered. Indeed, to some extent, the fact that some hon. Members have had to say that they "believe" something to be the case, owing to the absence of a substantial factual basis, makes our point. There is no core of factual consensus around which the rest of the argument can revolve, which is not the case with other debates. That is why we thought it appropriate for an inquiry to examine the factual core and give a view on it. The debate could then proceed.

The inquiry announced by my right hon. Friend the Home Secretary is under way and well into its work. It has already taken evidence from various interested parties. Members of the inquiry have visited more than 13 hunting events to familiarise themselves with the activity. In connection with their work, they have attended six fox hunts involving foot and mounted packs; hind hunting with the Devon and Somerset staghounds; and hare-hunting events. Some also attended the Waterloo cup meeting at Altcar, which followers of hare coursing regard as the premier event.

On each visit, observers accompanied inquiry members from the Countryside Alliance and Deadline 2000, the umbrella group campaigning for a ban on hunting. The role of Countryside Alliance and Deadline 2000 members was to advise the inquiry team members as necessary and to provide reassurance that the inquiry team saw hunting activities as they would normally take place.

The inquiry has also commissioned a number of studies by relevant experts into a number of areas of life affected by hunting. Lord Burns has said that he expects to complete his work and report by the end of next month and my right hon. Friend the Home Secretary has already announced that he will present the report to Parliament. With the agreement of the business managers, it is hoped that the House will be given an opportunity to discuss it after publication.

Mr. Banks: We await the Burns report with great interest and Labour Members do not object to the inquiry, but would it not have been more helpful, and a statement of our good faith, if we had said before the election that we would establish a committee? Some people may think that we have used the inquiry as a delaying tactic. It would be wrong if the Parliament ended without our having done what we said we were going to do, which was to listen and to act on a ban on fox hunting.

Mr. O'Brien: The commitment in our manifesto was to a free vote, which took place on the private Member's Bill presented by my hon. Friend the Member for Worcester. Many hon. Members rightly felt that there should be another opportunity to deal with this matter. It soon became clear during our consideration of the Bill presented by my hon. Friend the Member for Worcester that there was a lack of factual consensus around which the debate could crystallise, so that the issues could become clearer. That is why, after the election, the Government took the view that a report from an inquiry would be of assistance. That is a logical and reasonable position to take.

Mr. Tom King: In case the Minister feels that his position is not supported and that the attitude being taken is, "To hell with the facts; let's get on with it," I can tell him that I think that the Burns inquiry is going about its work in a sensible and balanced way. It has visited my constituency, where there is hunting with a pack of staghounds. The inquiry team has met people and bodies that support hunting and those opposed to it. My understanding is that such meetings have been conducted in a civilised and sensible way by people on both sides of the argument who are anxious that the facts should be properly established.

Mr. O'Brien: I am grateful to the right hon. Gentleman. I think that the inquiry will better inform the debate by reporting on the practical issues involved in hunting, how a ban could be implemented and what the consequences of a ban would be. The inquiry is not being asked to decide whether hunting should be banned. That is a decision for the House, and hon. Members in proper consultation with their constituents. My right hon. and hon. Friends will have a free vote on this issue, but it will muddy the waters if we deal with a ban on hunting with dogs before Lord Burns has produced his report. It is sensible to consider the issue in the light of the inquiry's report.

My right hon. Friend the Home Secretary has given the House a number of undertakings, and has set out a sensible sequence of events. I was pleased that the hon. Member for Brent, East said that, if it were possible and if it were the will of the House, he would bring his Bill out of Committee after the inquiry has reported. We shall see how the Bill progresses.

Mr. Leigh: I seek clarification. Are the Government saying that, if the Bill gets into Committee, they will give it time on Report?

Mr. O'Brien: We shall have to await the outcome of events, but the Government will play an entirely straight bat and will ensure that the matter is dealt with properly. The Bill is now a Bill of the House—it is not just an individual Member's Bill. The House has possession of it and it is a matter for the House to decide. However, the Government have given their view, and I cannot take that any further. It is clear to the House that we are prepared to offer a private Member's Bill reasonable time and assistance after the conclusion of the inquiry.

I shall deal with some of the points raised by the hon. Member for Aylesbury (Mr. Lidington), who asked about the Human Rights Act 1998. I have seen no advice that the Human Rights Act would be breached by this ban any more than by any other ban on an activity that the House of Commons chose to regard as animal cruelty. I am not aware of any reason why this measure might breach the Human Rights Act.

The hon. Gentleman also referred to the implications of the ban for the police force. It is for a chief constable to determine his operational priorities, but my experience is that those who hunt are, by and large, law-abiding people. The police have not suggested to the Government that

the Bill should not be passed for reasons connected with resources, and I do not believe that hunters will break the law, no matter how much they threaten to do so now because they are angry. I think that, in due course, hunters, like all of us, will obey the law.

Let me also point out that police resources currently devoted to dealing with hunt saboteurs could be released for other purposes—including, no doubt, the tackling of offences mentioned by the hon. Gentleman, such as burglary.

Mr. Blunt: Will the Minister give way?

Mr. O'Brien: I will give way once more, but after that I must make progress.

Mr. Blunt: I think the Minister is being a little sanguine about the reaction to the banning of an activity that has been justified in animal welfare terms. People know that the arguments in favour of a ban are bogus, and that animals will be worse off as a result of the Bill.

We are talking about a pastime that is central to many people's way of life in the countryside. I must tell the Minister that if my passion, which is cricket, were taken from me, and I considered that to be grossly unjustified—and people who hunt will think a ban on hunting grossly unjustified—I would probably be prepared to go to prison to demonstrate my opposition to what I would deem a gross illiberality.

Mr. O'Brien *rose—*

Mr. David Taylor: Will my hon. Friend give way?

Mr. O'Brien: Not at this point.

If we accepted the idea that minority rights must always be protected regardless of other issues, we would never change anything. There is always some minority that wants to continue to do something, and we cannot allow a minority to have a permanent veto.

I am sorry that the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) is not present, because I want to deal with a couple of the points that he raised. When bull baiting was banned in the last century, *The Times* published a leader condemning the ban on the grounds that it denied the rights of a minority to bait bulls. That is not acceptable. The rights of minorities are important, but they must be balanced against other social values. With rights come responsibilities, and allowing minorities to continue to do something that is deeply offensive to the rest of the community—perhaps because they oppose cruelty to animals—merits at least a discussion of whether there should be legislation.

The right hon. and learned Member for Sleaford and North Hykeham, who has now returned, also mentioned fishing and a number of other sports. The Government oppose a ban on fishing or shooting: indeed, the Labour party has published a policy statement supporting fishing opportunities. I know that the right hon. and learned Gentleman is seeking allies among those involved in pursuits other than fox hunting, suggesting to them that they, too, may be under threat. I understand that tactic, but the threat does not exist. There will be no ban on shooting or fishing under the present Government.

Sir Nicholas Lyell: Will the Minister give way?

Mr. O'Brien: I have given way a number of times, but I cannot resist the right hon. and learned Gentleman, so I will give way for the last time.

Sir Nicholas Lyell: The Minister says that fishing and shooting will not be banned. Does he not agree that, before a civilised society bans a lawful activity widely practised among members of that society—albeit a minority—there must be a powerful, objectively justifiable reason for the ban, such as inherent cruelty?

Mr. O'Brien: I certainly agree that there must be a powerful argument for change of that kind. Those among the majority who voted for the Bill presented by my hon. Friend the Member for Worcester believed that such a powerful argument had been made. Whether the right hon. and learned Gentleman agrees or disagrees with that is a matter for him; we are here to debate such issues.

I agreed with a couple of other points that were made by the hon. Member for Brent, East. It is not a class issue. It is not a countryside-versus-town issue. The issue is how the individual rights of those who pursue hunting should be balanced against the issue of cruelty to animals.

Hunting is not the main concern in most rural areas, including mine. Hunting with hounds is very much a minority pastime, even in areas where there are historic hunts. Farming, rural transport, village post offices and other matters are much more important to most people who live in the countryside.

Those people are concerned about having good schools, especially good village schools, and good hospitals. They want to ensure that crime is kept low, that interest rates are low and that there is better rural transport. All those issues are enormously important to people in rural areas. Many of them are also concerned—as people throughout the country are—with issues relating to animals. Many care deeply about that, whether they are on one side of the argument or the other. It is right that we should debate those issues in this place because they are important and people care about them, but it is wrong for some to portray the argument as one of town versus country.

Labour Members represent more rural constituencies than the Tories and Liberal Democrats put together. That is why the Government will work hard to deal with the priorities of all people who live in rural areas, as well as those who live in towns.

The Government promised a free vote on a ban on fox hunting. That vote has taken place, but we want to give Members a further opportunity to vote. The Bill assists that process. I again congratulate the hon. Member for Brent, East on introducing the Bill, and commend to the House the Government's approach.

1.52 pm

Mr. Edward Leigh (Gainsborough): I want to give a slightly different emphasis from that in previous speeches. Everyone who has contributed—indeed, most of those who contributed in previous debates—whether they be opposed to hunting, or, on libertarian grounds, support the

[Mr. Edward Leigh]

right of people to hunt, have tended to say, "I do not hunt myself." There was a powerful intervention—indeed, a powerful speech—by my hon. Friend the Member for Aylesbury (Mr. Lidington), a powerful intervention by my hon. Friend the Member for Buckingham (Mr. Bercow) and a powerful speech by my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg). All were on the basis that they did not hunt themselves. I must now declare an interest: I do hunt and have hunted, beagling as a younger man and, more recently, fox hunting.

I say honestly that I do not and have not hunted primarily because I saw myself as a pest-control officer. I hunted because I wanted to hunt and because it was—I have to admit it—an extraordinarily challenging sport. There is no greater test of a rider's horsemanship skills than attempting to stay in the saddle for five hours during a hunt, so I admit that. I have been hunting and have enjoyed it. I found it very challenging.

At the same time, I must confess that, although I have hunted on many occasions—beagling and, subsequently, fox hunting—I never witnessed a kill. I hope that, you, Mr. Deputy Speaker, will accept it when I say that those of us who hunt do not do so because we want to be part of the kill; the hon. Member for Worcester (Mr. Foster) was kind enough to admit the point. There may be a tiny minority who do—I do not know—but on the whole that is no part of the sport. There is no bloodlust. We hunt because we find it a challenging sport. It tests our riding abilities. It is also a unique aspect of really coming to terms with the countryside.

Mr. Gardiner: Will the hon. Gentleman give way?

Mr. Leigh: No; I should like to develop this point a bit.

There is no other way—it is very hard to describe this, although it has been described very movingly in writings by Siegfried Sassoon and others—in which one can really understand the countryside, the way that it works, the animal kingdom and how the seasons evolve than by going hunting.

I accept that many Labour Members oppose the sport very passionately and think that those of us who hunt are engaged in a very cruel activity. However, I ask them to accept our point of view, and that bloodlust is not part of our motivation at all. We wish to be part of the British countryside, which we love from the depths of our souls, and feel that hunting is the best way of doing so.

Mr. Gardiner: I have listened most carefully to the hon. Gentleman's comments. Does he accept that, although one may not participate for motives of bloodlust, none the less, even without that motivation, an activity may in itself perpetrate a cruelty?

Mr. Leigh: The hon. Gentleman makes an arguable point. However, I shall try to explain why I believe that foxhunting is not a cruel sport and that the House should not be persuaded to override the rights of a minority.

Mr. Gray: Like my hon. Friend, I take part in fox hunting. Unlike him, however—and despite the age and decrepitude of the horse that I sometimes have to ride—I have very often been present at the kill. I have rarely seen a more humane way of killing any animal.

Mr. Leigh: My hon. Friend at least speaks from experience. He has made an important contribution to the debate.

I myself could not participate in drag-hunting, about which there has been much debate. Drag-hunting is a quite different sport. It is very fast and very much a sport for young people. The type of sport that we have in north Lincolnshire involves very little jumping. It moves very slowly, from copse to copse, and walks round the edges of ploughed fields. Drag-hunting is quite different from that. Those who argue that all of us who hunt could simply transfer to drag-hunting—regardless of whether farmers would let us drag-hunt over their land; most farmers see no benefit at all in drag-hunting—are making a spurious argument.

Those who talk about drag-hunting are not being entirely honest. It would be more honest if they said, "We don't want your sport. We are going to abolish it."

Sir Richard Body: My hon. Friend may not know it, but I am chairman of one of the two organisations that represent drag-hunting in the United Kingdom. Today, we have decided to issue a challenge to any hon. Member who supports the Bill and persists in saying that drag-hunting is an alternative. The challenge is to find the places where we can hunt. The hunt of which I am chairman and have been master is desperately seeking more places to hunt. The fact is that one has to find 20 to 25 farmers with farms in a continual line of countryside who will accept 30 or 40 horses galloping across their land, inevitably causing damage to crops. It is simply not practical to call for any extension of drag-hunting.

Mr. Leigh: My hon. Friend speaks from great experience, and we have made that point.

Mr. Maclean: Before my hon. Friend moves on from that point, would he care to explain to the House how drag-hunting would be of use in the lake district and the mountains, where on most occasions when the hunt is called out, it is to deal with foxes that are killing farmers lambs? How would drag-hunting deal with that problem?

Mr. Leigh: It would not. My right hon. Friend has made that powerful point.

Let us be clear about the facts. There is an annual attendance at hunts of 1,289,000 people—of whom 42 per cent. are riders and 58 per cent. are foot followers. The sport involves, therefore, not a small minority, but a quite large minority.

Mr. Gardiner: Will the hon. Gentleman give way?

Mr. Leigh: No; I have already given way to the hon. Gentleman.

The Minister and other Labour Members have made the point that, although minorities have rights, there is a limit to those rights. However, we are talking about a very large group indeed—over 1 million people.

Mr. David Taylor *rose—*

Mr. Leigh: I want to make progress. Before we take away the rights of more than 1 million people, we have to listen to some of the points that my hon. Friends have made.

Mr. Taylor *rose—*

Mr. Deputy Speaker: Order. The hon. Gentleman is not giving way, at least for the moment.

Mr. Leigh: If the hon. Gentleman is tolerant and wishes to intervene later, I shall give way to him.

Surely Labour Members should admit that there is some merit in the point that the test of a tolerant society is not just whether we allow an activity to persist because we are apathetic about it—we can all do that—but whether we allow an activity to carry on even though we want nothing to do with it and dislike it intensely. So often, our society and our Parliament have been deeply intolerant of minority opinions and even faiths and deeply held beliefs. We have moved on from that. Surely we are now sufficiently broadminded to believe that if 1 million law-abiding people are carrying on an activity that they have undertaken and enjoyed since time immemorial, they have certain rights.

Mr. David Taylor: Is not the hon. Gentleman basing his argument on a statistical fallacy? A parallel could be drawn with aggregate attendances at first-class football matches in England and Scotland on any given Saturday—a figure of nearly 1.5 million. If we add that together for the whole season by multiplying it by 40, we end up with a number of people supporting the game of football that exceeds the population of these beautiful islands.

Mr. Leigh: The fact is that a large number of people enjoy hunting. During a year there are 1 million attendances at hunt events. Even if I was wrong and the figure was only three quarters of a million, half a million or a quarter of a million, it would make no difference to the argument that they have rights, too. They are not engaging in the activity because of bloodlust or because they are sadistic. They engage in it because they are country people who want to be part of a traditional country sport. I believe that they have certain rights that we, as a tolerant society, should respect. We should not allow the tyranny of the majority to overcome the rights of the minority. Regardless of whether that minority numbers half a million, a quarter of a million or a million, it is a large number of people. Their rights should be respected. Whatever other arguments Labour Members adduce, that is the one argument that they, particularly as Labour party members, cannot ignore.

Quite apart from the arguments about tolerance and respect for the rights of minorities, if we were going to abolish the activity, we would have to have a clear view that abolition would result in less cruelty to foxes. The overwhelming evidence is that shooting depends on terrain and is affected by the weather and is an inefficient and often cruel way of disposing of foxes. Trapping and snaring can be equally cruel. The fox—or another creature who gets trapped—could remain in the trap for 24 hours and suffer a great deal.

All the other options are equally or more cruel. Those who argue for the abolition of hunting have not been able to adduce a single argument that suggests that many farmers will not continue to exterminate foxes. Shooting, trapping and snaring are cruel activities.

There have been many arguments about whether hunting is an efficient form of culling. Opponents of the Bill say that only 16,000 foxes a year are killed by hunting, but that it is a necessary form of pest control. That seems a powerful argument, but the more powerful argument concerns the environment, and states that fox hunting ensures that the species is protected.

My hon. Friend the Member for North Wiltshire (Mr. Gray) made one of the best points in the debate when he said that Norfolk, where foxes are shot, has no fox population left. Fox-hunting counties such as Lincolnshire and Leicestershire have healthy and balanced fox populations.

It is not a question merely of being in favour of the rights of minorities, or of whether there are better alternatives to hunting: we must accept that hunting maintains a healthy fox population.

Ms Glenda Jackson: If fox hunting maintains environments in the countryside that benefit fox populations, why are the animals increasingly moving to urban areas? Foxes live and breed in my garden, for example, and the urban population of foxes is increasing. If hunting creates such a wonderful environment for foxes, why are they leaving it?

Mr. Leigh: That point is so obtuse that I shall not argue it, despite my respect for the hon. Lady. Fox hunting does not increase the number of foxes and thus force them to go to Hampstead. It ensures that there is a balanced population of foxes in those areas where it is practised. People who live in the country treat foxes as vermin, and will shoot, gas, poison, trap and snare them rather than allow them to continue their depredations.

This country has the healthiest fox population in the world. People like the hon. Member for Brent, East (Mr. Livingstone) say that their primary concern is animal welfare, but what is the answer to that point? Why does this apparently cruel, inefficient and bad sport lead us to have the healthiest, largest and most well-balanced fox population in Europe? Why is it well balanced? That is thanks to fox hunting and to the people who—like me—pursue it as a sport.

Mr. Bob Russell: Sport?

Mr. Leigh: The hon. Gentleman has just come in and will not have heard what I said earlier. We do it as a sport but it has a beneficial aspect. It ensures good conservation, and that the fox population is maintained. It ensures that foxes are not generally disposed of in a cruel way.

On those grounds, the Bill should be rejected.

2.8 pm

Mr. James Gray (North Wiltshire): Fox hunting always arouses great passion on both sides of the argument, more than almost any other subject debated in this Chamber. I regret that, and welcome the establishment of the Burns inquiry. I hope that it will get rid of all the passion, emotion and bias, and pay no heed to the class war aspect to which some hon. Members have alluded.

The hon. Member for Worcester (Mr. Foster) talked about foxes being disembowelled. That is absurd, and such emotive language does not help a sensible, quiet debate.

Mr. Banks: Will the hon. Gentleman give way?

Mr. Gray: I shall be happy to give way to one of the more emotional Members of Parliament.

Mr. Banks: I am emotional, but not tired and emotional, and I agree that this is a very emotive subject. If the Burns inquiry produced a report that states that no jobs will be at risk if fox hunting were banned, would the hon. Gentleman accept that and support a ban? Could anything convince him that it should be banned?

Mr. Gray: Like the Minister, I would not wish to prejudge the outcome of the Burns inquiry. However, the inquiry will not consider the morality of fox hunting. That is for the House to decide. The important thing about the Burns inquiry is that it will introduce factual information and quiet consideration into the debate. We can then make a decision about what we believe to be moral or immoral.

I declare an interest: I am a member of the Royal Artillery Fox Hounds at Larkhill. I hunt with them regularly, and hope to be out with them tomorrow morning. In my constituency there are four packs of foxhounds—the Beaufort, the Avon Vale, the VWH, while the Tedworth is nearby. There is also a pack of beagles in my constituency. I am also chairman of the horse and pony taxation committee, the non-party body of the House that looks into the taxation effects on the horse industry, and has made a submission to Lord Burns. I am an unpaid consultant—all these interests are unpaid—to the British Horse Industry Confederation, which has made a powerful submission to the Burns inquiry.

We must get rid of the emotion and get back to the facts. Perhaps I could touch on some of the great benefits that fox hunting has given the country. Many Labour Members have poured scorn on the argument that hunting helps control pests. The National Farmers Union and the Ministry of Agriculture, Fisheries and Food have both acknowledged the strong role that fox hunting plays in the control of pests. The Ministry of Defence, no less, has said with regard to my own hunt, the Royal Artillery, that it believes that hunting with hounds is one of the means by which foxes can be controlled on Salisbury plain.

There is an interesting case study: in the 1980s, fox hunting was banned on one part of Salisbury plain—the impact area—because people were worried about riders and hounds blowing themselves up on the unexploded bombs. Within a couple of years, farmers got together and petitioned the Ministry of Defence to overturn that ban because the depredations on lambs, chickens and calves in the surrounding area were so great.

My hon. Friend the Member for Vale of York (Miss McIntosh), among others, alluded to the disposal of animal carcases. There is no way in which the knackerman could replace the services provided by the hunts in the removal of fallen stock. Interventions from one or two Labour Members indicated that they have no idea about the scale of the problem facing farming at the moment, the number of carcases that are becoming available and the fact that the knackering industry could not possibly replace the service provided by hunts.

A recent circular from none other than the Ministry of Agriculture, Fisheries and Food told farmers that they must not dispose of the carcases on the farm if they can possibly avoid doing so and, the problems understandingthat farmers are having, suggested that they should get in touch with their local hunts and request them to take away the carcases.

Dr. Julian Lewis (New Forest, East): There is an analogous problem in the New forest. The ponies graze on the forest and the hunt removes the fallen stock. We have no idea how that task would be performed without the hunt.

Mr. Gray: That is, of course, right. The Licensed Animal Slaughterers and Salvage Association has only 120 knackers' yards in the United Kingdom, whereas something like 200 to 300 boners are operated by the hunts which supply the service. The Meat and Livestock Commission has estimated that without the service that the hunts provide, the agriculture industry would have to pay an additional £36 million a year which, of course, it can ill afford.

There are a number of important environmental points on this issue. The hon. Member for Hampstead and Highgate (Ms Jackson) laughingly said that she could not see why, if hunting was so beneficial to the landscape of rural England, foxes were turning up in her garden. She misunderstood the point. The reason why the landscape of an area such as north Wiltshire has been changed over the centuries by fox hunting is nothing to do with the habitat of foxes. Of course foxes can live anywhere—they could live in a dustbin, come to that. The point is that as the farmers allow the hunt to cross their land, the land is preserved for hunting. It would otherwise be used for all sort of things, such as housing, which she might view with more approval. Her intervention on my hon. Friend the Member for Gainsborough (Mr. Leigh) showed the depth of her ignorance about the points that we are making.

Ms Glenda Jackson: Clearly, the hon. Gentleman has, not for the first time, misunderstood the point made by Labour Members. I was refuting the argument that hunting, of itself, created a beneficial natural environment which promoted the well-being of the fox population. My question was, if that was the case, why were foxes leaving the countryside in increasing numbers?

Mr. Gray: Once again, the hon. Lady shows that she knows nothing about the matter. The suggestion that foxes are leaving the countryside in increasing numbers is laughable.

Mr. Livingstone *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House divided: Ayes 74, Noes 0.

Division No. 155] **[2.15 pm**

AYES

Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Austin, John
Baker, Norman
Banks, Tony
Barnes, Harry
Benn, Rt Hon Tony *(Chesterfield)*
Berry, Roger
Best, Harold
Brinton, Mrs Helen
Casale, Roger
Cawsey, Ian
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Cohen, Harry
Colman, Tony
Corbyn, Jeremy
Cousins, Jim
Darvill, Keith
Dean, Mrs Janet
Dismore, Andrew
Dobson, Rt Hon Frank
Donohoe, Brian H
Dowd, Jim
Drown, Ms Julia
Efford, Clive
Field, Rt Hon Frank
Fitzpatrick, Jim
Foster, Michael J *(Worcester)*
Gardiner, Barry
Gerrard, Neil
Griffiths, Jane *(Reading E)*
Grogan, John
Harris, Dr Evan
Hill, Keith
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Jackson, Ms Glenda *(Hampstead)*
Keen, Ann *(Brentford & Isleworth)*
Lawrence, Mrs Jackie
Lepper, David
Levitt, Tom
Linton, Martin
Livingstone, Ken
McDonnell, John
McIsaac, Shona
Mackinlay, Andrew
McWalter, Tony
Marshall-Andrews, Robert
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Morley, Elliot
Naysmith, Dr Doug
O'Brien, Mike *(N Warks)*
Pike, Peter L
Pond, Chris
Pope, Greg
Prosser, Gwyn
Rammell, Bill
Russell, Bob *(Colchester)*
Salter, Martin
Sedgemore, Brian
Skinner, Dennis
Smith, Angela *(Basildon)*
Stunell, Andrew
Thomas, Gareth R *(Harrow W)*
Touhig, Don
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Whitehead, Dr Alan
Winnick, David
Wood, Mike
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Ayes:
Mr. Ian Stewart and
Mr. David Taylor.

NOES

Tellers for the Noes:
Mr. James Gray and
Mr. David Maclean.

Whereupon MR. DEPUTY SPEAKER *declared that the Question was not decided in the affirmative, because it was not supported by the majority prescribed by Standing Order No. 37 (Majority for closure or for proposal of Question).*

Mr. Gray: I was rather embarrassed by the fact that we did not earlier have sufficient people present to prevent the opening of the debate on fox hunting, so I am more than delighted that only 74 Labour Members turned up to vote for the closure motion. That has allowed the debate to continue. Many Opposition Members who feel strongly about these issues have not had an opportunity to speak. I am glad that the debate will continue.

The next time Labour Members say that the Labour party is overwhelmingly opposed to fox hunting, they should remember that, because only 74 of them turned up, this Bill will not, as I very much hoped it would not, go through.

Mr. Maclean: Before my hon. Friend runs out of time in this important debate, would he care to comment more on the charade that has taken this place today? By using a parliamentary tactic, Labour Members prevented discussion of the Bill of my hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith), but not even 100 of them were present to take this Bill seriously.

Mr. Gray: My right hon. Friend makes a powerful point, and I shall not try to outdo him on it. However, it was an absurdity.

Mr. Leigh: The fact is that Labour Members' hatred of the hon. Member for Brent, East (Mr. Livingstone) is greater than—

Mr. Deputy Speaker: Order. The hon. Gentleman is going well outside the scope of the Bill.

Mr. Gray: I would like to continue in the tone of even-handed, intelligent and careful thought with which I started my contribution.

Mr. Peter L. Pike (Burnley): Will the hon. Gentleman give way?

Mr. Gray: In one moment perhaps.

The entire debate about fox hunting has achieved levels of passion on both sides that are extremely unhelpful. It should be a quiet and sensible debate about agriculture and the benefits to the countryside.

We have heard about the many people who would lose their jobs if hunting with dogs were banned, and that might apply in my constituency more than any other. Many people there work in, support and take part in hunting. Supporters of the Bill have failed to consider the people who look after the horses that are used in fox hunting. I am chairman of the horse and pony taxation committee, and about 40,000 horses are kept exclusively for the purpose of fox hunting. Many of them—they are medium-quality horses—would have to be destroyed alongside the 27,000 foxhounds that would be put down. Many more hounds would have to be put down as a result of a ban on fox hunting than the 16,000 foxes that are killed in any one year.

As to the Minister's suggestion that shooting and fishing would not be affected, the RSPCA has made it plain that it thinks that fox hunting, shooting and fishing should be banned. It has also made it plain that it believes that intensive farming should be banned. That devalues the evidence given by the RSPCA, which simply believes in banning anything to do with the countryside. It certainly devalues the Minister's comment that fishing and shooting would not be banned as a result of the Bill. That is the logical consequence, and the RSPCA shows exactly how such people think. It believes that anything to do with killing animals in any shape, size or form—and that includes intensive farming in the countryside—should be banned. That is a disgrace.

[Mr. Gray]

A ban on hunting with dogs would be a disaster for the rural economy; it would be a disaster for the environment and the countryside such as that in my—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order.

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed on Friday 14 April.

Remaining Private Members' Bills

EXPORT OF FARM ANIMALS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 21 July.

WELFARE OF BROILER CHICKENS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 21 July.

FIRE PREVENTION BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 19 May.

MARINE WILDLIFE PROTECTION BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 14 April.

SCHOOL CROSSINGS (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

RETAIL PACKAGING RECYCLING BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 14 April.

PARLIAMENTARY COMMISSIONER (AMENDMENT) BILL [*LORDS*]

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 14 April.

HARE COURSING BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 14 April.

ROAD TRAFFIC BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 14 April.

CENSUS (AMENDMENT) BILL [*LORDS*]

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 19 May.

Live Animal Exports

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Touhig.]*

2.32 pm

Mr. Gwyn Prosser (Dover): I am pleased that my Bill to ban live animal exports lives to fight another day and to have a Second Reading, but in the meantime I should like to take the opportunity to rehearse the arguments for banning the export of live animals.

The election year of 1997 was not only a good year for the British people and the Labour party; it was a good year for British sheep. Fewer sheep were exported from our shores in that special year than in any other year in the decade. Even in 1997, however, more than 270,000 lambs and sheep were forced to endure the rigours of crossing the English channel and were exposed to further suffering on extended journeys across Europe—a suffering that often ends in slow, painful death at the hands of untrained and inept slaughtermen.

Since then, the number of exported sheep has risen dramatically, and figures from the Ministry of Agriculture, Fisheries and Food show that in 1999 the number of lambs and sheep exported for slaughter topped the 1 million mark, with more than 1.1 million being exported. That means that the inhumane trade has more than doubled in the past couple of years.

Before I came to the House, I was a merchant navy officer, and when I was sailing on deep sea vessels I regularly witnessed the live animal ships discharging their miserable cargoes in middle east ports. I have seen the injured and dying animals being dragged off the vessels with hooks and whole holdfuls of dead sheep being winched ashore in cargo nets. More recently, when I sailed on the Irish sea and the Dover cross-channel ferries, I saw the awful image of broken limbs protruding from animal trucks. In bad weather, I heard the cries and even smelt the fear of those wretched animals close up.

Those are some of the reasons why I want the UK to prohibit the export of live farm animals. A trade that regularly inflicts great suffering on living creatures has no legitimate part to play in a civilised and caring society, and it certainly has no part to play in the new fairer Britain that the Labour Government have set about building.

Today's animal exports, typically, are first sent to Belgium and Holland and, 24 hours later, re-exported to southern Europe. Many are trucked on appallingly long journeys to Italy, Greece and Spain, where they are killed in abattoirs using cruel and illegal slaughter methods. The journey to Italy can take 40 hours or more, and up to 100 hours to Greece.

Compassion in World Farming investigators have seen the state of the animals once they reach southern Europe. Many are exhausted and dehydrated, some are injured, and others have collapsed on the floor of the truck, where they have been trampled on by their companions. Yet others stick their heads out through the truck's ventilation slats, desperately panting and gasping for air. Their plight is due to overcrowding, the extreme heat in summer, the lack of water and proper ventilation on many trucks, and the sheer length of the journey.

In the worst cases, large numbers of animals die. Last August British sheep were left in the port of Bari in southern Italy for 48 hours, waiting for a ship to Greece.

[Mr. Gwyn Prosser]

They were kept in the trucks in blistering heat without any water. After repeated pleas from Compassion in World Farming, the Italian authorities at last relented and opened up the trucks, but by then many animals were already dead and many were gasping their last breaths. Those of us who have seen film of that will never forget it. Over the next few days, more animals perished. In all, 115 British lambs and 45 French sheep died in that disaster.

As long ago as 1993, a European Commission report concluded that

> long distance transport in overstocked vehicles, combined with dehydration and starvation, results in very poor welfare and often in high mortality.

All the evidence shows that that remains the case, and there are extensive documentation and numerous directives supporting that simple link.

On this side of the channel, the exporters Farmers Ferry told me that they exercise the highest standards of animal welfare. That claim is derided by Kent Against Live Animal Exports, the local protest group, whose observers keep a close watch on port activities from the white cliffs of Dover.

The exporters' claims of high standards are hardly borne out by the Ministry's figures, which show that in the last seven months of last year, a massive figure of 12,558 sheep transported to Dover docks and destined for export were rejected by the local veterinary inspectors as unfit to travel. Some were already dead on arrival. It is a scandal that the exporters, who claim to have such high animal welfare standards, try to send so many unfit animals for export.

The problems are not confined to the long journeys. Equally disturbing are the slaughter conditions awaiting the animals at their journey's end. Last year Compassion in World Farming investigators visited three Greek sheep abattoirs. Two were making no attempt at all to stun the animals, which is not only cruel, but illegal under EU law. The third was stunning the animals, but so ineptly that they regained consciousness before having their throats cut.

Recently we witnessed one of the worst aspects of this wretched trade. Each year thousands of British sheep are exported to France for outdoor ritual slaughter during the Eid El Kabir festival. The animals are slaughtered without stunning, in the open air. They are held down on the ground and their throats are crudely cut while they are fully conscious. They are often left to bleed to death in agony. It is clear from the filmed evidence that the slaughtermen are untrained. They are seen hacking away at the sheep's throat with blunt knives, and the animals are seen writhing in their death agonies for several minutes before they eventually succumb.

Under both EU and French law, ritual slaughter must be carried out in abattoirs. The activities in the killing fields of Paris are expressly prohibited. However, neither the European Commission nor the French authorities take any meaningful action against these illegal acts. I urge the Government to make further and stronger representations on these matters.

All the suffering and cruelty inherent in the live export trade is unnecessary. Transporting animals hundreds of miles to slaughter is not a necessary part of the process of feeding ourselves. Most of the animals exported from Britain will be slaughtered on arrival at their destination or shortly afterwards. It is senseless to subject animals to the misery of long journeys, only to slaughter them at journey's end. Animals should be sent to slaughterhouses as near as possible to the farm of rearing, and all our exports should be in meat form. Many respected organisations have echoed this approach.

With all the evidence clearly linking long journeys to bad animal welfare, it is disappointing that we still allow companies to ship live sheep from places such as the Gower peninsula to places such as the Greek islands. When will our Government begin to translate their warm words into concrete commitment and actively encourage the principle of slaughtering near to the farm of rearing, and transporting the product as meat?

A marvellous opportunity has arisen. The European Union transport directive was due for review at the end of last year. It must not lead to the EU simply tinkering at the margins of the problem, with some journeys becoming a little shorter and many becoming longer. That happened after the previous review in 1995. The EU must adopt a major change of policy whereby the long-distance transport of live farm animals is abandoned and replaced by a trade in carcases. I urge the Government to take a vigorous lead in persuading our EU partners to adopt that fundamental policy change, which will spare farm animals much suffering and will be so welcome to the public.

In the meantime, until this cruel trade is ended, EU transport directives must be much more rigorously enforced. Last year, the European Commission published five reports, which showed that EU laws that were designed to give animals at least some protection during transport are widely ignored in France, Greece, Italy, Belgium and Ireland. Compassion in World Farming has produced an excellent paper, which it has sent to the Minister. It shows how the enforcement of the directive could be improved. I urge the Government to take a lead in persuading our EU partners to adopt those practical and sensible suggestions.

I am disappointed that the Government have not succeeded in reducing the volume of live exports. I welcome the Parliamentary Secretary's often-repeated statement that he would prefer United Kingdom exports to be in meat form rather than live animals. None the less such statements have had little effect; live exports have more than doubled in the past two years, since our Government have been in office.

The time has come for new initiatives from the Government. First, they should urge farmers' leaders to join them in working out the details of a phased voluntary withdrawal from the live export trade. The Government should remind sheep farmers that they receive huge subsidies from the public purse and that in return for that financial aid, taxpayers are entitled to expect farmers to respond to public anxieties by pulling out of an inhumane trade.

Secondly, the Government should seek a derogation from EU rules to ban live animal exports, in the same way as the previous Government gained a derogation for horses and ponies. Thirdly, they should take the lead in persuading the EU to replace the long-distance transport of live animals with the meat trade.

Fourthly, the Government should urgently effect their warmly received 1997 decision to remove exporters' rights to select and pay for the services of local veterinary

inspectors. That is essential to demonstrate the inspectors' independence. We have waited nearly three years for its introduction.

The Government have resisted my past calls on behalf of animal welfare groups for a ban on live animal exports on the grounds that it would breach EU rules on free movement of goods. However, last year, a legally binding EU protocol on animal welfare came into force which recognises animals as sentient beings. It can therefore be argued that animals are no longer subject to EU rules on the free movement of goods. Many people believe that the Government should use that argument to justify a ban on live exports. The case should at least be tested.

The protocol also requires the EU and member states when formulating policy on agriculture to pay full regard to the welfare requirements of animals. Allowing a trade that routinely inflicts great suffering to continue unchecked neither fulfils that legal duty nor responds to animals' status as sentient beings.

More than 80 per cent. of British people want an end to the trade. The established ferry companies have stopped taking it and the ports do not want to handle it. Ministers have expressed a clear preference for meat to be transported on the hook rather than on the hoof. I therefore strongly urge the Government vigorously to promote the welfare of animals in transit immediately and bring about a total ban on the cruel and unnecessary trade in the longer term.

2.44 pm

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): I congratulate my hon. Friend the Member for Dover (Mr. Prosser) on obtaining the debate. I hope that it is a small consolation for his not yet having had an opportunity to discuss his private Member's Bill. I recognise the sincerity of his comments on live exports. He has been a strong campaigner and has reflected the views not only of many his constituents but of a great many people in this country generally, including livestock farmers who are concerned about live exports for slaughter.

As my hon. Friend rightly said, the Government have made their position clear on a number of occasions. Our preference is for meat exports, not live animal exports, which is right not only for the welfare of the animals, but for the added value to meat exports, for jobs in our country, for the economy and for our meat and slaughter industry. Exporting live animals also means exporting jobs and that should not be forgotten in terms of the rural economy and the issues that the Government are trying to address. It is also worth pointing out that live exports represent only about 5 per cent. of lamb exports. The vast majority are meat, so the argument about the overall economic impact of live exports is strong and it would surely be preferable to maximise meat exports. Much more attention should be paid to them rather than to live exports.

The Government welcome farmers coming together in marketing groups and support their co-operative ventures. Farmers have come together to establish their own ferry service for exporting lamb to the continent, which is a good principle, and I am encouraged that, according to recent reports, the Farmers Ferry board is investigating the use of the ferry for meat as well as live exports. It should be just as easy for a facility that can handle livestock transporters and all the problems that go with them to take refrigerated vehicles carrying meat for export and we hope that the investigation will develop.

Many people in the livestock sector accept that there is a strong reaction to live exports. They are looking for the best return for their business and their products and we understand that, which is why we want to explain certain issues relating to meat exports. I have had talks with the National Sheep Association about the potential for meat export opportunities and we also know that companies are considering the establishment of ethical veal production in this country and the export of meat to the continent. The calf export trade has been halted and there is no prospect of it being restarted in the immediate future.

We accept that there are problems with long-distance live exports. There is also abuse on some occasions, particularly on the continent when animals exported from this country go to their legal destinations in France, Belgium or Holland and are sold on, loaded on to other vehicles and transported again. They are completely outside United Kingdom control. Monitoring depends very much on the member states responsible, and the Commission is responsible for enforcement. We have been scrupulous in our inspections and have tightened the procedures. We have also tried to be open and transparent. For example, the Departments website gives information about the number of animals going through Dover and the number rejected by our inspectors there. We must bear in mind that the primary inspection is carried out by the local veterinary inspector when the animals set off. There is a second inspection at Dover, which the Ministry established to make sure that there was no obvious problem with animals going through.

We take firm action within the law in relation to live animal exports and I understand my hon. Friend's case for changing the law to stop them completely, but we cannot do that at present. The European Court has established that live exports are part of the single market. Therefore, they are legal. We do not have the power to stop them, but we do have power to regulate and inspect them. We can ensure that journey plans are enforced, and that the animals are in good condition and are inspected properly—and we do that. We refuse to authorise long-distance journey plans in the summer when the ambient temperatures of the countries that the animals will pass through present a risk to their well-being. We also refuse to approve journey plans if we are not satisfied that there are proper facilities to cater and to care for the animals at their destination.

Sir Richard Body (Boston and Skegness): The United Kingdom Government have not yet invoked article 36 of the treaty of Rome.

Mr. Morley: I was coming to that. The hon. Gentleman has a good record on animal welfare issues. Article 36 is now article 30, and has been changed slightly. We have considered using article 36, but our legal advice is that we cannot do so on live exports. One of the cases taken to the European Court by Compassion in World Farming was based on article 36. It argued that we could stop the export of calves, which were going into systems that were illegal in this country. The European Court ruled that we could not, so we have a clear court ruling on that.

[Mr. Morley]

It is interesting that some Conservative Members who are arguing that we should use article 36 to stop pig imports argued against using article 36 to stop calf exports. That is an inconsistent position.

My hon. Friend gave two appalling examples of the abuse that occurs with long-distance transport. In the Bari case animals were being transported to Greece but were held up in Italy waiting for the ferry in the summer heat. The suffering of those animals must have been intense, and many of them died. Although they may have included some British sheep, the journey plan had not been authorised in the United Kingdom, and it would not have been authorised at that time of year. The sheep were sold legally and the company abided by the law, but they were sold on to another company who transported them to Bari and did not comply with EU law. We certainly need to address that problem.

There is also the issue of the appalling slaughter of animals for Eid El Kabir. If I were a French Minister, I would be ashamed to be associated with what has been going on. We have made representations to the French authorities. Although they have said that they recognise the problem and are taking steps to deal with it, I am sorry that, to say that it does not appear from the video evidence I have seen recently that much has been done to improve the situation.

My right hon. Friend the Minister of Agriculture, Fisheries and Food has recently written to Commissioner Byrne to say that the regulation of standards is a European issue and should be properly enforced. Many hundreds of people from this country have written to the Commission and to the French authorities expressing their concern.

As my hon. Friend rightly said, we have a Muslim population. I am glad to say that we have sat round the table with Muslim organisations to talk about such problems. Through discussion and with the support and co-operation of Muslim organisations in the UK, we have made it illegal to carry out any religious slaughter that does not involve a proper slaughterhouse and a licensed slaughterman. I am sorry that the French have not done the same. I hope that they do so.

My hon. Friend talked about translating warm words into action. I understand his frustration, because he has campaigned on this issue for so long and with such sincerity on behalf of the many people concerned about the export of live animals. It is not easy for the Government, because we must abide by the law and work within the legal system. We are doing what we can to translate our preferences into action. For example, a brand-new slaughterhouse is being built in Wales. That will be important to the sheep market, and to Welsh sheep producers. The Government are supporting it with structural grants.

We are reviewing the transport regulations. I agree with my hon. Friend that the current European Union-wide review of the Welfare of Animals (Transport) Order 1997 gives us an opportunity to address ourselves to some of the problems and abuses. It is perfectly legitimate for us to consider, for instance, why it is necessary to transport live animals over such long distances, whether the system can be properly enforced, and whether the enforcement is being properly applied or needs to be tightened in certain respects. Incidentally, we are conducting our own national review of the order.

I can give my hon. Friend a clear undertaking that we will look carefully at the Compassion in World Farming paper, which proposes ways in which the situation can be improved. Compassion in World Farming has made a number of suggestions to the Government on a range of issues. Its proposals for improvements in animal welfare are often sensible, reasonable and well argued, and we shall take its current proposals seriously. It should be borne in mind that we start from the premise that meat exports are far preferable to live exports, from the point of view of the livestock sector as well as the welfare point of view.

My hon. Friend mentioned local veterinary inspectors, who are currently appointed by the exporters. We propose that they should be appointed by MAFF. It is part of a two-stage change, stage one of which has been implemented. Stage one involved our establishing minimum benchmark standards for all local veterinary inspectors involving, for instance, the time that they spend on inspections that they conduct on the Ministry's behalf. We have consulted on the appointment of inspectors by MAFF; we have received a response, and are now involved in the final stage of the process, which consists of consulting the Welsh Assembly and the Scottish Parliament. Following devolution, we must obtain their opinions. We await their response, and I hope that we can make a decision as quickly as possible.

There is no controversy about standards. Those on all sides of the argument—exporters, the livestock sector, welfare organisations and the public—want the best standards to operate and to be enforced, not only in the United Kingdom but internationally. There are international questions about, for example, the import of horses to the EU from eastern European states: many people are concerned about that, and have written to us. There are also failings in our system that should be addressed in the EU.

I am not complacent, but I think that the Government have taken the issue of live exports very seriously. We have made many improvements. It is true, however, that we need to do more, not only in the United Kingdom but in the EU, to bring about the enforcement that has been lacking in Europe. I know that many Members, not least my hon. Friend, will carefully scrutinise what the Government do, and will press the Ministry to ensure that we introduce changes that will be important not just to animal welfare and the people whom we represent, but to the livestock industry and its reputation. I am sure that the industry will wish to join us in our attempts to improve the position.

Question put and agreed to.

Adjourned accordingly at one minute to Three o'clock.

Westminster Hall

Tuesday 28 March 2000

[MR. MICHAEL LORD *in the Chair*]

Colombia

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Sutcliffe.*]

10 am

Mr. Desmond Browne (Kilmarnock and Loudoun): I am grateful for the opportunity to initiate an important debate and am pleased to see so many hon. Members in the Chamber. I appreciate their support, as I understand that a substantial voting duty kept them from their beds last night. I am sure that the Government and people of Colombia will take note of their interest in this subject.

I wish to declare an interest in this subject and draw hon. Members' attention to my entry in the Register of Members' Interests. Last February, my hon. Friend the Member for Wythenshawe and Sale, East (Mr. Goggins) and I were privileged to be part of a group of European parliamentarians who spent eight days in Colombia, where we met representatives of non-governmental organisations, church leaders, politicians and Colombian Ministers. I was present as the guest of the Scottish International Aid Fund, otherwise known as SCIAF.

Human rights were the focus of our visit. I commend to the Chamber the invaluable work done on such matters, which is supported by United Kingdom NGOs. The United Kingdom enjoys high regard, affection and respect from the people of Colombia partly as a result of NGOs' significant contribution to such work. British organisations provide a high degree of protection for ordinary citizens, local people, NGOs and other organisations by accompanying them in their human rights work. They support some of the most vulnerable people in the world and do so in our name.

I described my visit as a privilege because, like all visitors, I was stunned by the great beauty and diversity of Colombia, and because I was privileged to meet many people of great courage, patriotism and dignity. Our delegation was particularly impressed by those who had been, or still are, victims of violence.

Singling anyone out would be invidious and possibly even dangerous for such people. However, I draw the Chamber's attention to a group of displaced people whom we met in the city of Quibdo in the region of Choco. We met 40 families who had been displaced from their poor rural villages by paramilitary violence and who had taken residence on the wooden terraces of a crumbling concrete basketball stadium. As I recollect, some families occupied only 8 or 9 sq ft of that stadium. They had been abandoned there for two years with no access to work, no hope of integration in the local community and dependent on a European Union charity for the most basic needs of life. Some children in that stadium knew no other life.

We promised that we would not forget those people and that we would bring their plight to the attention of the international community. My hon. Friend the Member for Wythenshawe and Sale, East has already introduced an Adjournment debate on the subject and I am sure that none of us present that day will ever forget those people and I dedicate to them my contribution to our debate.

Our debate is timely for at least four reasons. First, by fortuitous coincidence, London is honoured by the presence of Mr. Victor Ricardo, the Colombian Government's high commissioner for peace and their chief negotiator in negotiations currently taking place between them and the Colombian revolutionary armed forces or FARC. We are especially fortunate that Mr. Ricardo has chosen this time to come to the United Kingdom to deliver a progress report on the peace process.

On 28 January, the Colombian Government and FARC representatives reached agreement on the common agenda for change for the new Colombia. It was also agreed that the issues on the agenda should be divided into three main categories: social and economic structures; human rights, international law and international relations; and democratic processes and political structures of the state. It is important, appropriate and timely that, at this stage of the peace process, awareness of what is happening in Colombia is raised within the international community—and it is especially welcome in the United Kingdom.

Secondly, and perhaps not coincidentally with the visit of Mr. Victor Ricardo, EU member states were asked by the Colombian Government to contribute substantial aid to the funding of Plan Colombia. Plan Colombia—described as a global plan for peace, prosperity and a strengthening of the state—was developed by the Administration of President Pastrana to provide $7.5 billion of support for development and the peace process. The Colombian Government hope to secure $3.5 billion from EU member states and other international donors. Spain will bring together the European donor nations, Japan and Canada to a donor meeting in July, which will be held in Madrid.

Thirdly, it is timely to debate these issues as we approach the 56th session of the United Nations Commission on Human Rights at which, once again, Colombia's human rights record will be examined and reported. At the previous session, a strongly worded and critical statement on Colombia's record was issued. The British Government have strongly supported previous commission statements and, over the past two years, the high commissioner's office in Colombia. The time has come for the Government to reiterate their support for both. I am sure that hon. Members will want to debate those and related matters.

Fourthly, the debate is timely because my hon. Friend the Member for Manchester, Central (Mr. Lloyd) and the hon. Member for Richmond Park (Dr. Tonge) are to visit Colombia shortly. The hon. Member for Richmond Park—the Liberal Democrat's spokesperson on development issues, who discharges her responsibilities admirably—has not previously visited Colombia and she looks on the debate as a welcome briefing. That cannot be said for my hon. Friend the Member for Manchester, Central who, when a Minister in the Foreign and Commonwealth Office, established an enviable reputation, here and in Colombia, for his knowledge and understanding of the country. My hon.

[Mr. Desmond Browne]

Friend the Member for Wythenshawe and Sale, East and I were indebted to him for a comprehensive briefing prior to our visit in 1999.

Colombia enjoys the unenviable reputation of being one of the most violent countries in the world. Quite why it has acquired such a reputation is less well known or understood. It is a popular misconception—sometimes reinforced for political reasons by others—that the violence in Colombia is all connected with drugs. It is true that in the 1990s, prior to the election of President Pastrana in 1998, Colombia was subjected to a great political crisis as a result of the use of drugs money in political campaigns, but drugs were not the cause of the political crisis in the country, which has persisted in civil unrest and violence almost continuously since around 1948.

Behind the political crisis of the 1990s lurked a more persistent crisis—a structural crisis of the Colombian political regime and society. Behind the drugs war, another war was being waged against peasant and labour leaders, teachers, journalists, priests, nuns, lawyers, women's rights leaders, human rights workers and ordinary citizens. That war is estimated to have claimed between 3,000 and 4,000 victims every year during the 1990s. Over half the trade union leaders murdered in the world in 1997 were murdered in Colombia—a country in which less than 10 per cent. of the work force is in trade unions. The number of internal refugees or displaced people is reckoned by some to amount to 1.5 million—vastly greater than the number of pre-NATO bombing refugees in Kosovo.

It serves the political purposes of others to portray the Colombian Government as a helpless hostage to drug barons and leftist guerrillas. Although drug barons and guerrillas are responsible for 20 per cent. of the country's violence and regularly violate the human rights of others, Amnesty International and other NGOs estimate that 75 per cent. of the politically motivated murders in Colombia are perpetrated by right-wing paramilitary forces who have proven links with the Colombian regular army. In February 2000, Human Rights Watch published a report entitled "The Ties that Bind: Colombian Military and Paramilitary Links". That report, which was based on investigations by Colombian authorities, presents a persuasive case that army support for paramilitary groups continues.

To compound that complex and depressing picture, the violation of human rights largely goes unpunished because Colombia has an impunity rate of about 97 per cent. Only 3 per cent. of those who commit violence are answerable for their actions in Colombian courts. Most human rights violations in Colombia are carried out with total impunity. Despite the efforts of the public prosecutors office, security forces routinely evade and pervert the course of justice. Military courts that have jurisdiction over investigations into human rights violations by armed forces personnel systematically fail to bring those responsible to justice.

Despite repeated recommendations for improvement, no significant progress has been made in dismantling paramilitary groups or ending their activities, in ridding the armed forces and police of those shown to be actively or passively supporting paramilitary groups, in the reformation of the military penal code to make military personnel amenable to civilian courts or in the basic protection of human rights defenders.

Mr. Richard Allan (Sheffield, Hallam): Although I sympathise with the hon. Gentleman's point about the links between certain elements of the armed forces and paramilitary groups, the anti-narcotics police, under General Serrano, whom I met the year before last, have a good reputation for cleaning up their act. Does the hon. Gentleman agree that it is important, where we see the roots of recovery, to support those Colombian state organisations that have a good human rights record and to encourage that model to be put in place rather than the old model of unpleasant links between some state organisations and those who are involved in violence?

Mr. Browne: That is an important point. I am sure that the Minister will confirm that the support provided by the United Kingdom has largely been used to train the forces that the hon. Gentleman mentions, which is to the credit of the United Kingdom. From my limited experience of the country, I know that people in Colombia recognise that our support for the military and the police has tended to be used to train what have become the more respectable forces, which contrasts with the aid that other countries tend to give. I have not met General Serrano, so the hon. Gentleman adds to our collective experience of Colombia, and I am grateful to him for that intervention.

The armed conflict in Colombia, which has dominated the 20th century, has its roots in the social, economic and political exclusion of large sections of its population. That is my essential theme. Those outside the two traditional parties—the liberals and the conservatives—are effectively excluded from Colombia's political structures. In the late 1980s, the Patriotic Union—a legal political party formed by disarmed guerrillas, members of M19 and the Communist party—enjoyed significant electoral success, so much so that it became a threat to Colombia's political elite. In 1989, there was a real possibility that its candidate would be elected in the 1990 presidential election, but he, and all the other presidential candidates, except one, was killed. There followed a political genocide of the UP party. The US State Department estimated that 3,500 members of that party were killed.

Clearly, that is a lesson of history for those guerrillas who have entered the current peace negotiations. Clearly, FARC will not make the same mistake as M19. Even if a negotiated settlement between FARC and the Government were reached, is FARC ever likely to disarm in the absence of pluralistic politics? There can be no peace in Colombia until the political structures generate real political opportunities for everyone.

Disputes about the ownership and control of land have been largely responsible for much of the violent conflict. Even in the 1960s when agricultural reform was in fashion, there was no agricultural redistribution in Colombia. There can be no peace in Colombia without land reform. FARC and the ELN, which began in the 1960s as organisations of about 30 or 40 farmers, are now properly trained armies with estimated forces of about 20,000. Their growth has been deeply related to problems of exclusion. Those who were forbidden to

participate politically or were denied access to the ownership of land turned to arms as an answer to their political exclusion.

However, narcotics and drug trafficking have had a role to play. Showing a Colombian passport in any airport in the world will almost guarantee a strip search. To some degree it suits developed societies to demonise Colombia as the cause of all their drug problems, but as anyone who visits Colombia will be told repeatedly, the drugs will not be produced unless there is a market for them. The pressing problem of drug abuse in the developed world cannot be resolved simply by seeking to control illegal cultivation in Colombia, particularly illegal cultivation by very poor people who cannot grow anything else. Everything else that they have ever grown, we no longer want to buy and if we did, there is no infrastructure to get it to the market.

Dealing with demand is our responsibility. While the drugs industry continues in Colombia the problems that it brings to that country will continue. As long as big drug barons can earn $500 million a year from the manufacture and traffic of drugs, they will continue to do so. However, the war in Colombia is about more than drugs and Colombia's problems do not lend themselves to simplistic solutions. The complex circumstances that have brought it to its present position were not created by the government of President Pastrana. On the contrary, his leadership has been crucial in the development of the peace process.

We must support President Pastrana in the promotion of the dialogue among the different parties to the conflict. We must acknowledge and respect the commitment and bravery of those state officials who have taken risks in the pursuit of peace and justice for their country. They are brave people who are sometimes the victims of violence, kidnap and murder. Although we support them and recognise the factors that limit their ability to achieve their goals, we cannot do so uncritically. Peace is not simply a matter of negotiations, nor, as we have learned closer to home, is it simply about ceasefires and negotiations. Peace is about human rights and justice for all. It is about the creation of an inclusive political process.

There has long been a demand in Colombia for greater participation in the peace process by the wider Colombian society. Now that initial progress in the peace process has been achieved, it is time for the involvement of civil society in the debate over substantive social, political, economic and civil changes, as set out in the agreed agenda. There is a significant feeling among civil society in Colombia that they have been excluded from the peace process to date. The irony is that they believe that Pastrana's response was motivated largely by civil society's energy for peace. Ordinary citizens' demand for peace led him to respond when he was president elect and to engage with the guerrillas.

The public hearings proposed for April to discuss economic and social reform are to be welcomed, but as all politicians know only too well, participation and consultation can take many forms. If the peace process is to become embedded in Colombian society, the Colombian people must have ownership of it. If it is to succeed, it must ensure respect for human rights. Those guilty of gross human rights abuses must be brought to justice, and peace must be built on reforms that are designed to construct a much stronger local and regional democracy.

Although I urge our Government to support the concept of Plan Colombia as a vision for the development of the whole of Colombian society, it should not be seen as a proposal that has been born out of democratic discussion or debate. It is the product solely of the Pastrana Administration and it has its weaknesses. Only 0.7 per cent. of its funding is dedicated to the peace process while about 64 per cent. is earmarked for national defence. As part of the funding of that plan, a $1.7 billion package of largely military assistance is currently being discussed in the United States. Colombia receives more US arms and equipment than any other country in the world except Israel and Egypt.

The policy behind those statistics has been described by Amnesty International as similar to the policy that backed death squads in El Salvador in the 1980s. Plan Colombia must not be allowed to fuel the violence and internationalise the war by bringing in the United States on a far greater scale than hitherto. In the context of the forthcoming discussions in Madrid, the United Kingdom, as a donor nation, has the opportunity to fashion a positive aid package, which should involve judicial reform, and could include funds to help the 1.5 million displaced people. It could help crop substitution programmes, which are the real key to defeating the drug barons.

The peace process and the complementary development plan require international assistance. This must come in a form that strengthens the justice process, the peace building, the democratisation of the country and respect for human rights, including the rights of children and women. The last thing that Colombia needs is further militarisation.

I urge our Government to maintain a consistently strong position on human rights in Colombia. There is evidence of a continuing deterioration in the spheres of forced displacement and human rights. In those circumstances, and in the face of new evidence of links between the armed forces and paramilitary groups, it is imperative that the Colombian office of the human rights high commissioner continues to enjoy political and financial support. It is also imperative that there should be consistent international monitoring of Colombia's human rights practices. We are rightly proud of our commitment to an ethical foreign policy: such a monitoring process in Colombia is the least that we can expect from our Government.

10.21 am

Dr. Jenny Tonge (Richmond Park): As the hon. Member for Kilmarnock and Loudoun (Mr. Browne) said, the debate takes the form of a briefing for me, as I hope to visit Colombia—I am reasonably sure that I will—in the near future. I congratulate the hon. Gentleman on securing the debate.

I have an advantage in that the researcher who is working in my office spent four months in Colombia last year and is constantly bending my ear on the subject. It is appropriate to emphasise one of the comments made by the hon. Member for Kilmarnock and Loudoun. My researcher said that we must remember that the majority

[Dr. Jenny Tonge]

of Colombians are decent people. She remarked that, as we worried and sweated while she was out there in that frightfully dangerous, evil and corrupt place, she was constantly meeting lovely people who cared desperately about their country, wanted to see a future for it, and, in fact, lived relatively normal lives. Those of us who are so far away from Colombia need to remind ourselves of that as we discuss that country's problems.

There has been a catalogue of human suffering in Colombia. The war has raged for 40 years; 35,000 people have been killed in the past 10 years alone. Three hundred thousand people have fled their country, and 1.5 million people are displaced, and, as we have heard, are living in the most appalling conditions. I was interested to hear that during one of Colombia's worst recessions ever, it is currently spending less on health and education than Bolivia, which is south America's poorest country. That is a terrible fact to absorb as we consider the prospects for Colombia's future.

A few weeks ago I read an article in *The Guardian* entitled "Colombians braced for fight on all fronts", which summed up the position for me because, as a newcomer to the subject, I found the stories about Colombia's armed factions as bad as, if not worse than what I had read about, for example, southern Sudan—it is certainly more complicated—although there is a similar pattern. FARC rules 40 per cent. of Colombia, mainly in the south of the country; it makes huge amounts of money from drug trafficking and kidnapping, blows up pipelines, kills human rights activists and terrorises the population. It can afford very sophisticated weaponry, such as fighters, because of its drug trafficking.

The ELN, the Colombian liberation army, controls parts of the north, and also hijacks, terrorises and kidnaps. The paramilitary, commonly known as the headcutters, has strong links with the armed forces in Colombia, which is horrifying—that is what reminded me of southern Sudan. The headcutters are very right wing and have the most appalling record of abusing human rights. They even have links, through the military, with transnational companies working in Colombia. It is true that our companies have difficulties, and that development is essential to Colombia, but we should question the value of such development when those companies have to secure their operations by spurious links with Colombia's armed forces and thus with the paramilitaries.

The army in Colombia has a huge amount of aid from the United States, more than any country except those in the middle east, but nevertheless, it consists mainly of untrained and unmotivated young men, and has a persistent record of human rights abuses.

Having considered the matter in the past few days, I believe that the drugs trade is the single biggest contributor to the misery and chaos in Colombia. FARC and the ELN alone earn $500 million—I am not sure of the exact figure—from cocaine and they tax and protect the coca farmers. The paramilitaries finance themselves growing the stuff and protecting the drugs cartels. The economy is destabilised by money laundering and by discouraging legitimate investment. We must consider ways of dismantling the drugs trade.

There is a huge multilateral package of $7.6 billion to reduce drug production in the next six years. The United States is contributing $1.6 billion to fight the war on drugs; there are three anti-drugs battalions and 63 helicopters are working in the jungle burning and spraying the coca fields, but we do not know whether that will do any good. The war on drugs in south America had a limited success in Peru and Bolivia, where production was reduced, but it shifted to Colombia. I am worried that success in reducing the production of cocaine in Colombia will simply shift it elsewhere, perhaps to the Caribbean. Only recently we had a debate in Westminster Hall on the banana trade in the Caribbean. If the farmers there cannot grow bananas, they will grow drugs. That will mean that drugs production and trade will be even closer to the shores of the United States. Has that been considered?

The confrontation between the US army and the guerrillas in Colombia is building up, which could result in all-out war. Is that what we want? The Foreign Office has given £2.2 million to the United Nations worldwide drugs control programme, which includes the aerial fumigation of coca crops. However, that has resulted in a 20 per cent. increase in output in recent years. Is that programme worth while? Who is monitoring drug cultivation in Colombia? What damage does fumigation do to other crops and to the people of Colombia? Can we justify spending 73 per cent. of the budget of the United Nations international drug control programme on this environmental damage, when only 2 per cent. of it is spent on reducing demand?

Another factor is Colombia's appalling infrastructure. That encourages farmers to grow coca crops, which are easy to transport where roads and a proper infrastructure are lacking. Money should perhaps also be spent on the infrastructure, so that the farmers can earn a living by growing other crops.

It is simple economics, as the hon. Member for Kilmarnock and Loudoun said, that demand produces the supply of drugs. Western Governments must take a long look at their policies to curb demand. When will we admit that zero tolerance is not working in the west? I am not suggesting solutions, but we should seriously examine all aspects of drug supply and demand, in this country and internationally. Whether we do that through a royal commission or in another way, we must make it a prime subject of concern. While there is demand for drugs from the west, countries such as Colombia will supply them.

Mrs. Cheryl Gillan (Chesham and Amersham): What does the hon. Lady think of the harm reductionist lobby in this country and talk of reducing the penalties for possession and use of cannabis? What message does that send to the drug producers in Colombia?

Dr. Tonge: The hon. Lady has highlighted precisely the problem. As soon as we begin to talk openly and honestly about different ways of reducing the demand for drugs, somebody asks about the messages that we might send. I agree with her: we may send the wrong messages, but the matter must be discussed and explored. We must find out the results. We cannot go on as we are.

The Minister of State, Foreign and Commonwealth Office (Mr. John Battle): As my hon. Friend the Member for Kilmarnock and Loudon (Mr. Browne) said, we must not reduce a debate about Colombia to simply a discussion on drugs.

The hon. Member for Richmond Park (Dr. Tonge) raises a much larger question about the international drug trade. She may know that the Government's work under Keith Hellawell is focusing on drugs supply and demand and on getting to grips with analysing the economics of the drug market internationally. That is a massive problem, which takes in drug laundering and everything else. I reassure the hon. Lady that that wider analysis of the drugs trade is firmly on the agenda.

Dr. Tonge: That is excellent news. I thank the Minister for saying that. It is the first time that I have heard a Minister say that all those aspects are being addressed, not simply zero tolerance, with the use of the word "tsar", which inflames my passions, especially as it comes from what should be a socialist Government. I hate all these tsars that have been set up. I thought that you had abolished them long ago.

Mr. Deputy Speaker (Mr Nicholas Winterton): Order. I have not abolished anything, much as I would wish to do so.

Dr. Tonge: I apologise, Mr. Deputy Speaker. I will not prolong the debate on what you might wish to abolish, as I would be here all day.

To move away from drugs, the Government rightly wish to build respect for human rights in Colombia, and that goes to the nub of the problem. Aid is being directed towards good governance, human rights monitoring and, in particular, training the Army to respect human rights. The judiciary in Colombia must be strengthened: impunity for human rights violation is nearly 100 per cent. and a military justice system prevails. That is clearly no good if there is to be any sort of peace brokering. Indeed, peace brokering is useless while there is disrespect for human rights. Any peace would break down in the face of continuing drug trafficking, human rights violations and the lack of a proper civilian judiciary.

Given the problems that Colombia faces, it is interesting that our Government claim to have a foreign policy with an ethical dimension. Britain has recently issued 24 export licences for heavy machine guns and rifles. We know that those licences are for weapons that will go to the Army, which has links with the paramilitaries. I question whether that is a good or ethical policy, and I hope that the Minister can address that.

The Colombian Government have had difficulties complying with the UN commissioner's demands for attention to human rights, although they—and President Pastrana—are to be congratulated, to some extent, on their efforts in trying to address Colombia's problems. At the heart of those problems lies a lack of respect for human rights. The west should support calls for a UN resolution to enforce reforms, and back that with a determined effort to reform the ways in which we tackle the demand for drugs.

10.36 am

Mr. Paul Goggins (Wythenshawe and Sale, East): I apologise for my voice this morning, Mr. Deputy Speaker, but I am afraid that it is beyond my powers to project myself more forcefully.

I pay generous tribute to the way in which my hon. Friend the Member for Kilmarnock and Loudoun (Mr. Browne) introduced the debate. His reputation for making copious notes wherever he goes, which included our visit to Colombia, has borne fruit in his analysis of the problems faced by that country.

As the hon. Member for Richmond Park (Dr. Tonge) is treating the debate as her first briefing on Colombia, I should like to tell her about my first such briefing. It was given by someone who has many years' experience in dealings with Colombia, who told me that anyone who claims to understand the country and to know the answers to its problems must be lying. The complexity of the problems is such that nobody can fully understand either their causes or their solutions.

Where does one start? It could be with the beauty of the landscape, which is there for all to see; the economy, which is experiencing the worst recession for 70 years; the marked gap betwen rich and poor; the drugs; the guerrillas, paramilitaries and armed services or the weakness of the state and the levels of impunity.

I start, as did my hon. Friend the Member for Kilmarnock and Loudoun, in a dilapidated basketball stadium in the town of Quibdo, where, on a clammy, hot, sunny Sunday morning, we met a group of about 300 men, women and children who had lived there for more than two years because they had been forced by violence to flee their homes. The Consultancy on Human Rights and Displacement estimates that, in the first nine months of last year, 225,000 people in Colombia were forcibly displaced from their homes—a total of 1.7 million people since the mid-1980s. That has a massive impact on family life, community life and people's livelihoods and sense of security.

The number of killings and kidnappings is chilling. An informative publication from the Colombian Vice-President's office reports that 24,081 people were murdered in Colombia in 1999. It also states that the number of victims of massacres—where three or more people are killed in a single episode—has increased from 1,366 to 1,863, and that kidnappings are increasing.

We must never forget that those statistics represent the real lives, or deaths, of ordinary people in Colombia. Last summer, with my hon. Friend the Minister of State, I met two visitors from Colombia who had been forced to flee the country. One was the elected mayor of a small Colombian town and the other was a partner of the Catholic Fund for Overseas Development. We had an interesting meeting, to which my hon. Friend the Minister might refer in his remarks. The comments that they made as they left the meeting stand out in my mind. They thanked me, and asked me to thank the Government for allowing them to come to this country in an emergency. Within a week of their arrival here, two of their colleagues—another mayor from a neighbouring town, and another of CAFOD's partners—had been murdered. Such life and death situations face the many people struggling for human rights and peace in Colombia.

[Mr. Paul Goggins]

My hon. Friend the Member for Kilmarnock and Loudoun said that this debate is timely. I agree with the reasons that he gave, although I might give them in a slightly different order. The 56th session of the United Nations Commission on Human Rights began last week. The report being presented to the commission is very grave. It states that there are

> grave and prolonged occurrences of serious and massive violations of human rights and International Humanitarian Law.

The report details the numbers of internally displaced people, the levels of impunity and the attacks that take place on human rights workers.

We must acknowledge the steps that have been taken—especially during the past couple of years—to strive to improve the justice system in Colombia. I have twice had the privilege of meeting Senor Gomez Mendez, the state prosecutor. When he is in Colombia, he has to be accompanied wherever he goes by about 25 armed guards. His life is constantly under threat because he represents the justice system. His staff face violence on a daily basis, and many have had to flee the country. However, those who work to defend human rights face the gravest threat, and the report of the Colombian NGOs to the United Nations Commission shows that, during the past four years, 36 human rights defenders have been murdered, 100 have had their lives threatened, and 30 more have had to leave. Those are ordinary people defending ordinary human rights who have been murdered or forced to flee their country.

Human rights are not just the end product of the peace process, but an integral part of it. There can be no peace unless we obtain human rights protection for the ordinary citizens of Colombia. Human rights will not just happen automatically at the end of the process; they have to be bound in to the pursuit of peace.

Mrs. Gillan: I have been in receipt of letters from his excellency the Colombian ambassador, which have been helpful in updating me on the action taken by his Government in cases of human rights violation. Has the hon. Gentleman had an opportunity to see those letters? If so, does he agree that they are extremely helpful and represents signs of great optimism for the future in Colombia?

Mr. Goggins: I freely acknowledge and pay tribute to those in the state agencies in Colombia who do so much, at great personal risk, to try to reduce the levels of impunity. Senor Gomez Mendez has made great progress in that area. I willingly reiterate my earlier remarks on the advances that have been made. None the less, human rights abuses still take place in Colombia. I urge my hon. Friend the Minister to ensure full and active support for the office of the High Commission in Bogota. It is essential that we use it as a window through which we can monitor the progress being made in relation to human rights.

A second reason to agree that this is a timely debate is the publication of the Human Rights Watch report in February, which gave graphic accounts of the continuing relationship between paramilitary organisations and the state armed services. It gave specific details of the 3rd, 4th and 14th brigades that operate in the main Colombian cities and throughout the country. There have been signs of progress. Some leading military figures have been stood down from their official positions, showing that the state is prepared to tackle the relationship. However, there is also concern that as abuse in the armed services is reducing, activity in the paramilitary organisations is increasing. The tie-up between state services and paramilitaries is worrying. It is not enough for abuse in the armed services to fall; abuse by paramilitaries must also fall.

My hon. Friend the Member for Kilmarnock and Loudoun and I spent a lot of time with Monsignor Hector Fabia Henao, director of Caritas Colombia, who is a priest, during our eight days in Colombia. He said:

> In late February in El Salado, in the archdiocese of Cartagena, paramilitaries cut the throats of more than 40 people, including one in a church. Investigators said a 200-man death squad murdered the villagers during a four-day raid in the community in Bolivar province, a region fiercely contested by guerrillas and paramilitaries.

He later said that El Salado is not very far from army bases and that it was a problem for him to understand how the army did not know. He argued that it was impossible for such atrocities to continue for four days so close to the army without the army knowing and intervening. I acknowledge that there has been progress, but there is worrying evidence of links between paramilitaries and the armed forces.

The third reason for this being a timely debate is the development of Plan Colombia. It is a $7.5 billion programme with $4 billion to be raised in Colombia and the remainder to be raised by the international community. Let us refresh our memories about Plan Colombia. Its purpose is advancement of the peace process first and foremost, improvement of the economy, combating narcotics, reforming the judicial system and promoting human rights and supporting democratisation and social development in Colombia. The United States Congress is considering a $1.7 billion package, most of it in the form of military aid. The proposal is to train and equip two special counter-narcotic battalions, including 60 or more helicopters.

It is difficult to be sure of the reasons for the United States strong interest in Colombia. It may have a strategic interest following its recent withdrawal from Panama. Again, Colombia has the only remaining Marxist guerrilla force in the world and that may be of interest to the USA. There is also the problem of drugs, the cost of which to the United States is dramatic in terms of human lives—52,000 Amercian citizens die each year because of drug misuse at a cost of £110 billion to the health service and the economy. It cannot be denied that Colombia is the largest producer of cocaine in the world and a major producer of heroin. We understand the concerns, but to view Colombia simply as a drugs problem is to miss the point.

I want to press my hon. Friend the Minister on two points. First, can he tell us about the position of the US Congress on the $1.7 billion package? Everyone assumed that it would go through Congress, but it seems to have become stuck in a Republican debate on tax and spend in an election year and whether it can be afforded. Can my hon. Friend shed some light on that? Secondly, the Americans want a 50:50 split on Plan Colombia under which they will provide half the cash in the form

of military aid and other countries, particularly European Union countries, will provide the other half in social and economic development. Plan Colombia should be shared equitably throughout the world. The package is an international responsibility and it is not right for it to be split in that way. Moreover, I am not convinced that that approach represents the correct balance. Earlier, I described the five major headings of Plan Colombia. It is not right to spend half the money on only one of the five objectives, namely, narcotics. I hope that we shall participate in this summer's Madrid summit, which is being organised by Jan Egeland, and that the Government will argue that it is important to get the right balance between the narcotics programme and other aspects of Plan Colombia.

My hon. Friend the Member for Kilmarnock and Loudoun discussed the importance of consulting civil society in Colombia about the development of Plan Colombia. Unless that plan involves bottom-up development, it will not succeed—it should provide economic livelihoods for its citizens and help local economies to develop.

I conclude my rather hoarse remarks on a positive note—I want to pay tribute to various people who are Colombia's hope for the future. I pay tribute to President Pastrana, who has done much in a short time in difficult conditions, in particular for engaging with FARC. Many counselled against such engagement, but it is extremely important to maintain dialogue, and he has done so. I reiterate my support for the state officials who tried to bring justice to that country with reduced levels of impunity, and in particular for Mr. Gomez Mendez, the state prosecutor. I pay tribute to the human rights workers and community leaders in Colombia who, day in, day out, risk their lives in pursuit of peace.

I also pay tribute to the Churches and bishops, and in particular to Monsignor Hector Fabio Henao, whom I mentioned earlier, who is the director of Caritas Colombia. The churches have borne witness to the need for peace in that country. Before President Pastrana came to office, there was a huge political vacuum in Colombia that was filled largely by the churches, which sought to promote peace in that country. I pay tribute to AB Colombia, which is supported by CAFOD, Christian Aid, Oxfam and other organisations, for its sterling work—it monitors developments daily in Colombia and it brings this country's attention to Colombia's problems. I also pay tribute to the peace brigades, many of which contain volunteers who take great risks in an attempt to realise a more peaceful society in Colombia, for which we all yearn.

There are many signs of hope, not least the fact that a couple of years ago 10 million people turned out to vote for peace in a referendum. However, the greatest sign of hope is the dignity and strength of the displaced people of Quibdo, whose faces I still see. They will be the inspiration—one day—for peace to come to Colombia.

10.53 am

Mr. Tam Dalyell (Linlithgow): Those who have never been to a country should be succinct in their public utterances about it. I was invited to speak by my hon. Friends the Members for Kilmarnock and Loudoun (Mr. Browne) and for Wythenshawe and Sale, East (Mr. Goggins); they are friends in a real sense. As chairman of the all-party group on Latin America, which is my locus of interest in this context, I am delighted that they have taken such a serious and deep interest in this matter, and I pay tribute to them for doing so.

I first became interested in Colombia when two stars of English football, Wilfred Manning and Ned Franklin, decided to go to Bogota. That memory dates me somewhat—[*Interruption.*]—nonetheless, my hon. Friend the Minister had better be discreet.

I became seriously interested in this subject when I attended a lecture at the museum of anthropology and ethnology given by Dr. Martin Hildebrandt, then presidential adviser on conservation policy. I remember his description of the keeper of the jaguar, without whose permission people cannot slaughter jaguars or damage their habitat. In the world of ecology, Colombia has a deservedly high reputation for conservation and for its system of managing an extremely valuable ecosystem. As chairman of the all-party group on Latin America, I pay tribute to the Colombian ambassador, Humberto de la Calle—not just because he happens to be present, but because he has been an excellent colleague in London.

I have two questions, of which I have given notice. Yesterday, at a meeting of the British and Colombian chamber of commerce, a case was presented by Sir Keith Morris, Alexander Kennedy, the chairman, and Robert Bedloe, the chief executive. My question for the Minister is how much money is Britian giving to the Plan Colombia?

In September, I led a parliamentary debate to Lima in Peru. We visited the upper Amazon, where the mayor of Iquitos said, "Look, you see our grey ships with their guns on the river. We are not going to fight our neighbours—this is all about drugs. At every airport, you see dogs sniffing every bit of luggage. We are doing everything possible against drugs." That message was reinforced strongly by the expert drugs administration in Lima, and emphasised by President Fujimore. However, they also said that Colombia could not do anything effective unless we did something about anonymous numbered bank accounts in Great Cayman, the Virgin Islands, Belize, Bermuda, the Bahamas, Zurich, and even perhaps London.

I have raised that issue with my hon. Friend the Minister who is present today, with the Minister of State, Home Office, my hon. Friend the Member for Norwich, South (Mr. Clarke), who is taking a departmental lead, and with my hon. Friend the Financial Secretary to the Treasury. I have even spoken to my right hon. Friend the Prime Minister, in the most friendly way, about the matter. What progress is being made on the issue of anonymous numbered bank accounts, which affects Colombia as much as Peru?

10.58 am

Mrs. Cheryl Gillan (Chesham and Amersham): The Opposition share the concerns that have been expressed about Colombia and its peace process. Unlike the hon. Members for Kilmarnock and Loudoun (Mr. Browne) and for Wythenshawe and Sale, East (Mr. Goggins), I have not had the advantage of visiting Colombia; and, unlike the hon. Member for Richmond Park (Dr. Tonge), I have no current plans to visit the country. I will therefore be brief, which will please the hon.

[Mrs. Cheryl Gillan]

Member for Linlithgow (Mr. Dalyell). I, too, commend the good offices of the Colombian ambassador, who has helpfully kept me informed as an Opposition Front-Bench spokesman.

I shall approach the subject of the peace process from a slightly different perspective. I want to probe the Minister on the relationship between the United Kingdom and Colombia. I asked the Library to produce some figures for me. Our imports from Colombia amount to £200 million, compared with exports to Colombia of £107 million, resulting in a UK crude trade deficit of £93 million. To put it in context, imports from Colombia represent 0.1 per cent. of total UK imports, whereas UK exports to Colombia account for 0.06 per cent. of all UK exports. Colombia is outside the list of the UK's top 50 export markets, or sources of imports. Will the Minister tell us what prospects there are for increased trade with Colombia, and whether an export promoter at the DTI is examining those prospects?

Will the Minister tell us about Colombia's position as regards Export Credits Guarantee Department cover? The ECGD moved the country off cover following a review last October, when its credit rating was downgraded owing to a significant deterioration in its economic conditions. That cover is due to be reviewed next October, but is there any chance of a review taking place earlier than that? If not, what can be done to help Colombia's return to ECGD cover?

As I am sure we are all aware, the economic situation in Colombia has been difficult. The country's statistical department says that industrial production fell last year by 16.5 per cent. The only branch of industry to register increased output was oil refining, which went up by 11.5 per cent. on the 1998 figures. The worst performer was the auto industry. However, the country is making great efforts on the industrial front, for example, by establishing four new tax-free export-processing zones. Has the Minister had any discussions with the Colombians about those zones? Does he see any opportunities for British businesses?

There is no doubt that a large number of people are involved in the peace process in Colombia, and I am delighted that business leaders there have expressed support for that process. Nicarnor Restrepo, who is head of the Suramericana Group—a top company—said that business leaders were determined to break the cycle of violence that was blocking economic growth. He described the talks with guerrilla leaders as positive, and hoped that those talks would contribute to national reconciliation. It is a good sign that business leaders are engaged in the peace process; they are to be welcomed as warmly as any other participants in the process.

However, it is sad to read of continuing violence, particularly when it is directed towards the country's infrastructure, for that in turn damages economic health and well-being. Large areas of central and north-east Colombia, including Bogota, had to try to get back to normal after severe disruption from power failures caused by bombing that took out about 300 pylons. That meant that electricity had to be rationed in parts of the country. If the peace process is to succeed, that sort of economic guerrilla warfare must stop, as must the killings.

Two of the speakers highlighted the problem of drugs. I hope that the hon. Members for Wythenshawe and Sale, East and for Richmond Park did not intend to understate the drugs problem emanating from Colombia. British interests and UK citizens are affected by that problem, as are future prospects for business. Not to examine the problems fully is to put our head in the sand. I agree with the Minister that zero tolerance should not be regarded as the only option, but we must reflect on the message sent to drug producers when we subscribe to harm reduction measures and propose either the legalisation of the use of certain drugs, or the lessening of the status of the criminal offence of possessing or trafficking in them.

On previous occasions, I have urged the Minister to consider crop substitution. I asked him a question about it a while ago, but he did not reply. I hope that he has done some research in the intervening period and can now tell me about the prospects for replacing the poppy crop with pyrethrum chrysanthemum; it is much in demand as a natural pesticide and there has been a world shortage of the crop. I hope that the Minister has done some work on the potential for crop substitution and can answer my question.

Mr. Battle: Will the hon. Lady give me more details about the company in her constituency?

Mrs. Gillan: Yes. I have already provided information about it to Ministers in the Department of Trade and Industry and, indeed, to the Minister himself. The company is called Agropharm. My inquiry is genuine and I hope that the Minister can give us chapter and verse in his response. Thus far, his responses have not been full.

Mr. Battle: Give me a chance.

Mrs. Gillan: Well, the Minister knows that I raised the issue on a previous occasion.

Let me return to my theme of the involvement of business men. There is no doubt that armed conflict in Colombia will not end while drug trafficking persists.

Those are the words of Nicarnor Restrepo during chamber of commerce discussions, and I believe that he is right. What plans does the Minister have to boost operations providing counter-drugs assistance and supporting the UN international drugs programme? The UK has contributed £2.2 million, which is only a small sum. I do not know whether the Minister has scrutinised the budgets and examined the possibility of increasing our contribution. Under what review process is he examining expenditure and resources with a view to increasing the UK contribution?

The hon. Member for Linlithgow mentioned drug money laundering. I share his great concern about unnumbered anonymous bank accounts, but, when I was in the Cayman islands last year, I discovered that using a blunt instrument is not the answer. The OECD report into tax havens has created problems for Caribbean islands. We are quick to criticise Caribbean tax havens, but not to praise them. In an international context, the Caymans were asked to discuss with other financial centres their successful schemes to trace the proceeds of drug money laundering and combating

financial crime. The Cayman islands are in the forefront of that fight, so I hope that the Minister will acknowledge that and not allow such financial centres to be attacked in a gratuitous and willy-nilly fashion. That is not the answer to stopping the drugs trade.

We all know about the difficulty of peace processes—after all, we are engaged in our own peace process. We should never underestimate the challenges faced by the Colombian Government. The message from today's debate is that we offer as much help, counsel and support as we can provide, but that we will not interfere. We must remember that the peace process belongs to the Colombians. We hope that the peace process will work. We all subscribe to the idea of a new Colombia, in which peace, democracy, freedom and social justice prevail.

11.9 am

The Minister of State, Foreign and Commonwealth Office (Mr. John Battle): I am grateful to my hon. Friend the Member for Kilmarnock and Loudoun (Mr. Browne) for introducing this debate. By raising this subject in Westminster Hall he attracts British attention to such matters. It is time that the international community had a greater focus on Colombia, so I am grateful to my hon. Friend for securing this debate and to hon. Members who have participated in it.

My hon. Friend spoke from the experience of his visit and gave a detailed account of his impressions. Indeed, he conveyed a deep and passionate commitment to the courage of the Colombian people whom he met on his visit. His impression of that courage remains with him and he has brought it before us in our deliberations. My hon. Friend mentioned Colombia's beauty and diversity, but made special reference to its people, and we are grateful for that perspective. He gave a detailed analysis of the causes of conflict and provided a good introduction to Colombia for those who may know nothing about it. He told us about the history and present status of the plan for peace and spoke about a future vision.

The hon. Member for Richmond Park (Dr. Tonge) therefore has a good template for her visit, although I acknowledge that she displayed more knowledge of Colombia than most people. The Foreign Office is happy to give information, back-up or support to the hon Lady or any hon. Member who is visiting overseas. Hon. Members have only to ask for such back-up and are entitled to a private meeting in the Foreign Office and a detailed briefing. They can get as much information as they need to undertake such visits. Visiting different places and keeping discussion alive is a good use of Members' time: indeed, we have witnessed that this morning.

As the hon. Member for Chesham and Amersham (Mrs. Gillan) suggested, Colombia's economic potential bears comparison with Brazil and Argentina. The tragedy is that that potential has not been fulfilled. The current problems of violence, drugs, social disruption and great personal tragedies undermine Colombia's potential to become a diverse, prosperous state for all its people and a beacon in Latin America.

We have followed events with great concern, and we hope to consult widely on how best to help. I join my hon. Friends the Members for Kilmarnock and Loudoun and for Wythenshawe and Sale, East (Mr. Goggins) in the highly complimentary remarks that they paid to the British non-governmental organisations which have engaged in the country and worked there patiently for some years. Those NGOs establish a British presence in Colombia and their contributions and analyses are important to the Government.

Colombia is no stranger to violence. In response to the hon. Member for Richmond Park, a lack of security is a crippling deterrent to future investment and job generation. To put it crudely, few business men will be keen to visit if they do not feel safe. In the late 1940s and early 1950s, civil war known as La Violencia took place between the conservative and liberal parties dominating the country and cost 250,000 lives. The first guerrilla groups emerged in the 1960s and have been fighting the Government ever since in what is probably Latin America's longest and most brutal internal conflict.

Paramilitaries joined the conflict in the 1980s and it expanded rapidly in the 1990s. In addition to internal conflict, there are high levels of everyday criminal violence. Colombia still has one of the highest murder rates in the world.

My hon. Friend the Member for Wythenshawe and Sale, East mentioned the wider economic context. Colombia has recently suffered its worst recession for 70 years and has endured knock-on effects from the Asian financial crisis and last year's devaluation of the Brazilian real. It has also suffered from the problem of low commodity prices and damage caused by El Nino. In other words, the Colombian economy is under great pressure. Efforts so far to introduce legal crops and support transport networks and marketing facilities have produced disappointing results because investment is expensive. New crops are often not sustainable. It must be taken in the full economic context, which is why it is not an easy strategy in the current economic context.

Mrs. Gillan: Will the Minister undertake to write to me again when he has evaluated the sustainability of introducing pyrethrum and the support that farmers would need for that crop?

Mr. Battle: I have done some work on pyrethrum. It is an insecticide, not a weed killer. We are not involved in any direct crop eradication or spraying programmes in Colombia. In January, I announced that £350,000 was going to an international drug control programme to look at monitoring coca and replacing it with useful crops. It is not clear whether pyrethrum would be used for crop eradication in Colombia, but I will take the matter further in the light of the hon. Lady's interest in the company in her constituency.

Mrs. Gillan: The Minister is mistaken. I am talking about using pyrethrum not for crop eradication, but as part of a crop substitution programme. Pyrethrum is indeed an insecticide. It is used, for example, to protect pilgrims to Mecca against attack from various nasty things. This is not about crop eradication, but purely about crop substitution. It is used as an insecticide in other parts of the world and is greatly in demand.

Mr. Battle: I am grateful for the hon. Lady's clarification. I will certainly take that matter further for her. I will ask the Government's chief scientist to make

[Mr. Battle]

inquiries into the properties of pyrethrum to see whether it can be used positively. I do not say that dismissively. We should look at modern science and the potential of bio-remedial methods to address the problems.

Mr. Tony Lloyd (Manchester, Central): I am grateful to the Minister for giving way. I had to miss the earlier part of the debate and I should like to make a brief point about crop substitution. Although it is very attractive, one of the simple realities is that unless we, the consumers, are prepared to pay the price to the growers, crop substitution is totally irrelevant because it simply will not exist in those very thin soils.

Mr. Battle: My hon. Friend is absolutely right. At the risk of embarrassing him, may I say that he did a great job as Minister of State in campaigning for and raising the profile of Colombia? I am pleased that he is here for this debate. I shall do my best to follow his efforts.

Last week I met the general secretary of the Latin American Association of Human Rights, Dr. Juan de Dios Parra, and we spoke about the problem of the vulnerable indigenous communities in southern Colombia. Indigenous peoples represent 1.5 per cent. of the population—some 700,000 people. They are particularly at risk because they are neutral in Colombia's internal conflict and so are targeted from all sides. They are forcibly recruited by FARC and, dare I say it, by the military too. They are at risk from the paramilitaries, who are keen to extend the land under their control to expand and extend coca cultivation.

Four indigenous communities disappeared entirely last year and displacement is increasing. I mention that because this is about real people who suffer as a result of the violence. Only last Saturday night, Colombian TV channels showed reports of a massacre by FARC guerrillas in the towns of Vigia del Fuerte and Bellavista, which are situated on opposite sides of the Atrato river. The police station was destroyed and 21 police were murdered, some at point blank range after they had surrendered. Their bodies were then chopped up with machetes. A woman and her two infants were also reportedly murdered.

I mention that because it is important to see the scale of the violence all around. The reaction of the head of the police and the army in those circumstances was unusually strong. The head of the Colombian police, General Rosso Serrano, was obviously angered and distraught during a visit to the town. He called on all human rights NGOs to witness what was going on. It is important to witness those events, but it is important, too, to keep a clear perspective on the complexity and difficulties that people experience. My hon. Friend the Member for Kilmarnock and Loudoun paid tribute to the efforts of police forces to get a grip on an incredibly difficult situation, when their officers are at risk.

The President of Colombia and his Government face a daunting task. Plan Colombia was published at the United Nations general assembly in September 1999. It is an ambitious set of proposals to tackle disruption, destruction and displacement, a plan for peace and prosperity, to strengthen the democratic state. It includes judicial and human rights strategies, assertion of the rule of law and the promotion of impartial justice for all. The aims are admirable, and, in principle, as hon. Members have said, it is a good thing.

Colombia is the world's largest producer of coca leaf, from which cocaine is manufactured, and acres of land are devoted to the opium poppy, which is turned into heroin. The vast wealth produced by that trade finances illegal armed groups and their struggle for control, and the income that they produce in the region, undermines the search for peace. Drugs and the drugs business—I use that term deliberately—are part of the problem, but not the whole of it.

I am aware of NGOs' statements, including the excellent report from AB Colombia, that there was insufficient consultation with the civil society in drawing up Plan Colombia. That view must be taken seriously, because it is essential that civil society is involved in the search for peace.

The NGOs must ensure that the Colombian Government understand their ideas, concerns and proposals; they, too, have a role to play in designing a positive vision for the future. The Colombian Government, for their part, should take the NGOs' representations into account as the plans are crystallised. We must emphasise that there is a process—

Mr. Dalyell: Sir Keith Morris, Alexander Kennedy and Robert Bedloe asked last night if there was any figure for British involvement in Plan Colombia.

Mr. Battle: We are actively discussing with our European Union partners about the areas to which we could add value. We are not at the point of discussing our contribution in figures, because who does what, when and where is part of the plan's structure. As I shall say later, we are looking for a wider vision for the plan, which will be part of our discussions.

I was asked whether there is any real possibility of peace. The key is to engage all the parties involved. President Pastrana's high commissioner for peace, Mr. Victor Ricardo, is in London now—I believe that he and the ambassador are present in the Chamber to listen to our debate. They have played a tremendous role in furthering relations, which we welcome. I had discussions yesterday at the Foreign and Commonwealth Office with Mr. Ricardo, who has been negotiating with the guerrillas, notably with FARC, on behalf of President Pastrana's Government. He and representatives of FARC, who are working towards a common end, toured European capitals last month. The violence may have continued, but bringing the parties together is a symbolic action that is greatly appreciated in Europe. We hope that there will be more talks and joint visits. We would welcome a mission to the United Kingdom if that was thought to be helpful.

We are encouraging the Colombian authorities urgently to tackle the problem of human rights abuses, which were highlighted in three recent reports, from Human Rights Watch, from the United States State Department and from the United Nations human rights office in Bogota. We positively support the initiative and the Foreign Office now contributes substantially to funding. The message in those reports is clear: there is a long way to go in tackling human rights abuses in Colombia. We take every opportunity to condemn the

appalling violence perpetrated on the Colombian people by the illegal armed forces. We strongly urge the Colombian authorities to tackle the problem of collusion between the paramilitaries and the armed forces. There is general agreement that the paramilitaries are now a key part of the problem in Colombia. They have expanded at a faster rate than FARC, from several hundred members in 1990 to some 5,000 now. We realise that the police and the forces have to undertake harrowing and dangerous tasks and we do not underestimate the losses that they have suffered. However, there is a need to build mutual confidence in the rule of law for the future of Colombia.

I have written recently to the vice-president of Colombia, Dr. Gustavo Bell, to tell him of our Government's concerns, especially about alleged collusion between the armed forces and the paramilitaries. Once again, we do not underestimate the difficulties of dealing with those problems. Yesterday I spoke again to Mr. Ricardo, particularly in the context of the evidence in the report from Human Rights Watch. I know that the Colombian authorities take these criticisms extremely seriously. They have established a special committee, headed by the vice-president, to address these matters. That is encouraging but, as Mr. Ricardo acknowledged yesterday, more needs to be done.

I stress once more the important contribution that has been made by UNHRO. Once again, we solidly support it. We have given approximately £108,000 towards the cost of running its office. This year's session of UNHRO opened last week in Geneva. There is to be a debate on Colombia, with emphasis on UNHRO's report on Bogota. We are urging our EU colleagues to issue a strongly worded statement of their position on the issue. We must make use of that resolution. We have raised the issue of human rights and the safety of human rights workers especially—that was mentioned by my hon. Friend the Member for Wythenshawe and Sale, East. In the past four years, there have been 36 murders of human rights defenders and I raised this with Mr. Ricardo. I pay tribute to the members of the non-governmental organisations. They have been threatened and abused, and some have been murdered, but they continue to work courageously to defend ordinary people and call abuses to account. People have memories about all those things. They remember names, faces, dates and times. People who murder with impunity will never have immunity in the long run. History and justice will out. We shall use every opportunity to remind our interlocutors of their responsibility to defend and protect those who dedicatedly defend human rights and we pay tribute to their courage.

I will mention briefly the projects for peace that are in hand. This relates to questions asked by the hon. Member for Chesham and Amersham, and is part of the commitment of the Department for International Development to reducing conflict and building peace in Colombia. In January, almost one third of a million pounds was given to a four-project programme, the components of which are a peace partnership convocation to promote and strengthen partnerships between local and regional governments, public and private sector institutions, NGOs and local communities. The precise task of these projects is to build from the base the possibility of civil society once more. Up to 10 representatives of institutions identified as leaders in local peace-building initiatives will participate in a UK study tour to look at where they can compare notes in relation to base building. That will be important work.

I acknowledge the work done by members of Fiscalia in investigating cases of abuse, as well as the work done by the vice-president's human rights team and Defensor del Pueblo. Their role is unenviable; they too are subject to attack. We support their efforts and are seeking ways of working with them and assisting them in detail.

Colombia's Nobel prize-winning novelist, Gabriel Garcia Marquez, described Colombia's conflict as a biblical holocaust that threatens to consume the country. I trust that time will prove him to have been over-pessimistic. The challenge of resolving that country's problems is intimidating. We have worked quietly but solidly to provide advice, training and development for both Government and non-governmental projects, and we are ready to do more in collaboration with our EU partners.

I highlight in particular the work of our embassy in Bogota for the support of civil society in Colombia, especially the support that it has given to human rights NGOs and to the peace movement. It is important to continue to maintain our dialogue with Colombia at the highest level. I shall be seeing Jan Egelund, the UN special representative for Colombia, who is coming to the UK tomorrow. I am pleased to announce that the Prime Minister has invited President Pastrana to visit London on 13 April for talks at No. 10.

I have not been able to respond to all the issues that hon. Members have raised. I shall write to those whose points I have missed, especially those on money laundering, about which I shall talk to the Minister of State, Home Office, my hon. Friend the Member for Norwich, South (Mr. Clarke), then follow them through. It is important that Plan Colombia is not reduced to short-term crisis management strategies. It can be transformed into a vision, as this debate has shown. It can form a positive aid and judicial reform package. We are providing small but necessary sums to improve the administration of justice, but what Colombia really needs is a nationwide, inclusive, good governance programme that addresses the complex causes of violence that have been mentioned this morning. As Human Rights Watch states, with proper development and conditionality, the plan could improve human rights in Colombia, so let us back it and add value to it.

Rutland and Tresham Colleges

11.30 am

Mr. Alan Duncan (Rutland and Melton): The purpose of this debate is to give voice to profound local concern, if not growing anger, about the proposed merger of Rutland and Tresham colleges—[*Interruption.*]

Mr. Deputy Speaker (Mr. Nicholas Winterton): Order. Will those leaving the Chamber please do so quietly?

Mr. Duncan: Thank you, Mr. Deputy Speaker.

Those concerns centre on not only the proposed merger, but on the highly unsatisfactory way in which it has been processed by the Further Education Funding Council. I appreciate that the Minister will be slightly constrained in what he can say this morning, but the value of this debate is that, at least from now on, he and the Department for Education and Employment will be under no illusion about the strength of feeling locally and in nearby Stamford, which is represented by my hon. Friend the Member for Grantham and Stamford (Mr. Davies).

Rutland college is based in Oakham, the county town of Rutland. It is essentially a sixth form college for 16 to 19-year-olds, but also contains a small element of adult education; it has a capacity of about 600 pupils. As the only post-16 institution in Rutland, it is fed primarily by the three community colleges for 12 to 16-year-olds in the area: Uppingham, Vale of Catmose and Casterton. To its credit, Rutland college has generally produced good A-level results and it received a good report in a recent Ofsted inspection. It is a relatively popular institution, which sits on its own in the centre of a sparsely populated rural area.

Nothing that I say today should be considered as expressing anything other than a wish to see the college flourish in the years ahead. The origin of the college's desire to merge is entirely financial; any supposed educational benefits are secondary and utterly unconvincing. The whole unhappy episode was initiated by a glance in the crystal ball that alerted the college to the near certainty that it would face a financial deficit in future. There is no crisis now, but it is predicted that, next year or the year after, the college will suffer a shortfall of £100,000 or more. No one can blame the college corporation for taking steps to address that deficit. On the contrary, it has a responsibility to do so, and its chairman, Nigel Chubb, who is an experienced local figure in industry, can only be commended for trying to safeguard the future of the college. However, the preferred solution—a merger with Tresham college in Northamptonshire—and the steps taken to achieve it have set the issue alight.

Every interested party outside the college opposes the merger. Every secondary head teacher is opposed. The school governors are opposed. Most parents are opposed. Nearby Stamford college is opposed. Rutland council is opposed. I am opposed, and my hon. Friend the Member for Grantham and Stamford, who I hope will speak in the debate, is opposed. The whole world is against the merger, except the FEFC and Rutland college itself—and even the college is not unanimous.

There is no established pattern within which Rutland ever looks south to Northamptonshire. Rutland likes to be self-contained, where that is realistic, but if it wants to associate with a neighbouring area for any reason, it invariably looks to Stamford to the east, or to Melton to the north. People living in villages in the eastern half of Rutland shop in Stamford rather than Oakham. One of the local newspapers is the *Stamford Mercury*, which also has a Rutland edition. Indeed, the parliamentary constituency used to be Rutland and Stamford. Rutland looks to Lincolnshire or to Leicestershire, never to Northamptonshire.

Tresham is a college in Northamptonshire, with its campus and a series of sites in Corby, Kettering and Wellingborough. Last year, a grand total of three students from Rutland went to Tresham college. There is no natural link between Rutland college and Tresham college, and no natural link between Rutland and Northants. Tresham just happens to be there and is thought to be a suitable lifeboat in the face of Rutland college's imminent financial problem.

There is no educational rationale for the merger. Any suggestion that there will be educational gains is a specious and disingenuous justification for a merger that is driven by other reasons—indeed, those other reasons are pretty spurious too. Joining two institutions in such a way is a response to a completely perverse incentive: a financial incentive, which is perverse because it is a response to artificial structures such as the funding formula and the distribution of government money.

The funding formula is peculiar, a deficit is looming and Tresham is there. The colleges might be able to save £50,000 by merging. They think that, by joining together, they will be in a stronger position to lobby the Government for money. No doubt there will be no end of property deals and asset allocation—not to say asset stripping—to get the books in shape. At best, the whole project is merely financial; at worst, it is a most unenlightened response to the perverse incentives that emerge from a collectivist education system and its funding.

It is said that there will be no bussing of students between sites. Perhaps there will be teachers who can bring their expertise to both colleges, but they could do that anyway. Even if the Rutland-Tresham merger were the only option, it would not be an inspiring plan. However, it is not the only option, and the way in which the merger has been driven down this particular cul-de-sac is dubious, to put it mildly—indeed, such a comment would be far too mild. The truth is, I have never seen such a blatant case of bureaucratic bulldozing.

The Minister will no doubt have been assured that the FEFC has followed the proper procedures to the letter. That is not true. If the Minister has been told that, he has been misled. The audit trail of letters and meetings might make it look as though it has done so, but it has merely gone through the motions. I was not born yesterday and I did not come down with the last shower of rain. I am profoundly disturbed by the attitude of FEFC officials, who are clearly so bent on forcing the merger through that they have chosen to ignore all contrary points of view. With regret, I name Christine Frost as one who has incurred the universal displeasure of all those who are opposed to the merger. Her apparently unbending agenda amounts to questionable conduct.

One of the most aggrieved parties is Stamford college, which is in the constituency of my hon. Friend the

Member for Grantham and Stamford. A few years ago tentative discussions were held between Rutland and Stamford colleges, but they were not pursued in detail, partly because the principals did not get on. That has now changed. Merging with Stamford is an obvious option, but it is a complete and utter distortion to say that it has been properly studied this time around as an alternative to Tresham. It has not. If the Minister has been told that it has, he should read the riot act as soon as this debate is over, because he will have been misled again. Stamford is a serious option and in all respects a far more logical one.

In its letter of 21 January to the principal of Stamford college, the FEFC said:

> Before arriving at this decision the committee carefully considered the implications for Stamford including the issues raised by the college under each of the Council's criteria. The committee recognised that there would be some impact on Stamford but did not consider this would be significant.

The council's criteria—my elbow! In relation to the number and intensity of local objections to the merger, the letter merely said:

> These concerns will be recorded in the minutes and drawn to the attention of the Council.

Let me translate that into real English. That section should have read, "I intend to go through the motions, ignore any objections, dupe the decision makers in the FEFC and press ahead anyway. PS—get lost."

The Stamford option is a compelling alternative. An established pattern of association exists between the two towns, and 200 full-time students already travel from Rutland to Stamford. Furthermore, the Learning and Skills Council, which will soon come into being, will link Rutland with Lincolnshire, so what is the point of pre-empting that development by creating a merger that will straddle two different learning and skills council regions? The Stamford principal is a go-getting and much-admired figure whose proposals have not been given a fair hearing. His plans have been dismissed, humoured and surreptitiously sneered at by the FEFC, which has not studied the Stamford option properly, but has only advanced the Tresham proposal.

The other aggrieved party is Rutland county council, which is being denied a proper chance to set and shape the future of post-16 education in the county. It is not pie in the sky Rutland nationalism for the council to have a dutiful wish to implement a responsible post-16 education policy for the only institution of its kind in the county. The Secretary of State for Education and Employment, in a policy letter dated 14 December 1999, encouraged the establishment of

> an LEA-maintained sixth form centre

but there is no prospect of that happening if the merger proceeds.

Part of the FEFC's claim to have followed the rules fully is its so-called fact-finding visit to Rutland county council on 3 November 1999. Such a claim is deceitful, as the visit was neither billed nor conducted appropriately. The two main councillors concerned—one responsible for lifelong learning, the other the head of the education committee—were not even included. Those in Rutland were dumbfounded by the attitude of the representatives of the FEFC. Christine Frost has become public enemy No. 1, and there is no prospect of anyone in the area who is opposed to the merger trusting her again on such matters.

My dealings with the FEFC have been unsettling. I asked to see the chief executive, but I saw only others. I was promised an account of supportive submissions, but it was never sent to me. I secured an emergency meeting before the FEFC's meeting on 8 March, but I received no subsequent account of it. Hon. Members can therefore imagine my annoyance on first learning about the council's obdurate decision to recommend the merger from a journalist who had received a gloating press release from Rutland college. Only now that I am on the warpath has the chief executive invited me to see him.

The FEFC has shown complete contempt for any genuine process of consultation. It has gone through the motions with its mind made up and trampled over any objection with a shameful disdain. To my regret, I now have no confidence in the FEFC and I have formed an entirely negative view of some of those within it. Stamford college has lodged a formal written complaint. I was advised today that Rutland council intends to move a resolution, as soon as possible, to invoke the process of judicial review. I am almost inclined to issue a writ myself. Regardless of any legal outcome, the merger proposal remains deeply flawed.

It would be nothing short of negligence and administrative vandalism to go ahead with the proposal without considering the Stamford option again, and without allowing Rutland county council to consider the overall future provision of post-16 education. The merger is ill-conceived, ill-timed and ill-considered. It has taken on a momentum of its own against the wishes of almost everybody who has an interest in quality education in Rutland. The FEFC should withdraw its recommendation. Failing that, the courts or the Secretary of State should stop it in its tracks and give wiser consideration to the bigger picture.

11.43 am

Mr. Quentin Davies (Grantham and Stamford): I am grateful to my hon. Friend the Member for Rutland and Melton (Mr. Duncan) for allowing me to intervene briefly in this debate, which I congratulate him on securing. My hon. Friend used strong language, which is entirely justified by some familiarity with the facts and the peculiar circumstances of the case.

My concern is threefold. First, as hon. Members will appreciate, I am concerned about the interests of my constituents. There are about 20,000 people in the town of Stamford, and those in the surrounding villages and small towns take the total population to between 30,000 and 40,000. The proposed merger threatens the de facto division of labour between Stamford college and Rutland college; that, in turn, threatens the future of certain courses at Stamford college, such as engineering and modern languages. It is important that the college should continue to offer those courses, but they will become unviable if only a few people are removed from them.

I am worried not only about Stamford college as an institution, but about the whole town and the surrounding area—especially given that Stamford's only state secondary school in the maintained sector does not have a sixth form. Stamford college is alone in being able to provide A-level courses in the maintained sector. Any reduction in its range of courses—especially

BEST COPY AVAILABLE

[Mr. Quentin Davies]

the key, slightly harder subjects to which I referred—would therefore be an educational disaster for the people of the area. It is extraordinary that that has not been taken on board by those who have public responsibilities in that context.

Secondly, I thoroughly endorse what my hon. Friend said about the travesty of procedure and consultation that has taken place, and about the extraordinary unbusinesslike way in which it is proposed to proceed with the merger without having properly evaluated the alternative of a merger with Stamford. It is elementary business procedure to consider and evaluate the entire range of options before making a decision. Clearly, that has not happened in this case.

Finally, it is astonishing that the authorities should consider proceeding with the merger when public opinion as a whole—not merely that of the locally elected district and county councillors and the two local Members of Parliament—is overwhelmingly against it. If the views of local representatives are not considered to be worth hearing, why bother with the structure of democracy that we have in this country? In any case, the views of local educationalists should be dominant, and local head teachers are apparently unanimously opposed.

I endorse my hon. Friend's comments and ask the Minister to instruct the bureaucracy to proceed with the case in the businesslike, straightforward, dispassionate and balanced fashion that we are entitled to expect of our public authorities.

11.47 am

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Michael Wills): I thank the hon. Member for Rutland and Melton (Mr. Duncan) for raising the issue, and recognise the strength of the concerns that have been expressed by him and the hon. Member for Grantham and Stamford (Mr. Davies). I assure the hon. Gentleman that we take those concerns very seriously and recognise the importance of the matter to their constituencies.

It may be helpful if I explain a little of the context in which such decisions are taken. The Government regard greater collaboration as an important part of our plans for the further education sector. We want to encourage collaboration between the various providers in the post-16 world to raise standards and to provide better opportunities for all young people and adult learners. That is one of the key driving forces behind the Learning and Skills Bill that will shortly be introduced in the House. We aim to remove some of the barriers to effective collaboration between providers, which include schools and colleges.

Where appropriate, such collaboration will involve mergers. There is still too much wasteful competition between colleges in many respects, and small class sizes can mean that specialist provision is threatened because it is not cost effective to provide it. Mergers can help to resolve such situations and safeguard some kinds of specialist provision. Of course, we recognise that mergers can be highly sensitive issues locally. We have heard much this morning about the process that has been involved in this case, so it may assist the hon. Gentlemen if I explain the details of that process that were overlooked in their remarks.

Mergers between further education institutions must follow a set statutory procedure, which starts with local consultation with other further education providers, local authorities, local businesses, schools and other interested parties. The FEFC has a set procedure for considering mergers and it applies a set of criteria to all merger proposals. The criteria are: first, the educational benefits of the proposals to students, particularly the effect on access and choice; secondly, the implications of the proposal for the future development of post-16 provision in an area, including the potential impact on other further education providers; thirdly, the financial benefits of the proposed reorganisation, particularly in terms of the proposed merged institution's viability; fourthly, the extent of consultation and the consideration that has been given to alternative options—that should deal with some of the concerns that have been raised this morning; and, finally, the likelihood of the proposed reorganisation being successfully implemented.

Mr. Quentin Davies: On the penultimate criterion, will the Minister assure the Chamber that full consideration has been given to the possibility of a merger with Stamford college, and that that possibility has been evaluated as thoroughly as the merger between Rutland and Tresham colleges? Has a strategic plan been developed for the merger of Rutland and Stamford colleges? My information is that no such business plan has been proposed and that no such option has been properly evaluated.

Mr. Wills: I hope that the hon. Gentleman will be patient for a few more minutes. I am about to explain that the process is not complete. It is important to complete my outline of the process, after which I should be able to enlighten him about where we stand in that process.

There is a statutory procedure that has to be gone through, after which the proposals and responses to the consultation are considered by the regional committee of the FEFC. That committee considers the local impact of the proposals and hears representations from those who oppose, and those who support, the proposals. In the case of the merger that we are discussing, I understand that the regional committee heard representations directly from Stamford college, Rutland county council and the community colleges of Lincolnshire before considering its advice to the reorganisations committee.

Mr. Duncan: I am sorry to interrupt, but it is not true to say that the representation from Rutland county council was properly heard. The meeting at which the Government suggest consultation took place was a complete and utter sham. It was billed as a basic chat, but it turned out to be the formal consultation, of which Rutland county council had been totally unaware. It was a disgrace.

Mr. Wills: I take note of the hon. Gentleman's account of what occurred, but it stands as a matter of fact that there was a presentation and the relevant bodies had an opportunity to make their views known.

The regional committee normally considers whether or not the FEFC should publish proposals in accordance with the statutory requirements placed on it by the Secretary of State. They require the FEFC to issue formal notices setting out the proposals, and to allow four weeks for comments. After that formal consultation period, the reorganisations committee decides whether or not to forward the proposals to the Secretary of State for a decision in the light of the responses. That statutory process provides ample opportunity for all concerned to make known their reservations about any proposal. I confirm that the representations made by the hon. Member for Rutland and Melton have been sent to the Department. We shall, of course, carefully consider everything that he and the hon. Member for Grantham and Stamford have said this morning.

When the proposals are sent to the Secretary of State, they are considered carefully, along with all the responses received during the statutory consultation process. The hon. Member for Rutland and Melton will be aware that mergers between further education colleges are considered on behalf of the Secretary of State by my noble Friend Baroness Blackstone. I assure the hon. Gentleman and the hon. Member for Grantham and Stamford that she takes into account all the relevant facts, including the wider strategic and local effects that the merger might have on the community and on other education provision. I assure both hon. Gentlemen that what they have said today will be taken into account by my noble Friend. If, after detailed consideration, she approves the merger, statutory instruments will be laid before both Houses to bring the proposals into effect.

The formal proposal from the FEFC for the merger betweeen Rutland college and the Tresham institute has only just arrived at the Department and my noble Friend will consider it in due course. We have not yet reached the decision-making stage. I am sure that the hon. Members for Rutland and Melton and for Grantham and Stamford will understand that I cannot comment on the merits or otherwise of the proposals before the Minister reaches her decision.

However, the Department is aware of the views of the hon. Member for Rutland and Melton on the matter, and they have been taken into account. He has made them known most forcefully, on this occasion and others, and we are considering them along with all the representations that we have received from interested parties. I know that the hon. Gentleman has been involved in correspondence and discussions with officials from FEFC, and I conclude by assuring him and the hon. Member for Grantham and Stamford that their concerns have been well noted, and will be taken into account when my noble Friend reaches her decision.

Mr. Deputy Speaker: We can move on to our next debate a little earlier than expected, as the Minister is in her place and the hon. Member for Milton Keynes, South-West (Dr. Starkey), who is to initiate it, is also present.

East-West Rail Link

11.56 am

Dr. Phyllis Starkey (Milton Keynes, South-West): Perhaps you could give me guidance, Mr. Deputy Speaker, as to whether I shall be allowed an extra four minutes, or whether we shall have to stop after precisely 30 minutes?

Mr. Deputy Speaker (Mr. Nicholas Winterton): I am happy to help the hon. Lady. We can continue the debate until 12.30 pm. The hon. Lady has therefore gained a little time, and I am sure that she will wax lyrical for as long as she sees fit.

Dr. Starkey: Thank you, Mr. Deputy Speaker.

I shall demonstrate that the reopened east-west rail link would be a critical and strategic addition to the national rail network; that it would be crucial to relieving congestion on both the road and rail networks; that it would encourage sustainable economic regeneration; that it would be widely supported; and that it could be delivered quickly and would be excellent value for money. However, Government action is required now to ensure that it goes ahead without further delay.

I speak not only on behalf of my constituency, but as the chair of a parliamentary group that contains 30 Conservative and Labour Members of Parliament representing constituencies along the route. I am grateful to those members of the group who are here today. A significant number of other hon. Members—including the hon. Member for Southampton, Test (Dr. Whitehead), who has just left—have sent me notes to say that they wished that they could be here to support the debate, but that it clashed with other commitments.

The east-west rail link would run from the east coast ports through either Ipswich or Norwich to Cambridge, Bedford, Bletchley—which is in my constituency—Oxford, Swindon and connections to the west of England. The core of the route, from Cambridge to Oxford, was closed to passenger services in 1968, and to freight in the 1980s. The closures were untimely, as they occurred just before the development of Milton Keynes and the growth of Bicester, both of which would probably have sustained the route and averted its closure. Some of the route remains open; for example, an excellent, though rather slow train service operates between Bedford and Bletchley. The Oxford to Bicester section was also reopened a few years ago. Almost all the track bed remains, although there is a nine-mile gap to the east of Bedford.

My first argument is that the link would provide a critical and strategic addition to the national rail network. The east-west route would provide an orbital route round London connecting all the main rail radials emanating from London and would maximise network capacity by connecting the east coast and west coast main lines. Hon. Members will be aware that there is virtually no spare capacity in the south of England on either of those main lines, so an east-west rail link would provide additional flexibility in the network. It would provide opportunities for both passengers and freight and would allow freight from London to the north to be rerouted, avoiding the east coast and west coast main

[Dr. Starkey]

lines, so it could relieve congestion on other parts of the network around London by diverting some existing services to the east-west route.

The route is crucial if congestion on road and rail networks is to be relieved. I have described its effect on relieving congestion on the rail network. It would also provide a realistic alternative to the current road network, linking town centres across England from east to west. The cross-country road alternatives are not particularly good and anyone who has used them knows that. They are not direct, there is little dual carriageway and some stretches have a poor safety record. The A420 from Oxford to Swindon is popularly, or unpopularly, known as the road of death because of its record of road traffic accidents. Furthermore, many town centres are heavily congested, so journey times from town centre to town centre are much higher. A direct east-west link is an attractive alternative. It would help to achieve a transfer of passengers from the road network to the rail network and it has been estimated that it would save up to 100 vehicle kilometres every year.

It would also encourage sustainable economic regeneration. The Milton Keynes, Northampton, Bedford triangle has been designated an area of substainable major growth. Cambridge, with its high-tech industries, is also under heavy development pressure, as are other sites along the route, including Norwich. The east-west route would make those locations transport nodes in a network from which passengers could go north, south, east or west without having to use the most congested parts of the network. It would allow new settlements and housing developments to be built along the east-west route, with employment, shipping and schools linked by rail instead of just by road. It would serve an estimated additional 400,000 new homes along the route. A feasibility study has shown that regeneration linked to the east-west route would create around 10,000 jobs and it can be calculated that taxes paid on earnings and other economic benefits would return £80 million to the economy.

The route would pass through Bletchley in my constituency. It is an old railway town which has suffered decline since the expansion of Milton Keynes. It has a high unemployment rate with poor health and lower incomes compared with other parts of Milton Keynes. There is a substantial amount of empty office and shop space. However, the moment is now right for the regeneration of Bletchley, because central Milton Keynes is becoming fully developed and developers are starting to look elsewhere. Bletchley could become an important secondary centre, but the east-west route is crucial. Bletchley would be the crossover point of the east-west route and the west coast main line. New settlements along the east-west route would look to Bletchley for work and shops. It would allow full exploitation of the tourist potential of Bletchley park, which is next to Bletchley railway station and was the wartime setting for the decoding of the Enigma codes, which made a huge contribution to the victory against fascism in the second world war.

The east-west route is widely supported. Plans for the route have been developed and sustained during the past five years by a consortium of 35 local authorities, controlled by a variety of political parties. This is a cross-party issue and I pay tribute to the work of that local authority consortium over the years in ensuring that the feasibility study for the east-west route was carried out, putting their money behind the idea and ensuring that the business case for the route was well and truly demonstrated, even if it is not entirely recognised in some places.

The east-west route is a crucial element in the local authorities' transport plans. It has been endorsed as a priority project in draft regional planning guidance for the south-east and east of England planning organisations. It has also been incorporated in the strategic plans of the new regional development agencies for the south-east and east of England, both of which have now become members of the consortium pushing the route and are keen to be involved in partnership promotion.

As I have said, the scheme is supported by a parliamentary group, which I chair, with 30 members representing constituencies along and close to the route. We all have a different constituency argument for stressing its importance, but all the arguments together make the overall case. The route has many things going for it, the last of which are that it can be delivered quickly and is excellent value for money.

Technically, the Bedford to Oxford section, with the Aylesbury link, can be delivered quickly. The track bed already exists and simply needs upgrading to allow travel up to 75 mph. That would be a huge, immediate advantage to my constituency, as the existing Bedford to Bletchley route is hardly any faster than it was 150 years ago. With increased speed, it would become a much more attractive alternative. No statutory powers would be required to open this section, so there is no need for a process under the Transport and Works Act 1992 or a public inquiry. The western end of the project has pre-qualified for the rail partnership fund, which is administered by the shadow Strategic Rail Authority.

The second phase, from Bedford eastwards, would take longer because of the nine-mile gap in the route. There has been considerable discussion in Bedford about whether the route should go through the centre of Bedford or round the outside. That matter has now been resolved, after an exceedingly heated public debate, and there is general support in Bedford for the inner route, serving the town centre. However, that will require a process under the Transport and Works Act 1992 because of the need to fill in the gap.

Several train operating companies are seriously interested in bidding to run services along different sections of the east-west route, which brings me to the funding mechanisms. There has been some confusion about the appropriate funding mechanism. Orignally, the local authority consortium was advised by the Office of Passenger Rail Franchising that it should pursue funding on its own, without the involvement of a train operating company. It is now being advised by the shadow Strategic Rail Authority that such involvement is fundamental to a successful bid. At the same time, the franchise replacement process has added complexity to the issue.

One of the train operating companies is including the west phase of the east-west route in its franchise replacement bid; another is including the full route in its

submission. The two companies are running on different time scales, with only one in the first tranche of franchise replacement. As part of the franchise replacement process, the train operating companies will not only bid to run services along the route, but intend to put some of their own money towards the capital costs that would enable the route to be brought into operation.

The Government, and to a lesser extent the rail passenger partnership, have created the mechanisms of franchise replacement to persuade the private sector to invest in the national rail network. The east-west route provides an excellent opportunity, with a number of private train companies seriously interested in putting their money into the system. However, the window of opportunity is very small. Once the franchises have been re-let, there may be no further opportunity for 10 years. The councils and Members of Parliament who support the route cannot afford to let that opportunity to benefit the people and the communities that they represent to slip through their fingers.

The east-west route is in line with Government transport policies and priorities and with their planning priorities. It could be an early demonstration of the benefits of that policy, but the Government must ensure that it goes ahead.

I have four requests, about which I hope my hon. Friend the Minister will reassure me. First, I ask the Government to recognise the local, regional and national benefits of the east-west rail link. Secondly, I ask them to support the consortium's initiative in seeking to work in partnership with the private sector to develop major rail infrastructure schemes. Thirdly and most crucially, I ask the Government to instruct the shadow Strategic Rail Authority and the train operating companies to deliver the east-west route in consultation with the consortium, which includes Railtrack, via the franchise replacement programme, or a combination of franchise replacement and the rail passenger partnership, with a commitment from the shadow Strategic Rail Authority and the train operating companies that the west end of the route will be operational in three years and the complete scheme in five years. If my hon. Friend says that she cannot instruct them to do so, I ask the Government to give a clear political steer that that is in line with Government policy and is how those policies should be achieved.

Fourthly, I understand that Rail Property Ltd. is trying to sell some of the sites that are essential to the reopening of the route, especially land near Bedford St. Johns station. I ask my hon. Friend the Minister to instruct Rail Property Ltd. to suspend its efforts in marketing those sites until the east-west route has been reopened, when some of them will no longer be able to be marketed. I hope that my hon. Friend can give me those assurances, so that I can pass them on to other hon. Members who support the east-west rail link and the councils that have worked so hard to try to achieve what would be a jewel in the crown of the Government's transport policy.

12.11 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Beverley Hughes): I congratulate my hon. Friend the Member for Milton Keynes, South-West (Dr. Starkey) on securing this debate, which provides hon. Members with an opportunity to consider the potential of an east-west rail link. She and other hon. Members in the region have worked strenuously to assist the consortium, and she has put her case with characteristic comprehensiveness and clarity. I hope that I can deal with most, if not all, of the points that she has made.

As my hon. Friend has said, the railway between Oxford and Cambridge was closed to passenger traffic in the 1960s, apart from a short section between Bletchley and Bedford. The section between Oxford and Bicester Town station has been reopened to passenger services. Freight services between Cambridge and Bedford also ceased in the 1960s, and those between Bicester and Bletchley in the 1990s. The possible need for an east-west rail link, which would provide an alternative route for freight and passengers to complement and relieve the A14 trunk road, has been discussed several times and is clearly an acute issue for people in the region.

Proposals of varying complexity have been formulated, the most extensive of which is to link Felixstowe and Bristol. However, as my hon. Friend has said, the pivotal sections of line are those from Cambridge to Bedford and from Bletchley to Bicester. Those sections are closed and, as she has said, the track has been lifted in some places.

We in the Department of the Environment, Transport and the Regions are committed to examining the feasibility of the east-west rail link, but it is important that a clear business case is made for such a large and expensive proposal before it is considered for public funding. I understand that the funding gap for the total project would be about £70 million. Possible ways forward include a phased approach to the scheme or a partial reinstatement. Those proposals have been discussed with the Department and the shadow Strategic Rail Authority. A separate proposal has consequently emerged involving the line from Oxford to Bedford. That would entail the reopening of the Bicester to Bletchley line and some improvements and upgrades to the existing track and infrastructure—the so-called western section proposal.

In order to encourage further investment in the rail network, the Government have provided the franchising director with additional funds aimed at supporting new investment proposals that produce wider significant benefits for both integration and modal shift. Most of that money, as my hon. Friend recognised, will be distributed through the RPP scheme. That scheme is designed to encourage and support innovative proposals at regional and local level that develop and encourage rail use and promote integration with other modes, such as those that increase accessibility for disabled people, and more generally improve the attractiveness of rail both to existing and new users. Support for those projects will enhance the quality of services offered by local and regional rail.

RPP bids are assessed on five key criteria identified in our paper "A New Deal for Transport". I will not go into those in detail, but it is important that each bid is judged on the basis of its impact on the environment, on the safety of the network and on the local and regional economy. Consideration should also be given to accessibility for disabled and other people to the network and the integration that would flow from the scheme, both in terms of local and national policy frameworks.

[Ms Beverley Hughes]

I am pleased to announce that a bid has been received under the RPP scheme for the reopening of the Bicester to Bletchley section of the east-west rail link. That bid has pre-qualified for further detailed consideration. That is the first hurdle. At the moment the franchising director is awaiting submission of a formal bid and business case in support of the proposal. That is necessary so that the bid can be formally assessed against the criteria that apply under the RPP scheme.

My hon. Friend asked whether the bids should include involvement by the train operating company and I can clarify that the consortium was advised at the pre-qualification stage that, while a total final bid would be possible without a train operating company, the involvement of one or more train operating companies would enhance the chances of the formal bid being accepted for funding. That may be particularly important for establishing the business case. When the franchising director receives the formal bid, it will be evaluated against the criteria as outlined and he will make a decision. I understand that new sections of the route would require processes under the Transport and Works Act 1992 to be followed and that could involve public inquiries.

My hon. Friend also mentioned local and regional transport plans. There is obviously considerable local authority involvement in the consortium. Local authorities are required to produce their local and regional transport plans and they should take account of the potential contribution that heavy rail could make to the integrated transport strategy as a whole to improve public transport and reduce car use. In doing so, they need to have regard to the shadow Strategic Rail Authority's developing national rail strategy. If local authorities include the reopening of this line as a priority in their local transport plans it would also enable them to provide financial support as an essential part of the jigsaw. If local authorities include them in their plans it is an important part of the process that hopefully will lead to a successful decision from the point of view of my hon. Friend and other hon. Members.

The franchising director is currently considering the replacement of franchise agreements and is looking for undertakings from companies for continuous improvements for passengers. Improvements in service standards and performance are needed to create an overall journey experience that meets passenger expectations from inquiry to arrival. The director has consulted with user groups and conducted his own national passenger survey.

The franchising director is considering changes to the boundaries of franchising and proposals by train operators for micro-franchising of individual lines and for the extension of the network. We want to see continual improvement and expansion of the rail network, and we welcome all viable schemes that will contribute to the modal shift and to promoting transport that is more environmentally friendly and sustainable. I hope that, under the RPP scheme, the consortium will soon submit a formal bid and business case for the western section of the east-west rail link. If that bid is successful, it will attract further interest and investment in the project.

A rail link between eastern and western Britain has clear economic benefits, and would provide relief for the road connections between the east and west, particularly for the A14 trunk road. We support rail initiatives through the RPP, and we applaud the consortium and our hon. Friends in the region for working towards submitting the bid for the western sector. We have charged the franchising director with assessing all RPP bids against a set of common, published and objective criteria. The formal bid has not, as my hon. Friend suggested, been recieved, let alone assessed against those criteria. Therefore, I can express public support inasmuch as I hope that the consortium will get the bid in. It would, however, be inappropriate for me to say that the bid is wonderful and should be supported, until we have seen and assessed it. That would be wrong, and unfair on other bids that may be in competition with it. I hope that the consortium gets the bid in quickly; we want the matter to progress, and I am sure that my hon. Friend will assist in that.

Another considerable task for which the franchising director is responsible is the replacement of the original passenger rail franchises. He must consider a range of factors, but enhancement of the rail network and the provision of a better service with a greater choice of routes are two important ones. He will review favourably any proposals to add to the existing rail network that are included in bids for replacement franchises, provided that additional public subsidy can be justified on the basis of extra benefits.

The replacement process provides a unique opportunity for reopening new lines. The development of the railway network is an on-going process, and funds such as the RPP will allow the franchising director to consider proposals at any time and to have funding available to support those that meet the relevant criteria whenever they are submitted. Time will not be an issue. The time scales for individual projects depend on the complexity of the project and the timetable for the replacement of franchises, so it is not easy to specify how long a project or a phase of a project will take. If the formal RPP bid for the western secton is successful, I would expect that work to proceed as soon as practicable.

My hon. Friend asked about the marketing of sites. She probably knows that all rail property was subjected to an embargo until three months ago. Any sales are now subject to the approval of the director. I understand that Bedford St. Johns—the station that she mentioned—is not vital to the development of the line because Bletchley to Bedford services currently use Bedford Midland station, although I accept that safeguarding the track bed around Bedford St. Johns is important.

I have applauded the actions of the consortium and I want to see progress, but the ball is now clearly in the consortium's court and further progress cannot be made until a formal bid with a business case is received. I hope that that will be soon.

Mr. Deputy Speaker: Order. I am giving the Minister for Public Health time to reach her position. There is no need to suspend the sitting as both the hon. Member for Lewes (Mr. Baker), who is initiating the debate, and the Minister are now in their places. We can now move to debate the use of bovine material in non-food products.

Bovine Material

12.25 pm

Mr. Norman Baker (Lewes): I congratulate you, Mr. Deputy Speaker, on your filibustering for a few moments, which was entirely appropriate.

The title of our debate seems as dull as ditchwater, but we are debating an important issue. I gave the Minister advance copies of my questions, which I hope she found helpful when preparing her response.

People often imagine that the risk of contracting Creutzfeldt-Jakob disease from BSE-infected cows comes from food. I contend that that threat has been overplayed and that the risk from other means of transmission, especially through vaccines, has been significantly and worryingly underplayed. In an answer to a parliamentary question on 8 March this year, the Minister said that the Spongiform Encephalopathy Advisory Committee

has stated that "BSE and vCJD were caused by a closely similar prion strain, and concluded that vCJD was an acquired prion disease caused by exposure to BSE or BSE like agent." –[*Official Report*, 9 March 2000; Vol. 345, c. 787W.]

As of 31 January this year, according to information to be published by the House of Commons Library on 3 April, we know that 52 people have either definitely or probably died of variant CJD.

An answer to my parliamentary question of 9 March helpfully sets out the hierarchy of risk. Regarding animals with strains of prion, the most risky procedure is injection directly into the brain; the second most risky is injection into the bloodstream; the third most risky is injection into tissues around human organs; the fourth most risky is injection under the skin, but not into the bloodstream; and, the fifth, and so least, risky is ingestion through oral consumption or, in other words, food. On the basis of Government activity over the past 10 years, one would conclude that food was the greatest risk, but in terms of the hierarchy of risk drawn up by the Minister's own Department, it is the least risky option, which is worrying.

The right hon. Member for Birmingham, Perry Barr (Mr. Rooker), when a Minister at the Ministry of Agriculture, Fisheries and Food, responded to a written question in March 1999, stating:

There is no scientific proof that BSE can be transmitted to man by beef, but this is seen by SEAC as the most likely explanation, and all our control measures are based on the assumption that it is.—[*Official Report*, 9 March 1999; Vol. 327, c. 186W.]

I have a lot of time for the right hon. Gentleman, but those words strike me as worrying. It is not the most likely explanation according to the proper hierarchy of risk, so the policy was based on an entirely erroneous assumption.

The vCJD unit was established in 1990 and is reponsible for monitoring incidence of CJD in the UK, but it too proceeds along a false path. It asks questions of those suffering from vCJD to find a link between the disease and BSE. However, the bias of the questions is towards occupational hazards and diet, not vaccines; other potential causes are virtually ignored by the unit. One vCJD victim was a vegetarian, which suggests that the net should be cast wider. I question the basis on which the vCJD unit is proceeding and the assumptions that underlie its activities.

Eating beef is regarded as posing the least possible risk, yet the current Government and the previous Government adopted a raft of measures to minimise that risk, and no one quarrels about that. The Bovine Spongiform Encephalopathy (No. 2) Order 1988 banned the use of milk from an affected cow for anthing other than feeding its own calf. The Bovine Offals (Prohibition) Regulations 1989 banned the use of specified bovine offals for human consumption. In 1990, the Ministry of Agriculture, Fisheries and Food issued guidance stating that head meat must be recovered from the intact skull before the brain is removed. The Bovine Offal (Prohibition) (Amendment) Order 1992 prohibited the use of head meat after the skull was opened. I could list other measures that Governments have taken to ensure that the human food chain is as safe as it can be. I do not criticise those measures; they were right to play safe.

However, we must contrast that Government action with the measures that were taken on vaccines which, in terms of the Government's hierarchy of risk, are more likely to transmit BSE than oral ingestion. The right hon. Member for Perry Barr was wrong to say that that is the most likely method of transmission. That is not what is stated in the Minister's hierarchy of risk, which appeared in *Hansard* early this month. It is nothing new: in 1988, an under secretary at the Ministry of Agriculture, Fisheries and Food, Alistair Cruikshank, said:

There is probably no risk in drinking milk or eating flesh from animals affected by BSE, but the position is much less clear in relation to brains, spleen and other organs. This raised questions about the safety of human vaccines prepared using bovine material.

There has been a question mark about the matter for 12 years.

In June 1988, a Department of Health official, Dr. Hilary Pickles, said:

The highest risk would be from parenterals prepared from brain.

The Southwood report in February 1989 stated:

The greatest risk in theory would be from parenteral injection of material derived from bovine brain or lymphoid tissue. Medicinal products for injection or surgical implantation which are prepared from bovine tissues. . . . might also be capable of transmitting infectious agents.

That view has not changed; on 21 July 1999, four scientists involved in the production of the Southwood report were interviewed by the BSE inquiry. Sir Richard Southwood was asked if it was his view, at the time, that

the degree of hazard from medicinal products was greater than the degree of hazard that applied in the case of oral ingestion—

a key question, to which he replied, "Yes." Later, he told the inquiry:

We really thought the medical problem was severe. . . . We were very conscious, all the way through, of the worry about the vaccination programme.

There is no doubt that the advice from the experts from MAFF and the Department of Health and Sir Richard Southwood himself in 1988-89 was that there was a risk from vaccines using bovine material.

The answer given by the right hon. Member for Perry Barr was wrong. He is wrong if his understanding is that ingestion is the most likely method of transmission and

BEST COPY AVAILABLE

[Mr. Norman Baker]

that contracting the disease is somehow also a matter of quantity because more people eat beef than are exposed to vaccines. That is how his words could be interpreted.

I thank the Minister for her detailed letter dated 14 December 1999, which included statistics. She said:

> The vaccines in use at that time—
>
> between 1989 and 1992—
>
> which used bovine material in the early stages of manufacture and as a medium for cell growth were DTP (diphtheria/tetanus/pertussis), BCG, oral polio and measles vaccines.

The Minister continued helpfully to list the millions of vaccines used during that period when it could not be clear that the vaccines did not include bovine material from cows suffering from BSE. The primary courses of vaccine for diphtheria from 1989 to 1991–92 totalled 2.18 million; they included doses given to 2.11 million children aged 2 or under. The reinforcement doses for diphtheria in the same period were 1.72 million, including 132,000 given to children under the age of 4. Primary courses for tetanus cases for 1989 to 1992 were 2.33 million, of which 2.1 million were given to children aged 2 or under. Then the number goes down. I will not read all the figures but in each case, millions of people, predominantly children, were given vaccines containing bovine material from the United Kingdom herd at a time when the herd included cows suffering from BSE.

How many people were vaccinated with those stocks? The Minister gave details of total vaccinations, but this may not correspond to the vaccines about which I am concerned. If the number of these vaccinations that are of concern to me is lower than I thought because the stocks came from Australasia or elsewhere, will the Minister let us have the figure today? The vaccinations that concern me clearly also caused concern to the Minister at the time, and to his officials. Will the Minister say whether records were kept of the number of people who were vaccinated, and will there be long-term monitoring of their health? It certainly does not appear so. What role does the variant CJD unit play in all this? I suspect that there will not be any long-term monitoring. The Minister for Public Health said in her letter to me of 14 December:

> It is not known how many vaccines used UK sourced bovine material during this period in the early stages of manufacture and as a medium for cell growth.

It appears that, at the time, insufficient attention was paid to that and that insufficient steps were taken to monitor what was happening. That is most worrying. It is incumbent on the Minister to give us as much information as possible when she replies to the debate, because parents whose children were vaccinated at that time want answers. I do not want to be thought to be scaremongering. Officials have used the word "remote" and I want my concern to be put in context. Important questions remain unanswered and I hope that the hon. Lady will answer them.

I am not clear about whether the use of UK-sourced bovine material at any stage of the manufacture of vaccines is now banned. There appear to be conflicting issues in this respect. In a parliamentary answer on 25 March 1999, I was told:

> Bovine material prohibited from use in the human food chain is not prohibited from use in the manufacture of medicinal products, including vaccines—*Official Report*, 25 March 1999; Vol. 328, c. 378.

It appears that, although guidelines may have been issued, there has been no formal ban. Yet SEAC has stated on the Ministry of Agriculture, Fisheries and Food website:

> From 1993, these control ["measures . . . to remove from the human food chain any tissues which might potentially harbour infection"]—have also been applied to animal feed, and from 1997, to cosmetic, pharmaceutical and medical products.

So is a ban in place, or not? Perhaps the Minister will clarify that.

I suggest that, at the time, the attitude of the Department of Health—the Minister was not in the Department at the time, so she cannot be held responsible in any way—was rather lax in the circumstances. I want to offer a reason for that and query why it happened. In March 1989, the Department of Health sent a questionnaire to manufacturers of medicines or medical devices asking them to identify products that contained bovine material. That was a clear indication that this was an issue. The deadline for replies was May 1989, but by September 1989 25 per cent. of companies had not replied. Why were they not chased? Why were the answers not received by the deadline that the Department set? Why was there so little vigour on the part of the Department of Health when public health was at risk?

In September 1989, the following products had been identified in order of concern. This information, which I will read to the Committee, comes from the Department of Health's internal BSE inquiry document, so the Minister may recognise it. It states:

> products with bovine brain/lymphoid tissue as ingredients and administered by injection: 111;
>
> products with bovine ingredients (other than brain/lymphoid tissue) and administered by injection: 135;
>
> tissue implants, open wound dressings, surgical materials, dental and ophthalmic products with bovine ingredients: 27;
>
> products with bovine ingredients and administered topically: 5;
>
> products with other animal/insect/bird ingredients: 131;
>
> products with materials produced from animal material by chemical processes (e.g. Stearic acid, gelatin and lanolin: 156.

Following the risk identified in 1988 and 1989 by officials in the Department of Health and the Ministry of Agriculture, Fisheries and Food, and confirmed by Sir Richard Southwood, why was bovine material not immediately required to be sourced from countries free of BSE? There was clearly a risk, so why was it allowed to continue in use? Why were existing stocks, manufactured using potentially contaminated material, not recalled immediately, particularly in the light of the Department's own hierarchy of risk, which shows that injections are potentially more damaging to human health than eating food? How quickly could the vaccines have been recalled? What were the stock levels of potentially contaminated vaccines when the 1989 guidelines were issued?

In March 1989 the Committee on Safety of Medicines used guidelines advising manufacturing companies to switch to non-UK-sourced bovine material. That was confirmed in colums 246–47 of *Hansard* on 19 October

1999. However, on 23 June 1999 the then Minister for Public Health, the right hon. Member for Dulwich and West Norwood (Ms Jowell), said:

> The precautionary measures introduced in 1989 and subsequent amendments to them did not require manufacturers to prevent the use of existing supplies of medicinal products which had used bovine material in their early stage of manufacture. Neither did the later guidelines issued by the European Commission in 1992.—[*Official Report*, 23 June 1999; Vol. 333, c. 382W.]

There is either a risk or there is not. If the Department thought that there was a risk, why were the products not recalled? If there was not a risk, why were guidelines issued? The middle path seems somewhat odd. Why did the Department of Health merely issue guidelines for vaccines, when the Ministry of Agriculture, Fisheries and Food had banned potentially contaminated food?

Again, in her letter of 14 December 1999, the Minister said:

> The exercise to ensure that all manufacturers were complying with the guidelines—

the 1989 guidelines—

> was not completed until 1992.

Three years passed. Why did it take three years to confirm that all manufacturers were using non-UK bovine material in their vaccines, when millions of children were vaccinated during that time? Why were stockpiles not cleared straight away and replaced with alternative sources from elsewhere in the world? According to *Hansard* of 19 October 1999, only by 1999 were all vaccines in use manufactured without UK-sourced bovine material.

What happened to potentially contaminated stocks of vaccines, allergen products, dental and surgical materials and bovine insulin? Were they used? Were they destroyed? If they were destroyed, how were they destroyed? What has happened to those vaccines? Were manufacturers simply allowed to use up existing supplies, were they encouraged to destroy them or were they recalled? I do not know the answer. Perhaps the Minister will tell me in a few minutes' time. How quickly could the vaccines have been recalled?

We know little about the potential danger. We know that there is a real danger and we also know from the chief medical officer that it could take 30 to 40 years to prove. Therefore, although it may be an historic problem for the Department of Health, it is a future problem for the children who may be vaccinated in this way.

I asked the Secretary of State for Health:

> what estimate he has made of the quantity of vaccines held by manufacturers in whose early stages of manufacture bovine material had been used. [*Official Report*, 1 July 1999; Vol. 334, c. 280W.]

The one-word answer was "None". I find it extraordinary that the Department of Health could not have made that estimate then, given the problems that occurred. I have concentrated on vaccines, but I could equally have referred to allergen products, dental and surgical material, bovine insulin and indeed cosmetics, which I know fall outside the Minister's brief, but which contain bovine material.

Having identified a real risk, why did the Department of Health first appear lax and then not take action to ban products or to insist on recalls, in contrast to the Ministry of Agriculture, Fisheries and Food? I suggest that one reason was that they did not want to cause public alarm, and that that overruled the medical concerns. The Southwood report says that the danger was "remote". I accept that word, although there is a hierarchy that is smudged by recent events.

Giving evidence, Sir Anthony Epstein said that no action was taken

> on purpose because the consequences for the vaccination programme, for the use of medicines, would have been quite disastrous.

I suggest that the Department of Health calculated that if it came clean about vaccines, as the Ministry of Agriculture, Fisheries and Food had about beef, there would have been a loss of confidence in the vaccination programme. It therefore decided not to come clean, but to take a risk in order to maintain confidence in the vaccination programme.

That is a serious allegation, but it is the conclusion that I have reached from the evidence before me. The Minister owes it to all the children who have been vaccinated, and their parents, to give as much information as possible on the questions that I have asked today, so that we can go forward and plan properly for the next 20 years.

12.45 pm

The Minister for Public Health (Yvette Cooper): I shall try to answer as many as possible of the questions that were asked by the hon. Member for Lewes (Mr. Baker), and I thank him for having made me aware of some of them in advance. He raised some additional points to which I cannot respond now, but I shall follow them up in writing.

I congratulate the hon. Gentleman on initiating a debate on a very important subject. I know that it has been a matter of considerable concern to him, and that over the past few months he has asked several parliamentary questions about it. I welcome this opportunity to respond to some of his worries and to set out clearly the actions that have been taken in respect of the use of bovine material in non-food products since concerns were first raised about the potential for risk to human health from bovine spongiform encephalopathies, or BSE.

As the hon. Gentleman will be aware, the events between 1989 and 1993 to which he has referred took place under previous Governments. Nevertheless, I shall give as much information as I can. I take this opportunity to express the Government's concern about the distress caused to sufferers of the truly appalling illness that we now know as variant CJD, and to the families of its victims.

I understand that the hon. Gentleman's primary concern is the potential risk to public health from the use of bovine material in vaccines and surgical cat gut sutures. I begin by reassuring hon. Members that there is currently no evidence to link the use of any medicinal product with variant CJD. Although bovine material is used in the manufacture of some medicines and, indeed, in the manufacture of some vaccines, it is important to note that the bovine material is not an ingredient of any vaccine, but is merely used in the manufacturing process.

I am advised that general manufacturers of medicinal

[Yvette Cooper]

products, including vaccines, avoid the use of animal sourced materials wherever possible. In the case of vaccines, bovine materials are used only to promote the growth of cells, viruses or bacteria during manufacture. Subsequent purification is designed to remove all materials that are associated with the manufacture but are not required in the final product. The manufacturers provide validation of those processes to the Medicines Control Agency.

Since 1989, bovine materials used in the manufacture of medicines have been subject to extremely rigorous guidelines that govern the geographical source of the material, the type of tissue used and the processes to which such material must be subjected to minimise any risk that it may represent. Those guidelines were first developed in the UK by the Government's independent scientific advisory committee, the Comittee on Safety of Medicines—the CSM—together with the Veterinary Products Committee, because the guidelines apply equally to veterinary medicines.

In 1988, when concerns were first raised about BSE, the CSM established a group of experts to consider the implications for the use of bovine materials in the manufacture of medicines—the BSE working party of the CSM. In March 1989, the CSM published guidelines for the pharmaceutical industry on the sourcing and processing of animal tissues, based on the sub-group's findings. Those guidelines addressed the geographical sourcing of the material to be used and assesssed the potential risk from the use of certain animal tissues; it recommended processing practices to minimise the risk from the use of bovine materials.

When the guidelines were issued to industry, manufacturers of new medicinal products were expected to comply with them immediately, and manufacturers of existing products were asked how they intended to comply with them. I am advised that many manufacturers reported that they had already stopped sourcing material from the United Kingdom because of their concern about reports of illness in UK cattle.

That action was taken as a precautionary measure; the risk to public health from the use of bovine material in medicinal products was assessed by the scientific experts of the Southwood committee to be remote and theoretical. A decision was taken that existing supplies of medicines, including vaccines, should not be withdrawn from the market, because there was concern that withdrawal of such supplies without suitable alternatives being provided would result in a serious risk to public health. In the case of vaccines, there was particular concern that withdrawal could lead to a real risk of deaths caused by epidemics of the diseases that the vaccine programmes were intended to address, such as diphtheria, pertussis and whooping cough.

The Medicines Control Agency, which came into existence in April 1989 and replaced the medicines division of the Department of Health, followed up all manufacturers who had reported the use of animal material in the manufacture of medicines until they were able to report that they complied fully with the CSM guidelines. Priority was given in that exercise to vaccine manufacturers. I am advised that all vaccine manufacturers were contacted in 1989 and that they decided immediately to source their bovine materials outside the United Kingdom to comply with the guidelines.

In 1992, the European committee of independent scientific experts—the committee for proprietary medicinal products—issued its own guidelines to the pharmaceutical industry based almost wholly on those that had been developed some three years previously in the United Kingdom. Those guidelines, with amendments made in the light of new scientific knowledge, are still in force today. The hon. Gentleman asked about bans and I am advised by the MCA that it enforces the guidelines and that it will not license products that do not comply with the guidelines.

The hon. Gentleman expressed specific concern about vaccines that remained on the market after the original guidelines had been issued by the CSM in 1989, and he asked how long they might have remained in use. Many manufacturers of medicinal products were already sourcing bovine materials outside the United Kingdom when the guidelines were issued. I am advised that many of the childhood vaccines used in the United Kingdom were manufactured abroad and did not use bovine material sourced in the United Kingdom. Wellcome, the monopoly manufacturer of DTP childhood vaccines, had used foetal calf serum and meat sourced in the United Kingdom, but by February 1989 it had identified a source of materials in New Zealand, so all vaccines manufactured by Wellcome after 1989 used bovine material from New Zealand.

The manufacture of vaccines is complex and takes many months. Material that was manufactured before 1989 continued to be used so that the vaccination programme would not be compromised. DTP vaccine was issued by Wellcome until June 1991, when stock ran out. Single component diphtheria and tetanus vaccines continued to be supplied until December 1991. I am advised by the MCA that expiry of the DTP vaccine occurred in November 1993, so, although most of it would have been used in 1991, it is possible that small quantities may have remained in doctors' surgeries and been used up to the expiry date.

In 1989, vaccines were issued directly by the manufacturers, not bought centrally by the Department of Health, as happens now. Therefore, there are no figures available on vaccine usage for that period. The MCA has assured me that from April 1989, no bovine material sourced in the United Kingdom was introduced as an element of the manufacturing process for vaccines produced at the time.

One aspect that has not been considered previously is the issue of cell lines, some dating back to the 1960s, from which some viral vaccines are produced. For completeness, I have asked the CSM to examine whether there are any BSE-related issues in this area. To provide the hon. Gentleman with the fullest information about the vaccines, it is important to give him the information I received from the MCA. The expiry date for the diphtheria vaccine produced by Wellcome was November 1992, whereas that for the tetanus vaccine was December 1993. The expiry date for the diphtheria tetanus absorbed vaccine was June 1993, and the DTP vaccine expiry date was November 1993. As I said,

many of the vaccines will have been used before the expiry dates, but those are the last expiry dates that I have been given.

Mr. Baker: Does that mean that no vaccines were recalled after the identification of the risk?

Yvette Cooper: I shall write to the hon. Gentleman on that issue, because one of the vaccines may have been replaced. As I understand it, the vaccines that were manufacturered before 1989 were still in use until the latest date that they could legally be used—the expiry dates that I have given.

I should like to explain in more detail how the risk to human health from medicines, especially vaccines, was assessed, and how and why that was translated into action. I pointed out that Professor Southwood's report identified medicines manufacture as one of a number of uses of bovine material. Although the scientists concluded that the risk to man from bovine materials in medicines was remote and theoretical, they also concluded that parenteral products such as vaccines were, by the nature of their application, likely to present the highest risk. We must also remember that, at that time and until 1996, no action was taken against UK beef and beef products, such as those in the food chain.

When considering what action to take, the CSM addressed the question of whether current supplies of medicines, especially vaccines, should be withdrawn. In the light of the assessment of the risk as remote and theoretical, and the fact that the proposed action was regarded as a precaution rather than a response to an identified risk, I am advised that they conclude on the basis of knowledge at the time that it would not be appropriate to withdraw vaccine supplies. There was concern about the risk of emerging epidemics if the public turned away from vaccination programmes. Because of the minimal risk that it was thought that such vaccines represented, there were no plans to monitor usage of existing stocks, or to contact individuals who have received vaccinations.

Even in 1989, however, there was an understanding that there was likely to be a hierarchy of risk. The guidelines identified those materials thought to pose the greatest potential risk. The hon. Member for Lewes is concerned about people who were vaccinated during the transition period—if it can be described as such—when the change to sourcing materials from outside the UK was taking place. As I pointed out, there was and still is no evidence to link variant CJD with medicines or vaccines.

It is not possible to identify for follow-up purposes those who received vaccine during that time. However, we can examine the vaccine exposure of existing variant CJD cases. That has been done by experts from the BSE unit, the National Institute for Biological Standards and Control and the Department of Health. Their conclusions stated:

if CJD is the result of exposure to BSE cattle infected material, the vaccines given before the age of 2 appear to have no role in its aetiology to date.

Forty-nine of the 52 cases of variant CJD are in people who were born before 1980 and who would, therefore, have received the vaccines before exposure was possible. The remaining three were born in the 1980s, but, given the long period between starting manufacture from the raw materials and the completion of the finished product, exposure seems unlikely. That analysis will be repeated.

The guidelines that have been in force since 1999 require assurances from manufacturers on sourcing and manufacture. They are accepted by scientific experts as providing a fully effective means of minimising the risk from BSE and other transmissible spongiform encephalopathies.

I should like to address the concern about surgical cat gut sutures, although I do not have much time. Like vaccines, surgical sutures are essential products from which the health of millions of people has benefited. Absorbable surgical materials such as cat gut were brought under the controls of the Medicines Act 1971. Given the pressure of time, I shall write to the hon. Gentleman on that subject.

It being One o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Wednesday 29 March 2000

[SIR ALAN HASELHURST *in the Chair*]

Diamond Synchrotron

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Clelland.*]

9.30 am

Mr. Graham Brady (Altrincham and Sale, West): It is customary on these occasions to express pleasure at having been fortunate enough to secure an Adjournment debate to discuss a matter of great importance. I am grateful for the opportunity, although I express regret that it has been left to a Back Bencher to raise a matter of enormous concern not only to the north-west of England but to the nation's scientific community. I regret also that we are having to debate the matter in Westminster Hall; I believe that it should have been accorded the prominence of the Floor of the House of Commons. Nevertheless, it is an important matter that deserves proper parliamentary scrutiny.

The Prime Minister spoke to the north-west group of Labour Members of Parliament about the Government's decision to site the new synchrotron in Oxfordshire rather than in Cheshire, but it is not good enough to address members of only one party; it is a matter of concern to all parties as well as to people in the north-west and elsewhere in Britain. I am pleased to have the opportunity to bring the matter to Parliament, as we can ask the Government to give a fuller account of their decision.

I welcome the Minister for Competitiveness. I have a high personal regard for him. I venture to suggest that he has been sent here this morning because his ministerial colleagues, too, have a high regard for his abilities. However, I am sorry that the Minister who made the decision, Lord Sainsbury of Turville, the Minister for Science, is not able to account for it to elected Members of Parliament. It is an alarming and regrettable trend that Government decisions are made by unelected Ministers who are not directly accountable to the House of Commons.

All parties in the north-west are angry about the decision to site the synchrotron project in Oxfordshire rather than in Daresbury, where the existing synchrotron is sited. We agree with Peter Hetherington's assessment in *The Guardian* on 22 March, when he said that the move was

> a defining moment for the government, and a kick in the teeth for northern MPs.

I give full credit to hon. Members of all parties who have made their position clear and fought their corner for the north-west. I see that the hon. Member for Weaver Vale (Mr. Hall) is present; although he is constrained from speaking, I certainly give him full credit for having fought for his constituents within Government. [*Interruption.*]

Mr. Deputy Speaker: Order. There was no need for a sedentary comment. The hon. Gentleman was making a perfectly ordinary reference. The Whip is constrained from speaking; it does not help if he intervenes from a sedentary position.

Mr. Brady: Thank you, Mr. Deputy Speaker. I was being complimentary; perhaps I should not have taken the trouble.

I know that other hon. Members have made an important contribution. The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) described the decision last week as short-sighted, damaging and unimaginative and said that the Government must think again. She added that Lord Sainsbury should reconsider his position as a Minister. The hon. Member for Liverpool, Riverside (Mrs. Ellman) described Lord Sainsbury's comments as arrogant and dismissive. The hon. Member for Liverpool, Walton (Mr. Kilfoyle), speaking on Monday evening, said:

> If ever there was a mixed message to a region, the north-west received one on Budget day.—[*Official Report*, 27 March 2000; Vol. 347, c. 62].

I seek to be broadly non-partisan by trying to give credit to Members of all parties. The hon. Member for Hazel Grove (Mr. Stunell) has raised the matter in the House, and my hon. Friend the Member for Eddisbury (Mr. O'Brien) has been battling hard on the issue since his election last July. He has asked me to apologise for the fact that a binding commitment means that he cannot be here this morning.

The issue is not just regional but, perhaps most importantly, scientific. The scientific community is baffled by the decision. Professor Woolfson, who chaired the 1993 review that led to the original decision to build the new Diamond synchrotron said in a letter—I think that it was to *The Times*—that he was dismayed by the decision. He said:

> Daresbury ... where the UK built the first dedicated synchrotron source ... was identified as a world centre of excellence ... Users from many countries benefited from the expertise of the resident staff.

He added that more was achieved there than could be achieved with more advanced synchrotrons elsewhere.

Professor Woolfson continued:

> many staff will take early retirement or lucrative jobs overseas ... rather than move to Didcot with its high housing costs and UK salaries. It will take a decade or more to build up a team with the competence ... and effectiveness that exists at Daresbury ... It is disingenuous of the prime minister to say that there is no north-south divide. There is ... and the Diamond decision has made it wider. Other things being equal the government should give preference to northern areas. In this case, other things are not equal and the northern site is, for many reasons, far the better. I fear that a dreadful mistake has been made.

The man whose report instigated the development of the new Diamond synchrotron project is firmly of the opinion that the Government have made the wrong decision and that the siting should have gone to Cheshire and not Oxfordshire.

Even those who have backed the siting at the Rutherford Appleton laboratory frequently say that the case is tenuous. The Prime Minister has said that the scientific case is "marginally in favour" of Oxfordshire. Lord Sainsbury, answering questions in the Select Committee on the Environment, Transport and Regional Affairs last week, said that the French Government and the Wellcome Trust favoured the decision "on balance" but "not overwhelmingly."

[Mr. Brady]

The French Government told the BBC that they did not favour one site over another. Following the dismissal of the French Minister, Mr Allègre, it is likely that the French Soleil project will proceed. A distinct possibility is that the French Government will want to withdraw from the Diamond project.

The Government have sought to hide behind the Wellcome Trust, but in evidence submitted to the Select Committee on Science and Technology a couple of months ago, the trust made it clear that it wanted to hold an open competition for the selection of the new synchrotron site. On 19 January 1999, the trust said in its evidence that the Office of Science and Technology agreed that an open competition would be acceptable.

On 28 April 1999, the OST proposed that the new synchrotron should be located at the Rutherford Appleton laboratory site near Oxford. The OST was the first to suggest that that should be the site, not the Wellcome Trust, which favoured a full open competition. The Committee noted in the minutes of evidence that the trust said:

> After much discussion the Governors agreed that the RAL site was an acceptable compromise.

The trust's understanding was that that was the jointly agreed site, until it received a letter from the Secretary of State on 4 October 1999, which said that there were

> only two credible sites in the UK for this project, RAL and Daresbury,

and that he was

> minded to site the new Synchrotron at Daresbury.

The director of the trust responded to the letter on 7 October, noting that it had been persuaded by the OST to accept its proposal in favour of RAL. Further, the director said:

> if the new synchrotron is not located at RAL, the Wellcome Trust would wish to explore some form of non-exclusive competition to identify an alternative site for the development of the new synchrotron radiation facility.

The Secretary of State replied on 11 October, dismissing the idea of an open competition, stating that there were only two sites. He concluded by saying that he was still minded to locate the new synchrotron at Daresbury.

On 15 October, the director of the Wellcome Trust said that several institutions around the country had approached the trust, suggesting an interest in siting the new synchrotron. Whether they could present a credible case if encouraged to do so has not been examined. The Secretary of State responded on 1 November. He stated that he

> did not see any benefit from undertaking a new competition for the site

and that he had

> decided to site the new synchrotron at Daresbury.

Who insisted on Oxfordshire? We know from the French Government that it was not the French and we know that the Wellcome Trust's preference was for an open competition. We know that the Secretary of State for Trade and Industry did not insist on that location, because he announced on 1 November last year his decision to site the new Diamond synchrotron at Daresbury. The insistence came from somebody who is even closer to the Prime Minister than the Secretary of State: someone who has close personal links with him and who has never had to face an election, as I noted at the beginning of the debate. I am speaking of Lord Sainsbury, who pressed for Diamond's location at Rutherford Appleton early last year, initially through the Office of Science and Technology. Why did he press for that site? I doubt whether any hon. Members who are present and who represent the north-west know; I also doubt whether anyone outside the magic circle around Downing street knows the true answer.

On 19 March, *The Observer* pointed to a web of connections, back-scratching and potential conflicts of interest. It referred to

> Concerns that the charity wields undue influence over government

and said that there were a number of close links between the trust and Whitehall. It went on to state:

> Blair's chief scientific adviser, Sir Robert May . . . works in the same Oxford University zoology department as Professor Roy Anderson, one of the key governors of the Wellcome Trust board.

It pointed out that Wellcome funds a scientist at the John Innes centre, which shares a site with the Sainsbury laboratory in Norwich, and that they have a joint venture company to exploit their discoveries. It also told us:

> The Wellcome Trust is paying for a key employee to work inside the Government's Office for Science and Technology.

If the decision remains unchanged, it will take more than £500 million out of the economy of the north-west and send it to Oxfordshire. That is a spectacular instance of regional policy operating in reverse. It will take the newest and most high-tech jobs either to the south of England or overseas to other synchrotron facilities, and move a major scientific institution out of the north-west. I shall cite the words of a constituent of mine, Professor Young, of the Manchester materials science centre at the University of Manchester Institute of Science and Technology, who wrote to the Prime Minister on 13 February. He stated:

> Daresbury is of major benefit to our region. Its loss would have a profound effect upon employment and upon the north-west science base.

There is no compelling scientific case for a move to Oxford, but there is a compelling regional case to keep the new facility in Cheshire. The reasons given by Ministers are contradicted by those at whose door they are trying to lay the blame. It is unacceptable for such important national decisions to be taken by a small coterie around the Prime Minister without explanation or debate. I hope that this debate will force greater accountability and openness on a Government who frequently prefer to deal in secret. If there is a genuine public policy reason for the decision to abandon Daresbury and to site the Diamond synchrotron in Oxfordshire, then let us hear it today. If not, let the decision be changed.

9.43 am

Ms Helen Southworth (Warrington, South): I did not appreciate the comments with which the hon. Member for Altrincham and Sale, West (Mr. Brady) began his speech, when he complained that Labour Members had been leading the campaign for Diamond at Daresbury and had been speaking to the Prime Minister about the

matter. He said that it was not good enough to address only one party in the House. I would have appreciated his active participation in the campaign for Diamond at Daresbury at an early date, before the decision was made. Instead, he has waited until now, when he has the opportunism to criticise after the event. Does the Tory Front-Bench team support his decision to site Diamond at the Rutherford Appleton laboratory? I shall give way if the hon. Member for Tiverton and Honiton (Mrs. Browning) wants to clarify her party's position.

Mrs. Angela Browning (Tiverton and Honiton): I am here today to examine in detail the process by which the Government reach important decisions. The issue is of great importance to people in the north-west and in Oxfordshire. I am concerned not about the location but about the integrity of the Government's decision-making process and its lack of transparency.

Ms Southworth: The hon. Lady is not prepared to answer my question; instead, she diverts us with red herrings. Does the Tory Front-Bench team support the siting of Diamond at the Rutherford Appleton laboratory?

Mrs. Browning: I do not have the background information on which the decision was made. It is in order to obtain that information and make a judgment that I am seeking clarification from the Minister.

Ms Southworth: The hon. Lady has made my point: either the Conservatives are behind the times and resort to opportunism and criticism, or they have not been paying attention for the past nine months when everyone else has been making a case to locate Diamond at Daresbury.

I have a final question for the Conservative Front-Bench spokesman.

Mr. Deputy Speaker: Order. The hon. Lady should be making a speech. This is not Question Time.

Ms Southworth: Thank you, Mr. Deputy Speaker, but it remains the case that the Conservative Front-Bench team has not spoken in favour of Diamond at Daresbury.

Mr. Brady: Will the hon. Lady give way?

Ms Southworth: No.

Synchrotrons accelerate electrons to a speed close to that of light and act as sources of intense radiation over a spectrum ranging from X-rays to the infra-red. It is appropriate to cast some light on the science. Synchrotrons are used by physicists, chemists and molecular biologists to study atomic structure and movements in a vast number of different types of matter, from semiconductors in computer chips to living muscle. They are not science fiction; they are engines that are essential to scientific, technological and, in our knowledge-driven economy, economic success.

Synchrotrons are not merely high-technology machines with exacting specifications. It is not possible to put a synchrotron in a box, label it and send it somewhere else. It will not function without a high-quality team of scientists and technicians. Daresbury laboratory, although on the outskirts of my constituency, is an important part of it. It has been the home of British synchrotron science for 25 years. One of the few good things about the process of choosing a site for Diamond—the third generation synchrotron that will replace the current machine—is that is has made evident the worldwide reputation of Daresbury scientists and technicians among the scientific community of synchrotron users.

The Daresbury staff provide world-class experimental and computational facilities. Their outstanding performance has been endorsed by some of the world's leading scientists. The director of research at the European synchrotron radiation facility at Grenoble said that Daresbury staff

> have an international reputation for innovative design and technology.

Dr. Binns, chair of the synchrotron radiation source surface science user group, and Professor Norris, chair of the SRS user forum, said:

> Daresbury has been the site of all synchrotron radiation development work in the UK for over 30 years and now employs a world class team of machine physicists and engineers . . . there is an innovative detector programme led by the scientific research staff which will put the UK at the forefront of instrumentation for synchrotron radiation experiments.

Professor Margantondo, co-ordinator of the European round table for synchrotron radiation, explained that

> a synchrotron laboratory is not merely a collection of instruments. Its ultimate success relies primarily on the competence, creativity and stature of its staff and users . . . acquiring such a multi-faceted competence at an international level of excellence takes decades—and the result is a resource of invaluable importance. Every expert in the field would agree that Daresbury laboratory constitutes such a resource. I would like to mention in particular the domains of spectroscopy and surface science in general, as well as structural techniques. The worldwide reputation of Daresbury laboratory is virtually unmatched in these areas.

Unfortunately, I do not have time to detail the hundreds of similar comments from world-leading scientists commending the laboratory's staff. Nobel prize winners, directors of international establishments, university vice-chancellors and senior synchrotron users have been vocal in their admiration of the Daresbury team over many months. I am extremely proud of the staff at Daresbury who have been able to generate such support for their campaign.

Thanks to the quality of the scientific research and technical support at the laboratory, the first Nobel prize awarded for research work at a synchrotron X-ray source—of which there are 40 in the world—came to Britain with the award of the 1997 chemistry prize to Sir John Walker. Daresbury research scientists are heading research teams on £15 million-worth of research programmes. One of the most exciting is led by Dr. Rob Lewis, a constituent of mine, who is developing a revolution in the early diagnosis of breast cancer. He is using the powers of the rays of the synchrotron to spot tumours as small as a full stop.

The research team is entirely based in the north-west and has taken five years to build up. Its work is vital. I have raised its significance directly with my noble Friend Lord Sainsbury and my right hon. Friend the Secretary of State for Trade and Industry and at the highest levels of Government. I am determined that the work will

[Ms Southworth]

continue and that we should give it every support. It could save thousands of women's lives and it must be protected and given a secure environment in which to develop. Furthermore, it is essential that all scientists and technicians who are responsible for Britain's international success in structural biology and physical and material science have a secure future and can continue to use their skills and creativity in the interests of British science in the public sector.

Two weeks ago, the Government took a decision to locate Diamond, the third generation synchrotron, not at Daresbury laboratory, but at Rutherford Appleton laboratory near Oxford. That is a bad decision. It has undermined the confidence of Daresbury staff and has put the future effectiveness of Britain's synchrotron science at risk. The Select Committee on Science and Technology investigated the issue of location for Diamond and found nothing to choose between the two sites on science grounds, deciding that other factors would have to be taken into consideration.

Like many of my Labour colleagues in the north-west and on the Select Committee, I expected those other considerations to include two essential factors: the critical importance of the Daresbury staff in the design, building and operation of the new machine—they represent the total repository of Britain's synchrotron science—and the key importance to the regional economy of a synchrotron in the north-west. Science and research drive the new economy and our region is still struggling to create new industries after the wholesale destruction of our manufacturing base under the Tory Government. Biotech industries are a key part of our future success. We are good at them and that must be recognised.

My right hon. Friend the Secretary of State for Trade and Industry told the Wellcome Trust in a letter of 4 October that he was minded to site Diamond at Daresbury because of all the factors that I have mentioned. The Wellcome Trust, a partner in the project to create the third generation synchrotron, decided, in secret, unilaterally to veto the siting of Diamond at Daresbury and to insist that it should go to Rutherford Appleton laboratory near Oxford—or it would withdraw its partnership. Why? Who knows? The Wellcome Trust has not been prepared to meet local Members of Parliament or north-west civic leaders to discuss the issue.

Mr. Robert Jackson (Wantage): Will the hon. Lady give way?

Ms Southworth: Not now.

In their public and private utterances, Wellcome representatives have exhibited a prejudice in favour of Oxford that seems to have been grounded on the opinion that Rutherford Appleton has a better scientific culture, but when pressed for evidence they have provided none. They have mumbled about scientists drinking coffee together in Oxford, but we have perfectly good coffee in the north-west. After considerable prevarication, during which it gave information to my hon. Friend the Member for Weaver Vale (Mr. Hall) that it was not prejudiced in favour of either site, the Wellcome trust issued a statement on 23 November, which said:

> On the basis of the evidence made available to us, the Wellcome Trust has concluded that the Rutherford Appleton Laboratory (RAL), in Oxfordshire, has a number of advantages when compared with the Daresbury Laboratory as the site of the new UK-French synchrotron.
>
> Our preferred option wa to carry out a site solicitation exercise between a number of sites in addition to Daresbury and RAL. We were persuaded that such an exercise should be constrained to the two Government sites only and we believe that there is a stronger scientific case for locating the synchrotron at RAL.

I am afraid that the trust has not been able to demonstrate that stronger scientific case.

Mr. Jackson: It is clear from the hon. Lady's remark about mumbling over coffee that she is not aware that the director of the Wellcome Trust, in his evidence to the Science and Technology Committee, of which I am a member, gave a full and clear account of the reasons why the trust favoured the Rutherford Appleton Laboratory.

Ms Southworth: It is interesting that the hon. Gentleman chooses to speak on behalf of the Wellcome Trust. It has been considerably advantageous to him that the trust took the position that it did. I listened to all the evidence given to the Select Committee, and the main points made by the director of the Wellcome Trust were rather vague scientific points, for which he could not produce any evidence. I was taught that science is about theory, creativity, imagination and testing the evidence. I have not seen the Wellcome Trust testing the evidence. In fact, I issue a challenge to the Wellcome Trust to meet local Members of Parliament to explain its position because, frankly, it appears to have been using science like a drunk uses a lamp-post—not so much for illumination as for support.

If I am wrong, I shall be happy to hear the trust justify its position. I am shocked that the representatives of the Wellcome Trust, who are senior scientists, are not prepared to defend their case in public. I am also surprised that the two professors from London university, two professors from Cambridge university and three professors from Oxford university who make up the majority of members of the Wellcome Trust, are not prepared to explain the scientific evidence for their case. I assume that it is because they do not have a case to explain and are more interested in the quality of wine at the high table than in the quality of science. I find that shocking.

The actions of the Wellcome Trust have damaged the credibility of the decision-making process and cast considerable doubt on the probity of its involvement in that process. I would be very happy for the trust to set the record straight. I also challenge it to publish the minutes of the board meetings at which the decision was made, because I should like to know who participated in the decision-making process and whether any interests were declared.

Mr. Brady: On the subject of setting the record straight, I raised the matter with the Government before the decision was taken, on behalf of both constituents who work at the site and scientists who use it.

Ms Southworth: I accept what the hon. Gentleman says, but I would have been happy to have had his

support on the issue, to which many Labour Members have devoted considerable effort. I want to put on record my thanks and the thanks of my hon. Friend the Member for Weaver Vale, who is unable to participate in the debate, and of my hon. Friend the Member for Halton (Mr. Twigg), for the extensive support that we received from north-west Members, as well as from members of the Science and Technology Committee.

Several outstanding issues must be addressed following the bad decision that was made. It is essential that the SRS at Daresbury can continue to operate fully while the new instrument is built. That depends on the continued availability of and Government commitment to the current technical support and scientific research teams at Daresbury. I should like to thank my right hon. Friend the Secretary of State for Trade and Industry, who has agreed to meet representatives of the staff teams soon to discuss their future and the support action that the Government will take to ensure that Daresbury laboratory has a future. It is essential to build confidence in its continuation, to back that with an investment programme and to secure for the research scientists and technicians a future that will recognise their career needs.

It is essential that we develop a strategy in the north-west and build on the co-operation of the research universities, business, local government, regional development agencies and the research institutions that have up to now supported the campaign for Diamond at Daresbury, and need to be drawn on to ensure that science in the north-west develops an international reputation for the future. It is essential, too, that we build a third generation synchrotron that is of international excellence, on time, within budget and without a dark period. Many of us will observe closely to ensure that biosciences do not go through a dark period because of an unwise decision to site the laboratory at Rutherford Appleton.

Above all, it is vital that the north-west should develop a strategy on science that builds on and complements the excellence in the regions. It must be explicit, it must have the Government's full support and it must not be distorted or taken off track by intransigent partners with vested interests. I ask my hon. Friend the Minister to address all those issues and to ensure that the Government respond positively.

10.1 am

Mr. Robert Jackson (Wantage): It is an honourable tradition, Mr. Chairman—

Mr. Deputy Speaker: Order. May I correct the hon. Gentleman? While I am in the Chair, the form of address is Mr. Deputy Speaker. When I am replaced by Mr. O'Hara, he will be addressed as Mr. O'Hara or Mr. Chairman.

Mr. Jackson: I thank you, Mr. Deputy Speaker, for drawing my attention to that important point of protocol.

It is an honourable tradition of the House that all of us speak for our constituencies. I understand well why hon. Members from constituencies in the north-west spoke as they did, but we—and the Government—also have a responsibility to think in terms of the national interest.

I am the Member of Parliament for the constituency in which the Rutherford Appleton laboratory is situated. My motive for speaking today, and the line that I have taken in previous debates, will therefore be thought by hon. Members from the north-west to be easily explicable.

Mr. Ian Stewart (Eccles): How many of the hon. Gentleman's constituents came to him to demand that the synchrotron facility be removed from the north-west and located in his constituency?

Mr. Jackson: The answer is not very many. I will say more about that. No doubt what I am about to say will be interpreted by Members with north-west constituencies as simply an expression of constituency sentiment, but I assure them that I do not approach these important matters in that way. Our area of Oxfordshire has very high employment and there is considerable prosperity. We are part of the wealth-creating sector of the British economy. There are considerable pressures on housing, as my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) told the Chamber. I therefore spend much of my time resisting new developments in my constituency to try to avoid excessive development in our part of the world. Accordingly, I do not approach this matter in a narrow, particularistic, constituency way.

I might add that I have some personal experience of such decisions. I know that there is no greater back number than an ex-Minister, but I have twice been Minister with responsibility for the research councils, in the late 1980s and the early 1990s. I also have some personal experience of taking such decisions and of the interests that are involved. It is against that background that I make my comments.

The Government have been saying, as today's debate has revealed, that the scientific arguments for location at the Rutherford laboratory are marginal. I do not agree. The Government are taking that line, as in the press release issued by the Department of Trade and Industry at the time of the announcement, because it was the only explanation that they could find for the delayed decision: delayed in the face of the powerful lobby from the north-west. The only plausible explanation for the delay was that the scientific case was marginal, so that was what was said; but I believe that the scientific case is overwhelming, and that is why I have supported the project coming to Oxfordshire.

The arguments supporting that case concern central scientific facilities. The Rutherford laboratory offers the United Kingdom a central facility for large scientific instruments, which play an increasingly important role in western European and international science. Such an arrangement is beneficial because it reduces overheads: it will be possible to run the new synchrotron at the Rutherford laboratory with a substantial reduction in administrative and technical overheads, and additional money will thus be available to invest in science. That is a powerful argument for locating such instruments on a single site.

Sometimes, the arguments for central facilities are dismissed in the belief that those using them are merely taking coffee together or drinking wine at high table. Such meetings are important, even if they are easy to

[Mr. Jackson]

caricature, as the hon. member for Warrington, South (Ms Southworth) demonstrated. They permit cross-fertilisation and synergy between diverse user communities: those also are powerful arguments for central facilities.

There is also a local argument in relation to the Rutherford laboratory. The decision to invest in the early 1980s in the spallation neutron source of Isis machine at the Rutherford laboratory was an earlier important Government decision on scientific investment. That machine is approaching the end of its useful life and a successor is needed. Such a machine will cost a great deal, so international partners are needed. Locating the synchrotron in the Rutherford laboratory alongside that new machine will help to enable the laboratory's financial and user base to be broadened. The presence of the synchrotron in the Rutherford laboratory will help to broaden the potential international appeal of the other new machine that will be required in due course.

Ms Southworth: Is the hon. Gentleman saying that Diamond is being taken away from the north-west and sited at the Rutherford Appleton laboratory so that that laboratory can justify its future existence? Surely, if the science is as excellent as the. hon. Gentleman says, it can be undertaken without taking science away from the north-west?

Mr. Jackson: I support the decision partly because it strengthens the position of the Rutherford Appleton laboratory as a national and international centre of excellence.

The supporters of the Daresbury laboratory are, in effect, arguing that national and international centres of excellence should be dispersed and broken up. That is the logic of their case regarding central facilities such as the Rutherford Appleton laboratory and our elite universities. However, national and international trends are in the opposite direction. Money and scientific manpower are scarce, and there is increasing competition between research centres throughout the world. We must therefore invest more in our national centres of excellence, not less.

Mrs. Louise Ellman (Liverpool, Riverside): Is the hon. Gentleman saying that centres of scientific excellence in the north-west should be dismembered and that the south-east should be the ony part of the country to have such centres? Is he seriously offering that as a proper policy for this country?

Mr. Jackson: Having a national centre for excellence for such machines is a proper policy for this country. There happens to be one such centre in my constituency, so that is where this kind of investment should be concentrated.

Dr. Brian Iddon (Bolton, South-East): The debate about centres of excellence is important. However, concentrating science in a small number of sites reduces the competition essential to scientific progress.

Mr. Jackson: I agree that there is a problem with competition, but the real competition is not within this country: it is international. The significant competition is between the Rutherford laboratory and other centres in Europe and around the world. The Government have rightly strengthened our national position in the context of that international competition.

I wish to make a mild complaint—it will be made more vociferously by other colleagues—about the way in which the decision was handled. The Government received clear scientific advice from people who—despite what the hon. Member for Warrington, South said—had no axe to grind. It came from Government scientific advisers, from the director general for research councils and from the Wellcome Trust.

Mr. David Watts (St. Helens, North): Does the hon. Gentleman agree that it is wrong for the Wellcome Trust to use its financial muscle to dictate policy to the Government? Does he accept that such people have a duty to declare their pecuniary or professional interests before taking decisions and that, by not doing so, they have destroyed all credibility regarding their views on this matter?

Mr. Jackson: I shall say more about the Wellcome Trust in a moment. However, I do not believe that Wellcome Trust members had any interest in the matter: indeed, they had less interest in it than the hon. Gentleman and many of his colleagues. The Wellcome Trust is an independent third party and makes a valuable contribution to British science; he should treat it with more respect. I shall return to its role in a moment.

Mr. Ian Stewart: Does the hon. Gentleman accept that there is no inherent intellectual capital in a machine? The true intellectual capital is in the people who worked on these issues in Daresbury for 25 years; and he should show them more respect.

Mr. Jackson: The hon. Gentleman does not understand how Daresbury works. Central facilities are run by local people there—and I pay all due tribute to them—but they are used by people from all over the country and all over the world, and will continue to be so used in future. May I say to the hon. Members who have intervened that I am not speaking for the Government, though it may sometimes sound like it? Their comments would be best addressed to Ministers who have responsibility for these decisions.

The Government received clear scientific advice from their advisers and from the Wellcome Trust—a completely independent organisation, as I said, with no axe to grind. They were then faced with a strong campaign—we have seen a manifestation of its strength this morning—from north-west Members of Parliament and trade unionists. It was perfectly reasonable for them to campaign but, frankly, the spirit behind it was, as they say in America, the spirit of the pork barrel.

In the face of that campaign, the Department of Trade and Industry deferred the decision. Consequently, the scientific argument was lost to view and pressure was put on the Wellcome Trust to change its position. Pressure was also pushed upwards within the governmental system to No. 10 Downing street. Let me tell my hon. Friend the Member for Altrincham and

Sale, West that the decision was not taken by Lord Sainsbury, excellent man though he is. It was a personal decision taken by the Prime Minister. It is deplorable that our Prime Minister was put in the position of having to take that decision, but I should like to take this opportunity of congratulating him on the strong, sensible decision that he took. It is precisely on such decisions that the quality of a Government can be judged.

The Government faced, as I said, a vigorous campaign by their own Back Benchers. All sorts of populist themes—north versus south, for example—were deployed, and they had to be countered by esoteric, scientific arguments. In that context, the Government and the Prime Minister decided to do the right thing.

Rover is in the news now. In the late 1950s—

Mr. Watts: Does the hon. Gentleman agree that the Government had little choice but to take the decision because they were blackmailed by the Wellcome Trust? Does he think it right that the Wellcome Trust should use its financial muscle to get a decision that the Government do not want to take?

Mr. Jackson: I do not regard what the Wellcome Trust did as blackmail. The Government did not have to do what it wanted them to do; they had only to find the money to replace that of the Wellcome Trust, but they chose not to do so.

Ms Southworth: Will the hon. Gentleman give way?

Mr. Jackson: No, I want to continue my speech.

The Government took a sensible, rational decision on which I congratulate them.

In the late 1950s there was an argument about the siting of a new car plant, which is now part of Rover. In the face of populist campaigning, Harold Macmillan's Government made what he cynically called in his diaries "my judgment of Solomon". As his Government was providing a subsidy, he decided that the plant should be in two different places. That is one of the many reasons why Rover has not been effective, and both plants are probably now closed. Macmillan's Government took a bad decision in the face of populist pressure; in the face of similar pressure, this Government have taken the right decision.

However, the Prime Minister's decision was made in an unsatisfactory way, because of the growing centralisation of Government, especially in relation to science. There used to be a basic principle of scientific autonomy, which was a reflection of the autonomy of our universities. There was a structure within which research councils were genuinely independent, which was co-ordinated by the Advisory Board for Research Councils. It was a mistake—I say "mea culpa" because I was involved in preparing the 1993 science White Paper. In 1992, the Government abolished the Advisory Board for Research Councils because it gave Ministers more power. Giving more power to Ministers to take such decisions has exposed them to more political pressure, which is not always well advised. We need a mechanism for more independence and autonomy in decision taking about science through a structure such as the ABRC and the research councils.

However, there is a ray of light: the emergence in Britain of the Wellcome Trust, the largest scientific charity in the world. It is genuinely independent of Government, has its own financial resources and can make an important contribution to rebalancing the process of decision taking, reinforcing the autonomy of the scientific community rather than the politicising of decisions.

It is ill advised, apart from being stupid, to blackguard the Wellcome Trust, because it is now, and will continue to be, an important partner for Government and university science, and not only in this country. We should remember that it could spend its money outside this country—the terms of its trust allow it to do so. It behoves Parliament to treat the Wellcome Trust with greater respect. It was a bad decision to leave the argument about scientific merits out of the picture; the Government have left themselves with little alternative but to say "We had to do it because Wellcome was putting a pistol to our head." That is not a good way to treat an important partner.

I hope that hon. Members from the north-west will now give up their attack on the Wellcome Trust. It has behaved honourably and reasonably, according to the terms of its trust, which were explained to us in the Science and Technology Committee by the director, Dr. Dexter. It is concerned with science and not with regional policy.

I congratulate the Wellcome trustees on taking a clear view of the scientific balance of argument for this country and on standing firm in the face of an unpleasant and personal campaign of abuse. I should like in particular to congratulate Dr. Dexter, the director of the Wellcome Trust, on his firmness and courage on this matter. Now that the Government have stripped out the autonomy of the scientific community in this country, it is just as well that the Wellcome Trust is around to keep the Government honest. I should like to end by congratulating it on what it has done.

10.19 pm

Mrs. Louise Ellman (Liverpool, Riverside): I too, hope that the debate will shed some light on how a decision came to be taken that is wrong for science, wrong for the country and wrong for the region. I hope that it will also accelerate efforts to restore confidence at Daresbury and throughout the north-west and among scientists across the country. I hope that it will help to ensure that the north-west is not treated in that way again.

This is an issue for science. It is an issue about the national interest. It is also an issue about the region. When the regional development agency introduced its first regional economic strategy last year, it identified the importance of establishing a strong science base. That was fundamental to developing our economy and it is one of the reasons why the decision that has been taken seems to fly in the face of common sense and of the knowledge and commitment in the region.

The strategy must build on the sad legacy left us by the previous Government, in which Government-backed research funding supports 10.5 times more jobs in the south-east than in the north-west and 71 per cent. of the budget for research is spent in the south-east. We want to change that. It must be a source of great disappointment that the change has not yet been possible.

[Mrs. Louise Ellman]

Clearly, we should establish the facts. The facts are that there was no strong scientific case for transferring synchrotron investment from Daresbury to Oxfordshire in the south-east. A recent survey showed that 80 per cent. of users of Daresbury wanted the work to stay there. Furthermore, it has been shown that it would have been cost-effective to stay there. A detailed research study by PricewaterhouseCoopers showed that it was cost-effective to stay in Daresbury and that moving to Oxfordshire would incur more costs and make the project more vulnerable to skills shortages. Professor Woolfson, who chaired the committee on the new synchrotron, confirmed that a dreadful mistake had been made in the decision to move from Cheshire to Oxfordshire.

One of the grave concerns highlighted is the lack of consideration given to the regional impact. The impact is on jobs, on scientific expertise and on the joint work currently carried out by the laboratory with hospitals, research institutions and businesses throughout the north-west. The important issue of cancer research has been highlighted; great steps are being taken to make new discoveries and to improve our work on cancer research. It would be criminal if that work were to be stopped. Important industrial research is also being carried out, particularly through the centre for surface science at Liverpool university. That university was the first in the country to operate a beam line directly with synchrotron research. That research is now vulnerable, partly because the people leading the team are being sought by other research institutions, abroad as well as in this country.

The question of the Wellcome Trust deserves examination. We need much more clarity about its role in the decision. We need to know not only what it said—although it is difficult to find out what it said to the Government—but what role it played. If outside partners are to fund scientific and other research we need to establish what their role is, what points they are making and what interests they represent.

This is a sad debate, which should not have been necessary, but it is on a matter of grave importance to science and confidence. It is also important in ensuring that the national interest is served by developing all the regions and considering matters such as the Daresbury laboratory, which is a centre of scientific excellence. We should recognise that the national interest is served by developing centres of excellence, not running them down.

I hope that the concerns expressed and the evidence adduced will ensure that greater attention is paid to the need to preserve scientific excellence and the scientific knowledge base in the north-west. I also hope that the working party that has been set up with the North West regional development agency and the Department of Trade and Industry, with the support of Members of Parliament, will quickly identify additional projects and bring new research into the north-west. It is essential that progress be made quickly. We need to boost confidence, to show those who work at the sharp end in the north-west that their skills are valued and to recognise that the needs of the people in the region and the country can be served only if we develop excellence wherever it is found.

10.26 am

Mr. Andrew Stunell (Hazel Grove): I support what has been said by the hon. Members for Altrincham and Sale, West (Mr. Brady) and for Warrington, South (Ms Southworth). Although there might be differences in tone, the sense of shock—almost grief—about the loss of the Daresbury facility has spread across the parties and is powerfully felt in the north-west. That loss has not produced a synthetic row; it has hit the foundations of confidence in the future development and growth of the north-west. Although I understand the remarks of the hon. Member for Wantage (Mr. Jackson) and the interests that he represents, I hope that he will not underestimate the genuine and sincere anger and bitterness that the decision has produced.

In 1967, I started work with the then Runcorn development corporation. Daresbury is on the fringe of that area. That was the first time that I encountered the facility. In 1981, I was elected to Cheshire county council, and Daresbury was then in that county. I served on that council with the hon. Member for Halton (Mr. Twigg), who is here today. It is fair to say that Daresbury has always been a symbol of technological and scientific excellence in that area. Now that I represent Hazel Grove, some 25 miles away, I still feel a sense of identification with the work done at the facility. Some of my constituents work there and have corresponded with me.

Perhaps the hon. Member for Warrington, South was a mite ungenerous in the way in which she considered the all-party support for the project. I have corresponded with Ministers and have copied that correspondence to the chief executive of Halton council. I have made it clear that I fully support the location of the Diamond project at Daresbury, as hon. Members from all parties have done during the past year or so.

The synchrotron was sited at Daresbury for geological reasons—the site had unusually horizontal strata—but the current synchrotron is not horizontal but vertical, and its characteristic tower can be seen from many places in the area. It is sad that, after two generations of excellence, the third generation of possible excellence will be taken away from Daresbury and the north-west and located in the constituency of the hon. Member for Wantage.

Mr. Robert Jackson: I was the Minister who decided to locate the second generation synchrotron at Daresbury. It had nothing to do with my constituency; the issue was the scientific advantage.

Mr. Stunell: Perhaps it will mollify north-west Members somewhat to know that, even if the hon. Gentleman is now the apostle of darkness, there was a time when he was the apostle of light. It is a pity that the conversion happened that way round.

I should like the Government to reverse the decision, although I called it irreversible in business questions last week. If Labour Members could persuade the Government to reverse it, I would be delighted. We should concentrate this morning on what to do next as on how on earth we got to where we are now. The decision is difficult to understand from the north-west perspective. Despite what the hon. Member for Wantage said about the project and his theory about

scientific centres of excellence, it is difficult for us in the north-west to accept the decision, bearing in mind the site and the dedicated work force in an acknowledged area of excellence with academic links that have been properly described as international. Whether one flies from Tokyo to Daresbury or from Tokyo to Oxford is irrelevant. Indeed, Daresbury is nearer to Manchester airport than Oxford is to Heathrow. Some of the arguments are difficult to comprehend and display ex post facto reasoning by those who support the change.

It is especially difficult to see how a Labour Government could have made such a decision. When necessary, I am a critic of the Government, but I should have thought that they took regional policy seriously. The decision to change the site would have been more explicable if the hon. Member for Wantage were still the science Minister. He has made it clear that, had he still been in that post, he would have made the same decision. I would have expected better from a Labour Government with a commitment to regional policy and to doing something about the north-south divide. Perhaps I should not have been so optimistic.

I turn now to what we may call the Wantage argument, which is that it would be a good idea to have one major scientific centre of excellence. Presumably, that means one centre in the United Kingdom, not in the European Union or the world; the argument does not have any boundaries when a process of centralisation has been started. On the one hand, the hon. Gentleman argued that it would be good to have such a centre in Wantage, while on the other he argued that he did not want political centralisation of decision making about science and that that had been a mistake and a process in which he regretted participating. There is a dichotomy between the idea of decentralised decision making at the political level and centralised outcomes at the scientific level.

What does the north-west do next, given that we have lost £500 million of investment potential as a result of the decision? We will have not the high-tech capital investment that was expected but a highly skilled research and technology work force with time on their hands. I hope that the Minister will tell us what will happen in the future and not only talk about how the Government reached their decision, although that would be of interest. What alternatives do the Government propose for the north-west? What will be the replacement structure for maintaining our research and technology lead in the north-west? How do the Government propose to fill the gap and how will they compensate the north-west and mitigate the blow?

I have listened to many ministerial responses in debates such as this. It is possible to produce warm words, to soften the blow and to sound full of consideration and compassion, but what we need is a clear, positive programme of action and investment. That is what I want to hear from the Government.

The Daresbury facility has done long and valiant service, and is still providing good service—its current projects were mentioned earlier. The synchrotron project may have been lost, but it is now vital for the Minister to explain how the north-west will keep its research and technological lead in the next decade and the decades beyond.

10.35 am

Mrs. Angela Browning (Tiverton and Honiton): Unlike hon. Members who have spoken so far, I clearly do not have a constituency or regional case to make. My purpose is to identify how Government decisions are made; the process that was examined to enable the Government to reach their decision; and, on a wider front, how those considerations may influence the Government's thinking and policy making in terms of scientific clusters around the country.

My reading of what has happened is that the Government are starting to make decisions about clusters. I am not necessarily challenging that, but if it is to be subject to input from a range of people—not only politicians—it is important that the Government spell out the policy on which they now seem to be embarking. The hon. Member for Warrington, South (Ms Southworth) asked me what my decision would have been and whether I think that the right location has been chosen. A decision about that can be made only by those who have analysed all the evidence and heard all the representations before making a judgment.

As a former Minister, I am well aware that when such a judgment is made, not everyone will be pleased. At the very least, it should be possible to account for the way in which the decision was reached. That is lacking in the decision that was made in this context, not least because in the run-up to the announcement—we have heard that it was somewhat convoluted—every public pronouncement by the Secretary of State and others, particularly when he gave evidence to the Science and Technology Committee, suggested that he was "minded" to locate the project at Daresbury. The decision was suddenly reversed—apparently by the Prime Minister. I challenge not the outcome but the lack of transparency that would enable others to look at how the process was carried out and determine whether it was the right decision.

Mr. Ian Stewart: Does that mean that Conservative Front Benchers have no view about regional policy or about where the Synchrotron should be?

Mrs. Browning: The hon. Gentleman is confusing the issue. I hope that the Minister will throw some light on the matter. If such decisions are to be made, are they to be made in future on the basis of regional policy and the regional importance to the significant scientific community in the north-west, or are the Government now embarking on a policy of scientific clustering in different locations? It is important that the House knows that. I will come in a moment to a quotation from Lord Sainsbury's press release that indicates that he has already a view of what the dynamics of scientific research and work in the north-west should be. It is important that that decision is shared with the House and others outside it.

Mr. Stewart: No answer.

Mrs. Browning: North-west Labour Members are upset because they have spent three years prefacing everything that they have said with, "May I congratulate my hon. Friend?" Now they find themselves saying, "May I criticise my hon. Friend?" I see that they have a problem.

[Mrs. Browning]

It is strategically important for the scientific community to know whether the decison will drive decisions made by the future Government on science. I think that the Government are now determining where scientific clusters will be located. If they are, they must share that information with the House so that we can examine the way in which they form their judgments and the overall strategic plan for not only Daresbury or the north-west, but the United Kingdom.

There has been a lot of confusion. My hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) has done well to bring the matter to the attention of the Chamber. The reason why Rutherford Appleton emerged as a possible site is not clear. The Wellcome Trust released a statement on 24 November suggesting a preference for Rutherford Appleton, but *Nature* reported in November that it did not have a preference. The Secretary of State appeared to firm up his view that Daresbury should be chosen in his many comments to the Select Committee on Science and Technology. He said:

> This was always going to be a decision (in terms of the location) that was going to be taken by the Secretary of State for Trade and Industry.

The fact that the matter has been taken out of his hands and No. 10 has made the decision is of concern not only on this issue, but to future decision making.

I hope that the Minister will give us a substantive reply to the point to which I keep returning: are the Government starting to determine where scientific clusters will be located in the United Kingdom? The Secretary of State told the Select Committee:

> One of the reasons why I indicated in my letter of 1 November that I thought Daresbury was the preferred site was that there was expertise that already existed in relation to the synchrotron at Daresbury and there must be a risk of disruption and of losing people if there is a decision to locate somewhere else.

On scientific grounds as well as on regional ones that I know are important to hon. Members in this Chamber, the Secretary of State seemed to have been persuaded that that would be the decision. However, Lord Sainsbury of Turville outlined his decision in a press release on 13 March. As the hon. Member for Hazel Grove (Mr. Stunell) suggested, Lord Sainsbury referred to additional money that he would put into the north-west as a sort of compensation, stating:

> I have asked Dr Bruce Smith to chair a team to review the options for capitalising on the strengths of the science base in the North West, for example in the biomedical sciences, looking at how we might exploit Manchester's "health corridor", and Daresbury's strength in instrumentation.

That is all well and good, but do the Government intend, from the centre, to determine the location of scientific clusters? Are they looking for where organic growth in certain disciplines occurs, and will they therefore relate future decision making and policy around the clusters, however small? I believe that many people would like an explanation about that. It is not sufficient to toss a bit of money somewhere as a short compensation policy. If the Government intend to establish scientific clusters around the country, they must have an overall national strategy; an ad hoc, regional approach is not good and will not serve the purpose.

We would welcome a much broader debate on the subject, so that we can uncover why the case was taken from the Department of Trade and Industry and the decision made in Downing street, and on the Government's policy—I hope that there is a policy, because it would be outrageous to make such decisions without an overall strategic view—on clustering and the promotion of specialisms throughout the UK.

10.45 am

The Minister for Competitiveness (Mr. Alan Johnson): I congratulate the hon. Member for Altrincham and Sale, West (Mr. Brady). It is evident from the speech of the hon. Member for Tiverton and Honiton (Mrs. Browning) that the Conservatives wish to engage in one of their favourite sports: running with the hare and hunting with the hounds. I am sure that she will accept that the energy and drive in the campaign for Daresbury came from Labour Members, particularly my hon. Friend the Member for Weaver Vale (Mr. Hall), who for obvious reasons has had to work behind the scenes, and has done so tirelessly. It is important to recognise the work done by my hon. Friends in the north-west on the issue.

Mr. Brady: I pointed that out myself. It is important that we recognise that hon. Members from all parties in the north-west share that point of view. There are strong feelings about the issue in the north-west and all hon. Members who sought to put the case should get the credit.

Mr. Johnson: The fact that my noble Friend Lord Sainsbury is not replying to the debate was remarked on; around 400 years of constitutional history would crumble if a Member of the other place even attempted to walk into Westminster Hall.

The siting of the new synchrotron has been a topic of enormous interest and concern over the past few weeks. The debate has enabled some issues to be fully aired. While I appreciate the huge disappointment of hon. Members in the north-west, it is important to stress that the decision to build a new synchrotron in the UK is good news for the future of British science. It is a major long-term investment in our infrastructure, costing approximately £200 million in capital and £500 million in total over the next 25 years. It represents the largest single investment in science for more than a decade. The regional issues are of course a subject of great debate and tension, but the issue is a national one and it is good news for the UK.

Our aim is to build the best possible facility for synchrotron users and create an environment in which we can stay at the forefront of global research in important scientific fields, such as our increasing knowledge of the human genome—the building block of all life—biotechnology, development of new drugs, new plastics, textiles and electronic materials. The partnership that we have secured with the French and the Wellcome Trust is the best way of achieving a facility that has the leading-edge capability that current and future synchrotron users will demand. By working together, we can build a larger and more specified

machine than we could afford by ourselves. We also bring in the technical expertise of our partners to help to design and develop the best possible machines.

Dr. Lynne Jones (Birmingham, Selly Oak): Will my hon. Friend give way?

Mr. Johnson: I will if I get time at the end, as long as I have answered all the important points raised in the debate.

This is the first time that the UK has hosted such a collaborative international scientific facility. The French Government have shown great commitment to the project, cancelling plans for their own third generation synchrotron, Soleil, in order to join us. No evidence suggests that those plans have changed. Indeed, the French Goverenment will meet the other partners next week. Officials have assured us that the change in the French Government has not affected the project.

The factors involved in choosing the site made the decision difficult. We are fortunate in the United Kingdom in that we have two locations, Daresbury and Rutherford Appleton laboratory, which both offered viable sites for the new synchrotron. Indeed, the Select Committee on Science and Technology concluded that it had no preference for either site and that both sites were equally acceptable. We therefore faced a dilemma. The decision might not have taken so long had the competition from both sites been less than equal. It has been a difficult decision. The key criterion in selecting the site was what would be best for UK science, bearing in mind the fact that the facility is designed to last for the next generation—at least 25 years. In addition, the project is a partnership, which, like all partnerships, involves negotiation and compromise. Although we had to take into account our partners' views, they are by no means the only reason why we reached that conclusion.

Mrs. Ann Winterton (Congleton): Will the Minister give way?

Mr. Johnson: I am sorry, but I do not have time.

We consulted users three times in the past 15 months, as it is they who will ultimately carry out research on the machine. They concluded that they require a world-class machine for a wide range of structural science research in the UK. Although they want a high-quality machine, ultimately the focus must be on the quality of science that the machine enables.

Demand was expressed for a strong science culture on the site and an environment in which researchers from different scientific disciplines could work closely together. On the basis of our officials' advice, the Government decided that that can best be achieved at Rutherford Appleton laboratory, which already has other major facilities using, for example, neutrons, lasers and nuclear magnetic resonance. In addition, we need to continue to invest in support technologies using, for example, low temperatures, vacuum technology and high magnetic fields, which can be shared among the different facilities on the site.

Co-location at Rutherford Appleton laboratory will prevent duplication of activity and encourage more efficient use of funds. Both our partners favoured the Rutherford Appleton site, and as part of a partnership we had to take their views into account. The hon. Member for Altrincham and Sale, West mentioned a comment made on Radio 4 by an attaché at the French embassy that was entirely refuted a few days later in a letter to *The Guardian* from the French ambassador. Our French partners expressed a clear preference for Rutherford Appleton.

The Government's final decision was based on a wide range of information provided by consultants and synchrotron users. The official Opposition have criticised the Government and in particular my right hon. Friend the Secretary of State, who would plead guilty to the charge of carefully considering and analysing Daresbury's bid. He considered many other factors in addition to the scientific case before reaching his decision. It is right and proper for him to have undertaken such thorough analysis.

We held three consultations with synchrotron users, in January, May and December 1999. The final review was held at the request of my right hon. Friend the Secretary of State. The Office of Science and Technology contracted ADD Consultants in June 1999 to carry out an investment appraisal of options for the site of the proposed new synchrotron radiation facility. ADD Consultants is an independent company that provides technical consultancy and training services.

The Office of Science and Technology contracted Allott and Lomax to carry out the survey of both the Daresbury and Rutherford Appleton sites in December 1999. Allott and Lomax is an independent engineering consultancy based in Manchester. The Wellcome Trust employed its own firm of consulting engineers to survey both sites.

The studies showed that both sites could accommodate the new synchrotron physically and would obtain planning permission. The financial appraisal showed that Rutherford Appleton was marginally favourable. The consultation with users about the location issues showed that physicists using synchrotrons believed that there were advantages in locating the new one alongside the Isis neutron source.

Mrs. Browning: In the Science and Technology Committee, the Secretary of State said:

> in the survey that we conducted before Christmas what was particularly interesting was that the life scientists, who are the ones who are likely to use the new synchrotron perhaps more than the physical scientists, did not feel strongly about its location alongside ISIS at all.

Why did he change his view?

Mr. Johnson: In a process of analysis and in carrying out the consultation that he commissioned in December, my right hon. Friend obviously had due regard to all the evidence. We went back over several consultation periods precisely because of what the hon. Lady has mentioned. However, while both Daresbury and Rutherford Appleton laboratories offered excellent sites, Rutherford Appleton was preferred for four key reasons. They were: first, the potential for operational, technical and scientific synergy between the new synchrotron and the other facilities on the site—especially Isis; secondly, the potential to produce a world-class international research centre, drawing

[Mr. Johnson]

together a range of scientific and engineering disciplines; thirdly, the sharing of many technical functions, such as accelerated design, magnets, pulse powers and support functions including security, safety and administration; and finally, its proximity to the biosciences expertise at Oxford university, the medical research council units, including the mouse genome centre on the adjacent Harwell site, and the national nuclear magnetic resonance centre. The basis for the decision was nothing but what would be best for British science. It was a difficult decision, but the Government believe it was correct, and it is, as was said in the debate, irreversible.

Many hon. Members raised questions about the future of Daresbury laboratory and the north-west, whose staff made a crucial contribution to the existing UK synchrotron source, the SRS. The design, construction and commissioning of the new synchrotron project will take about six years to complete. The current synchrotron source at Daresbury will continue to operate during and beyond that period, giving, as my hon. Friend the Member for Warrington, South (Ms Southworth) said, a period of light rather than dark. United Kingdom users will thus have continuous access to X-rays and instrumentation. The research councils are currently investing £5 million in new beam lines, so that service will be maintained at the highest level during that period. It is therefore anticipated that most of the current staff will remain employed at the Daresbury laboratory to support its effective operation. We also plan to use the expertise at Daresbury in many aspects of the new synchrotron project and so will take full advantage of the knowledge and skills built up there over many years. The very important work on breast cancer mentioned by my hon. Friend the Member for Warrington, South is one reason for our belief that Daresbury has a viable future.

We shall not rush into decisions on Daresbury's longer-term future. It will be one of the topics considered in the review of the north-west science base announced by my noble Friend Lord Sainsbury on 13 March and due to report by the end of September. The first meeting was held yesterday. The review will consider how best to capitalise on the skilled people and assets of Daresbury and will also consult the Council for the Central Laboratory of the Research Councils.

The strengths of the north-west are built on its chemical, pharmaceutical, aerospace and nuclear industries, which deliver 18 per cent. of UK manufacturing output. The Government will contribute £25 million to the work of the task force and will look to strengthen further the science base in the north-west by contributing to the funding of a feasibility study to consider the potential for a biotechnology core technology facility worth up to £25 million—a further £25 million for the north-west. The Government are extremely concerned about the impact on Daresbury and the north-west and—

Mr. Eddie O'Hara (in the Chair): Order. We must proceed to the next debate.

Bank Branch Closures

11 am

Mr. Bob Blizzard (Waveney): I am grateful for the opportunity to debate an issue that is of great concern throughout the country, for reasons that are not difficult to see. During the past 10 years, more than 4,000 bank branches have closed, and it is predicted that another 4,000 will close in the next five years if the banks do not change their approach. We are heading fast towards 172 BC—Barclays closure day, on 7 April, when it plans to axe 172 branches at a stroke.

Two of those branches are in my constituency. Regarding the one at Oulton Broad, I have advised my constituents to take the advice given by my hon. Friend the Minister a couple of weeks ago and vote with their feet, because there are still a couple of other banks in that community. In the case of the second proposed closure, in the Kirkley area of south Lowestoft, my constituents are unable to follow that advice because Barclays is the last bank in south Lowestoft. I should add that Lowestoft, a town with a population of 65,000, is cut in two by a river and joined only by a lift-up bridge, so it has two distinct communities, but Barclays has not recognised that because it does not consider such matters of detail in any community.

That part of Lowestoft is a single regeneration budget area, and the Government and other public bodies are contributing £20 million of public money, together with much hard work on the ground, to regenerate the area. By definition, a single regeneration budget area has a high proportion of vulnerable people, including elderly people. In addition, it has high unemployment, poverty and poor health. However, the area is also a commercial area. Many small shops line the A12 as it runs into Lowestoft, and there are plenty of other small businesses. Those shops are struggling, but they are hanging on because their proprietors believe in the regeneration process and can see signs of progress in their community, three years into a seven-year programme, the object of which is to create jobs, impove housing conditions and enhance the built environment.

Barclays is walking away and abandoning the area, as it is abandoning other parts of the country. It is saying, in effect, that it does not believe that regeneration will work, or that it does not care whether it works. Its decision to move out of the area will undermine confidence in the regeneration process and in that part of Lowestoft. Its departure will also present practical difficulties for small businesses. It will require shopkeepers, who often work on their own, to travel further to do their banking, and to take a higher security risk or incur extra costs in delivering their takings to the bank.

I said that Barclays was walking away, but it would be more accurate to say that it is running away, because it has given its loyal customers only a few weeks' notice that it is closing their bank. That is a kick in the teeth for those customers and the community in which the bank is situated. Barclays is leaving elderly and disabled people to fend for themselves. What thought does Barclays have for Mr. Philip Baldry of Southwell road, Lowestoft? Mr. Baldry is blind and his dog is specially trained to guide him to that bank. What does Mr. Baldry do now?

The reaction of the community is strong. People are appalled by Barclays' actions. The local paper, the *Lowestoft Journal,* has run a campaign, the like of which I have never seen before. In an unprecedented move, the editor put his own letter on the front page. Mr. Ernie Skepelhorn, who lives in the area, has organised a petition, which must be the easiest one ever compiled because people are queueing up to sign it.

Like other hon. Members, I received a letter from Barclays Group public affairs. It began by explaining that it had decided what to do. There was no question of consultation. How would Barclays react if the Government conducted their business in that way? It would want to be consulted.

I asked a Barclays manager to come to Lowestoft. When he arrived, I asked what criteria were used for closing branches. It was clear that they were national, narrow and financial. I asked whether a local appraisal had been made of branches. He said yes, but did not have the details with him. It was obvious that the decisions were taken simply on the basis of maps and head office statistics; they show a narrow focus and a centralised approach. The manager said that an automatic telling machine might be provided—which, of course, would come with the charges that Barclays would like to impose—or that people could use a supermarket or Marks and Spencer, which does not exist in the area. He refused to talk to the media or local people. I had to cajole him even to receive the petition. But now I know why, and I know that Barclays is guilty of a cynical disregard of its customers.

When the manager left, I saw a pile of documents in my car that belonged to him. I could not resist looking at them.

Mr. Keith Simpson (Mid-Norfolk): Must be a trainee Whip.

Mr. Blizzard: This is not a laughing matter.

I found a closure kit on a project called Closure 2000. It included an inaccurate local briefing document, which said that my area had just received objective 2 European funding for a future programme. There was no mention of the SRB programme, which has been under way for two or three years. The briefing told the manager that

> Bob Blizzard MP is likely to argue that he and the local council [please note—Mr. Blizzard is leader of the local council].

I know that one or two hon. Members retain their seats on councils, but I do not know of one who is the leader of a council. I gave that up in 1997 when I entered the House of Commons. Is that the quality of information on which Barclays bases such decisions? The briefing document did, however, admit that branch closure sends out a negative message about the economic viability of an area. That is my case.

The papers included a branch closure staff guidance pack. It contained some gems. It told staff:

> We strongly recommend that you role play some of the more difficult questions with your colleagues before using them in a live situation . . . Where it is perceived that hotspots are developing the ARM should advise Head Office at the earliest possible stage.

Well, Lowestoft is certainly a hotspot, and I bet that it is not the only one.

The document described strategies for staff to dissuade customers from complaining to their Member of Parliament or starting a petition. They have not been very successful. It said:

> If a customer says that they are going to contact the local media—do not make any comment.

The guidance pack posed questions, including

> Is there a possibility of the branch remaining open?

to which the answer was "No." There was, however, a chink of light because it said:

> This decision is unlikely to be changed.

I stress the word "unlikely". To the question,

> Why weren't we consulted?

staff were to respond:

> This is a business decision.

My visitor from Barclays said that he would pass on my message, but closure was not his decision. I meet more Barclays executives on Monday, but not the man who will take the decision on closure. I shall ask them to work with the Government in the regeneration process. If the SRB works, there will be increased business for the branch. Shops will thrive and there will be more small businesses, tourists and employed local people. I shall ask Barclays to put the regeneration programme to the test. It should grant a stay of execution and give the SRB a chance. It should sit down and discuss with the Government how a bank can be retained in this fragile regeneration and rebuilding process, to avoid damaging confidence.

There should be a breathing space for other solutions to be examined. How about a shared bank? Different utility companies seem able to share the same pipe or cable these days, so why cannot the banks share? Currently, they cannot share even an automatic telling machine without charging each other's customers. Am I asking too much of the banks in requesting that they take a wider view of social responsibility and consider branches in the context of local communities? It is not as though banks such as Barclays cannot afford to do so. Two weeks ago, Don Cruickshank told us that the banks are making excess profits of about £5 billion a year, and Barclays is part of that.

Barclays is currently running an advertising campaign and is spending millions of pounds on television. One cannot open a daily newspaper without seeing a huge advertisement. I am told that a double page in *The Times* costs £80,000 a go. The advertisement tells us how big the company is, and yet it is downsizing its branch network. We are also told that it is undertaking the biggest educational sponsorship scheme in the United Kingdom, which illustrates its support for communities. In light of what is actually being done to communities, that is a public relations stunt. Real community support would consist of keeping branches such as that in south Lowestoft open. That is support that counts.

For too long, the banks in this country have had a culture that is not customer focused. Do hon. Members remember the battle to get banks to open on Saturday mornings? Do they remember when banks used to close at 3 o'clock in the afternoon? The current circumstances are no better and, as very few large banks remain, they have unreasonable power in the market.

The banks say that the current network of branches is not viable, but comparisons with mainland Europe produce some very interesting numbers. I am told that there are 170 branches per million people in this country. If building societies are included, there are 260

[Mr. Blizzard]

branches per million people. However, there are 400 branches per million people in Italy, 600 branches per million people in Germany and 900 branches per million people in Spain.

I was pleased last week when the Chancellor signalled his intention to use the Don Cruickshank report. He invited the Post Office and the banks to work together to offer basic banking services to all. I ask my hon. Friend the Minister to challenge Barclays and other banks to reconsider closures in regeneration areas. SRB is a specific and definable criterion, and I dare say that other hon. Members will find other criteria. Will my hon. Friend join me in asking Barclays to halt the immediate closure of such branches? Will he insist that it meets representatives of the Department of the Environment, Transport and the Regions to discuss the impact of local branches in regeneration processes and how to avoid the damaging of confidence and the imposition of further burdens on small businesses? Those results would definitely follow if the local branches closed.

I am making a practical suggestion. Regeneration is about tackling serious problems and is a vital process in which the giant banks should play a serious and responsible part. At a time when we know that the banks are making excess profits, we must not let them get away with such damaging closures. If they will not co-operate, we will have to consider measures such as regulation or a windfall tax. That might focus their outlook and make them ask whether they are big enough to change their minds.

11.13 am

Mrs. Gillian Shephard (South-West Norfolk): We are all indebted to the hon. Member for Waveney (Mr. Blizzard) for bringing forward this matter for debate. I pay tribute to him for the way in which he presented his case and congratulate him on having secured the debate. All hon. Members will be happy to use the disclosures from the back seat of his car that he has revealed to us. His arguments apply not only to parts of East Anglia that are covered by regeneration programmes but to those that are not. The debate gives East Anglian Members the chance to express some of the outrage felt locally about Barclays bank branch closures. In my constituency, where the East Harling and Feltwell branches are to close, the issue is regarded as one more nail in the coffin of rural life. People in rural areas feel that they are becoming among the most disadvantaged in society.

Despite the handy role-play advice that the hon. Member for Waveney disclosed was given to Barclays bank employees, the bank must have been taken by surprise by the fury and intensity of the local reaction. There was a sit-in at Terrington St. Clement, which is in the constituency of the hon. Member for North-West Norfolk (Dr. Turner). Uniquely, it was organised by people over the age of 70. Cheese sandwiches were provided through the bank's letter-box. It lasted five hours and was lovingly chronicled in our local media, including the *Eastern Daily Press*. Afterwards, bank employees had to have time off for the stress imposed on them by the 70-year-old participants. That must have been one of the "hotspots" referred to by the hon. Member for Waveney in his excellent speech.

We have seen an array of banners at Brundall, which I believe is in the constituency of my hon. Friend the Member for Mid-Norfolk (Mr. Simpson). We have seen pickets in Lincolnshire. In my constituency, we have had much protest, furious letters and complaints about the way in which Barclays has announced its proposals for the branches.

It should be remembered that, as my hon. Friend the Member for Mid-Norfolk and the hon. Member for Waveney will know, Barclays is a bank that has generations, and, indeed, centuries of connections with East Anglia and, in particular, with Norfolk. For many Norfolk people, Barclays is their bank, certainly for those above a certain age.

My constituent, Mr. Dudley Stammers of East Harling, has banked with Barclays at the branch in East Harling, as did his father, his grandfather and his great-grandfather through the generations. The only information that he was given was a leaflet stuffed into his hand as he left the bank a couple of weeks ago. I am extremely surprised that bank employees have apparently been given advice on handling the situation. All that one might say is that it was not extremely successful.

We all know that banks are commercial organisations and that, increasingly, people will use cashpoint machines. Interestingly, this week the banks changed their mind regarding charges for the use of the machines. We know that, increasingly, people will use telephone banking and the internet. However, for many, those are not an option. For people running small local businesses grouped around isolated rural communities, there is no time to travel to lodge cash with a bank some distance away. With falling numbers of police, there are also understandable security fears when people must take large sums back and forth in their car.

Parents at home with their children might like the opportunity to go to a bank in a nearby town but do not have the time. People at work and, especially, the elderly do not have the opportunity to bank elsewhere. Increasingly, those for whom the price of petrol—it is now £4 a gallon—has become an intolerable burden must think once, twice or three times before they get in the car to go to the nearest market town to do their banking.

As I said, the role of Barclays bank in Norfolk has always been pretty special. As the hon. Member for Waveney pointed out, the bank would still like the public to believe that it provides a special service and that it wishes to lavish care on its customers. We know also, from Barclays' annual report, that this year £200 million in bonuses has been paid to top executives.

It is interesting to note that Barclays can spend large sums to persuade the public of its enthusiasm for local businesses and to demonstrate the role of banking in regenerating communities or keeping them going, yet still pull the rug from under them. It must be obvious that an active bank branch brings business to a community, even a small one, because people who use the bank will spend money and undertake other business in the community. The closure of a branch pulls the plug on the economic activities of an area.

At the moment, rural people are disadvantaged. Many local post offices are under threat. People in Norfolk face council tax increases that are three times

the rate of inflation. Agriculture is in its worst straits since the 1930s. Petrol now costs £4 a gallon and people in rural areas regularly face a 15-mile round trip to visit the doctor. We can do without a well known bank pulling the rug out from under us like that.

How much more heartening it would have been if the hon. Member for Waveney had been able to find in the filched material that was left in his car a clue that the bank wanted to consider other ways of providing a service. Instead, it contains a list of instructions on how to fob off concerned and genuine questions of the sort posed by the hon. Gentleman. How much better it would have been if Barclays had spent a moment considering how it might co-operate with local post offices and with other rural regeneration schemes instead of saying no when asked whether it was going to think again about closure. I believe that it should think again.

11.22 am

Mr. Martin Salter (Reading, West): I, too, congratulate my hon. Friend the Member for Waveney (Mr. Blizzard) on securing the debate and on the strident efforts that he has made on behalf of his constituents to halt the disgraceful tide of closures announced by Barclays. Other hon. Members who represent constituencies in the region have also spoken out against the closures.

It was somewhat ironic to hear the right hon. Member for South-West Norfolk (Mrs. Shephard) speak about pickets and sit-ins. Politics has indeed turned on its head if Conservative Members are found to be supporting such welcome direct action. We may have lessons to learn from one another.

The debate is timely. Only yesterday, we launched the all-party group on banking. I was pleased that my hon. Friends the Members for Waveney and for North-East Derbyshire (Mr. Barnes) and many other hon. Members from across the political spectrum were present to give their unstinting support to resisting the tide of financial exclusion that threatens to engulf many communities, not only in rural areas but in urban and small, deprived inner-city communities.

Undoubtedly, of all the major national banks, Barclays is the most unresponsive to both public and political pressure. It is clear that Barclays intends to proceed with the closure of 172 branches, despite the fact that there is almost unprecedented political activity in the House over the matter. Some 300 Members of Parliament have signed early-day motions condemning bank closures generally and Barclays' activities in particular. As I speak, there are about 20 early-day motions on the Order Paper.

The all-party parliamentary group on banking exists not to legislate but to work together to explore options and bring pressure to bear on the banking industry to try to make it more accountable and more responsive to customers' needs. The present tide of closures is taking place at a time when the banks are securing record profits. Last year alone, the United Kingdom banking industry made a net profit of £20 billion. Paradoxically, profits are going through the roof while the branch networking is systematically butchered.

Many solutions need to be explored. As my hon. Friend the Member for Waveney said, there is a prospect of banks being regulated if they do not put their house in order and show similar concern for customers as for shareholders. Perhaps the Minister will be able to hold out such a prospect when he replies. Other options have been outlined today and in other debates. If only the big four banks would agree to talk to one another. At the moment, there is a sort of race not to be the last bank left in any town or village, because it is obvious that the last bank to close will take the flak from local communities and their democratically elected representatives. If a community is not large enough in major banks' terms to sustain four branches, what would be wrong with their sharing facilities and processing one another's customers, at least leaving those communities some access to basic banking services?

Mr. Harry Barnes (North-East Derbyshire): Although the current flak is, rightly, being directed at Barclays, the other high street banks that my hon. Friend the Member for Waveney mentioned are also deeply into this game. Even after Barclay's current closure programme is completed, NatWest and Lloyds TSB will have closed still more branches since the 1990s. The campaign should be directed fully at the four major banks and the problems that they are creating generally, although one solution would be for them to get together to provide facilities in communities.

Mr. Salter: My hon. Friend makes a telling, accurate point. We are singling out Barclays for our vitriol today but it could easily be sprayed around at all the big four banks and at the United Kingdom banking sector in general. However, one bit of good news has just come to light. Following the takeover of NatWest by the Royal Bank of Scotland, the proposed closure of 250 to 300 banks has been put on hold. I understand that that decision was taken as recently as yesterday. Sixty fairly well advanced closures will go ahead but 140 to 190 branches have been reprieved. How long this will last remains to be seen.

The other purpose of the campaign is to provide not only a strong voice in Parliament for local communities that are threatened with financial exclusion but a strong voice for customers, whom the major banks singularly ignore in their relentless search for even greater, more obscene profits.

Another ray of light—at present there are only rays—is the excellent report by Don Cruickshank, the Treasury adviser, who began an inquiry into financial exclusion. Hon. Members need to study some of the report's recommendations to ensure that it does not gather dust in Treasury filing cabinets or elsewhere. I look forward to working with other hon. Members to that end.

The most likely solution, with which I hope the Minister will deal in his response, is to use the 19,000-strong post office network. It has shrunk by 1 per cent. over the past few years and we cannot turn back the clock: modernisation will take place. Automated credit transfer will have an effect on the post office network and it is pointless for Labour Back Benchers to deny it, but other options are available to strengthen the Post Office.

The Post Office is perhaps the best loved of British institutions. We need to get the banks talking to each other and to be responsive to public and political

[Mr. Salter]

pressure. That could produce capital investment in all our major post offices and sub-post offices, which could provide at least basic banking services to our constituents who want access to their own money.

Ms Glenda Jackson (Hampstead and Highgate): Is it not another bitter irony in the saga of Barclays' total disregard for its customers that it engaged in an experimental project in Cornwall to establish whether post offices could take over some of the banking services denied to its customers, yet did not wait for the outcome of the experiment before engaging in what my hon. Friend the Member for Waveney discovered has been defined as Closure 2000? That provides another example of Barclays' total failure to deliver to some of their most loyal customers.

Mr. Salter: Barclays is guilty of the worst cynicism. I am sure that Cornwall was picked for the pilot project because it was furthest from the London-based media.

Credit unions have been promoted as social banks in deprived communities such as Salford, yet those experiments, worthy as they are, do not stop for a moment the advance of the savage closure programmes. We must make these pilot schemes more than regional experiments and place them at the top of the agenda. It is our role as parliamentarians not only to raise issues but to propose solutions. My hon. Friend the Member for Waveney and the right hon. Member for South-West Norfolk certainly touched on possible solutions in the offing.

Many groups are affected by bank closure, and the elderly and people on fixed incomes are the worst affected. I am pleased that Help the Aged has joined forces with the campaign for commuity banking services and the new all-party group to add its voice to the outcry against the tide of financial exclusion.

I wish to end by telling a story about my constituency to illustrate how, just once, we managed to force a major national bank to back down and listen to people, especially the elderly. Last spring, rebellion was in the air in Reading, West. It is a fairly prosperous constituency at the heart of middle England. A major national institution had incensed a wide coalition comprising small business men and women, jobbing builders, the elderly, the blind and the disabled—in fact, just about everyone who does not rely exclusively on cash machines for all their financial transactions. I am talking, of course, about Lloyds TSB—the bank that used to like to say yes.

Lloyds TSB faced a storm of protest when it announced the closure of the only bank left in the village of Theale, just outside Reading. To add insult to injury, the full automation of two further district branches and the partial automation of its central Reading branch were proposed. It was part of an ill-fated national pilot scheme to see whether bank customers were ready to deal solely with robots rather than people. My constituents' reaction was hostile, to say the least. I was proud to spearhead a campaign aimed at sinking that pilot project once and for all. I had no doubt that if Lloyds TSB got away with it in Reading, wholesale automation would have been introduced in thousands of other communities throughout the country. It was a nasty glimpse into the future.

Reading is the capital of the Thames valley, is at the cutting edge of e-commerce and is probably the last place to wish to resist progress. Yet for all the advance of internet banking and the increased use of ATMs, how on earth is a blind person supposed to use a fully automated bank? What use is a cash machine that will issue only £200 a day to a jobbing builder who needs money to pay labourers and buy materials? What about the shopkeeper who loses a day's interest on deposits? Hon. Members may be interested to learn that it takes four days for a robot to process a cheque and three days for a human being. So much for progress!

There are many elderly people in my constituency who simply do not trust putting their hard-earned savings into a hole in the wall—and why on earth should they? I like campaigning—it is one of the reaons why I am in politics—but seldom have I had as much pleasure as I have had in directing the protests and anger of my constituents at the arrogant Lloyds TSB executives who were seeking to use them as guinea pigs in their constant search for even greater profits.

At times, the big four banks seem almost oblivious to the terrible publicity that they generate for themselves by pursuing their policies of branch closure, cash machine charges and excessive profiteering, yet just this once we forced them to back down. I do not know whether it was the horror of being picketed by scores of blind and disabled people on national television. Perhaps it was having their nice little House of Commons summer reception gatecrashed by a particularly belligerent MP and his staff. Was it the threat of being exposed for breaches of the Disability Discrimination Act 1995? Whatever it was, I am pleased to report that the Lloyds TSB executives eventually caved in and cashiers were reinstated in Reading. I hope that the efforts of hon. Members and others working together will force the banks to see sense and give communities and their customers the level of attention that they currently give to their shareholders.

11.36 am

Mr. Keith Simpson (Mid-Norfolk): I warmly congratulate the hon. Member for Waveney (Mr. Blizzard) on securing this Adjournment debate. I welcome the fine contributions by my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard) and the hon. Member for Reading, West (Mr. Salter). Indeed, it is strange to see so many of us who are roughly of the same generation and who have at times been on different sides. I look at the Minister: 30 years ago, we stood on different sides of a barricade. I suspect that, on this occasion, we are all on the same side.

Like other hon. Members, I wish to bring to the attention of the Chamber the deep sense of outrage in my constituency about the closure of two Barclays bank branches at Reepham and Brundall. I have had campaigns in the past: people have written to me about a wide range of issues that have upset them, such as the national health service and hunting, whether for or against, but seldom have I heard such genuine, deep anger. It has been expressed not only by the people in those two communities, but by people throughout my constituency, including those who can easily find alternative means of banking.

The protests that I have received have not been in the Luddite tradition of refusing to face up to progress. Nearly everyone recognises that it is a highly

competitive world and that the banks must adapt to new technology of one kind or another. However, it seems to many people that Barclays has got it wrong. It may be taking the brunt of the blame for decisions also taken by the other banks, but in this case it has shown a degree of crass stupidity that only a political party in terminal decline can ever show. At different stages the Labour, Liberal and Conservative parties have all witnessed that.

As the hon. Member for Waveney pointed out, the debate has focused on the effect of Government regeneration policies on bank branch closures. I want to say at the outset that in Norfolk, we feel out on a limb. We feel neglected, and there is a danger that the Government's well-intentioned policies of regeneration may be seen by many people in Norfolk as policies of degeneration, which will cause things to get worse. The closure of branches by Barclays must be seen in the context of many other things that have happened to rural communities such as those in Norfolk in the past decade, and which have accelerated during the past three years.

My right hon. Friend the Member for South-West Norfolk spoke about the crisis facing farming. There is a real crisis in my constituency. One need only see the pig farmers' picket a few yards from the Room.

As hon. Members have said, we must bear in mind the closure of sub-post offices. The Government's decision in May 1999 to scrap the previous Government's Horizon project for paying benefit using swipe cards will have a major impact on post offices. Forty per cent. of rural sub-post offices' income comes from benefit payments. Many rural post offices will close as a result of that decision. As hon. Members know, in many communities the post office effectively subsidises the village shop. Between 1992 and 1997, 99 sub-post offices were closing annually. Now, 235 are closing every year. On 5 February, the *Eastern Daily Press* reported that more than 20 village post offices in Norfolk and Suffolk had shut in the past 12 months.

Hon. Members' worthy proposals on the alternative of combining banking facilities and sub-post offices may not be workable. So many sub-post offices may close while we are trying to achieve that, that communities such as Reepham and Brundall will end up without a bank or sub-post office.

Mrs. Shephard: Does my hon. Friend accept that there could have been a means of saving some rural post offices, had more thought been given to Barclays' operation in such matters? A partnership might have been formed that would have given post offices an additional function. That could have saved some post offices, although it is undeniable that many have closed.

Mr. Simpson: My right hon. Friend is absolutely correct. Once again, we confront the worst kind of short-termism.

Mr. Blizzard: Does the hon. Gentleman agree that if postmasters, newspapers and pensioner groups keep saying that post offices are going to close, that will undermine confidence in post offices and cause some customers to abandon them in favour of a bank? Should we not encourage people to use post offices to stop them closing?

Mr. Simpson; I fully endorse what the hon. Gentleman says. Unfortunately, however, more and more sub-post offices in my constituency are closing. Indeed, this Friday I am attending a meeting about one that is under threat.

As my right hon. Friend the Member for South-West Norfolk said, Barclays' decision has provoked outrage in Norfolk. My constituents in Reepham and Brundall have contacted me by letter and telephone. They are extremely angry that the decision will be implemented—as the hon. Member for Waveney said—on 7 April, whatever anyone says. Barclays is in, "I hear what you say" mode, which is a polite way of saying, "I don't give a damn what you say."

Consultation has been lacking and there is genuine fury that the announcement has, unfortunately for Barclays, come at a time when the bank's profits have increased by 30 per cent. to £2.5 million. As my right hon. Friend the Member for South-West Norfolk said, the directors have had a small windfall. A massive new advertising campaign with a famous British actor appearing—presumably for a large fee—to say how well Barclays is doing rubs salt into the wound. Another bank claimed that it was a listening bank. At least Barclays has spared us that; if it took such a line, it would be lynched.

What will the closures of the branches of Barclays in Reepham and Brundall mean to those communities? I live in Reepham, a market town of about 4,000 inhabitants which is used by many in surrounding villages. Individual customers and local family businesses bank there. The nearest Barclays bank is 8 miles away in Aylsham, constituting a round trip of 16 miles. So there is an immediate impact on many individuals. Mrs. Joyce Cox, secretary of the Reepham Patient Care Fund, told me that she wrote to Barclays' branch manager in Aylsham saying that the fund would have to use its small coach to bring disabled customers to it. She wondered whether Barclays would make a small contribution to the cost of the extra petrol. In reply, she received a letter saying, effectively, "I hear what you say."

Brian Robertson, our local butcher, has said that the closure will affect the way in which local businesses bank their cash, not only because of the disruption caused by taking money to another bank but because, as my right hon. Friend the Member for South-West Norfolk said, they feel insecure and are worried about increasing instances of robbery and muggings.

The impact on Brundall, a large village to the east of Norwich on the River Wensum, will be similar but with a particular degradation of tourism. The bank offers a service for holidaymakers, and local people, such as David Green and Kiki Angelbath, fear that the closure will have a detrimental effect. The combination of bank branch closures and the threat to sub-post offices—a point made by George Johnson in Reepham—will produce degeneration, not regeneration, in rural communities.

I want to emphasise a point made by my right hon. Friend the Member for South-West Norfolk. It is indeed a deep irony that Barclays bank has a direct Norfolk

[Mr. Simpson]

connection, with the families of the Barclays, the Gurneys and the Buxtons. They were 18th-century Quakers who went into banking not only for commercial reasons and to make a profit, but to provide a service for the farming community, based on deep Christian beliefs. They had a commitment to social welfare.

The plea of my constituents in Reepham and Brundall, expressed by the vicar of Reepham, the Rev. Michael Patison, is not that Barclays should be an extension of the welfare state, but that it should reconsider its decision to close its branches in Reepham and Brundall and in other constituencies. The banks should consider the strong cross-party feeling shown in this debate and realise that it may affect the future of banking and the legislation that may be introduced.

11.46 am

Ms Glenda Jackson (Hampstead and Highgate): I, too, thank my hon. Friend the Member for Waveney (Mr. Blizzard) for securing this Adjournment debate. As in the previous, shorter Adjournment debate on this subject, every hon. Member who has spoken has adduced a litany of experience on the serious impact that the proposed closure of bank branches by Barclays will have on our constituents.

Mine is not a rural constituency, but the proposed closure of the Hampstead Heath branch of Barclays will have a serious impact on an area where people have prided themselves on managing to maintain a strong sense of community and have worked extremely hard to maintain the village atmosphere. We have many small shops that are entirely dependent on Barclays; it is the only bank in that part of my constituency.

Although the Hampstead Heath branch may not seem a million miles away from the branch in Hampstead village, the latter is at the top of an extremely steep hill. Although the distance is not far, some of those Barclays customers who will be most strongly, even doubly, affected find it extremely difficult to reach. They have been Barclays customers all their life and have shown their loyalty. They are now pensioners, and the bank that they have entrusted with their savings, which they believed would deliver a high-quality service, is now betraying them. I do not think that that choice of word is too extreme.

The proposed closure will also impact strongly on all the small businesses in the area, because they are largely based on cash transactions. Barclays argues that going on-line will solve their problems and that, in future, the technology will be such that hole-in-the-wall machines will be able to take cash as well as provide it, but they will not be able to deliver change, which is intrinsic to the businesses about which I am speaking. Hon. Members also mentioned the perceived rise in the potential for crime, which is of great concern to my constituents. To most people in this Room, the withdrawal of a small amount of money may not seem fraught with the potential for danger, but for pensioners that small transaction involves a large amount of money. They are genuinely afraid of being able to withdraw cash only from a hole in the wall.

I was one of several hon. Members who recently attended a meeting in the House with the directors of Barclays bank. As the hon. Member for Mid-Norfolk (Mr. Simpson) said, their policy seems to be, "We hear you, but we are not listening to what you say to us." The suggestion that there is a potential, if not for increased crime then for an increased fear of crime, was pooh-poohed by the directors, who said that they would introduce closed circuit television cameras in the hotspots. How many attacks must be carried out before the directors of Barclays bank, who seem to have closed their ears to what their customers tell them, introduce the type of security about which they were speaking?

Many hon. Members mentioned degeneration. If the small businesses in my constituency are denied a full range of banking services, it will affect their customers. Most people in this day and age do not have the time to fly like butterflies between venues to different services; there are not enough hours in the day for them to do so. If the bank goes, the customers will move to another bank and spend their money in other shops and cafés and on other services. That will lead to degeneration, which happens in urban areas, too. Degeneration in rural areas was described in graphic detail, and urban areas, too, are desperate for regeneration. Changes are being made, and small and medium-sized businesses are the major job creators in my constituency.

The popular perception is that no one in Hampstead and Highgate is less then a millionaire, but nothing could be further from the truth. There are serious and grave areas of major deprivation in my constituency, as there are in all urban constituencies. Barclays' proposals are another serious blow to areas where people have worked extremely hard, giving their time and efforts to retaining the sense of community by caring for one another. They are trying to maintain the principles, mentioned by the hon. Member for Mid-Norfolk, that energised the bank's founders. How far has that bank slipped?

At the meeting with directors of Barclays that I mentioned earlier, hon. Members were told that because of modernisation and the apparent desire of everyone to opt for on-line banking, Barclays would provide a high-quality service to most of its customers—not to all of its customers; certainly not to those who have been most loyal to the bank over the years, but to "most" of its customers. There was no concomitant sentence stating that the charges to those customers who had less than a high-quality service would be reduced.

The Cruickshank report alleges that the banks have vastly inflated profits. "Bankbusters", on television, gives many examples of incompetent high street banks overcharging their customers. I strongly add my voice to requests for the Government to examine high street banking. If banks continue to treat their customers in such a cavalier way, the next step may be to examine regulatory procedures such as those in, for example, the United States of America, which has community regeneration legislation under which banks must make a major regenerative contribution to their customers if they intend to close their high street branches. Mention has been made of the outrage felt by customers about the complete lack of consultation. Customers knew that the branch in my constituency was to close only because of a notice in the window.

At a meeting with Members of Parliament, Barclays bank directors were categorical that they wanted the closures to take place in six weeks. They said that assistance would be provided to people who have no confidence in, or knowledge of, on-line banking and that additional services would be available for customers with disabilities. I have written to Barclays requesting information about such services—but answer comes there none.

The case that was presented to me about the bank closure in my constituency was based on Barclays saying that customers were leaving the branch and that there was no longer a requirement for counter services. In less than half a day, two of my most active constituents, who have been protesting about the closure, obtained more than 800 signatures from people who wished the branch to be maintained. I hope that the bank will have listened carefully to the contents of this morning's debate, because being a big bank in a big world—the excessive amount that it is spending on advertising has already been mentioned—will be of no value if its excessive activities abroad reduce the potential for jobs and small and medium enterprises to flourish. Or is that how Barclays wants the future to be? Does it want to be a big bank everywhere except the United Kingdom?

11.56 am

Mr. Harry Barnes (North-East Derbyshire): I must be mellowing in my old age, because I have not advocated direct action since the days of the poll tax. It was always non-violent direct action that I supported, but given the contributions from some surprising quarters this morning, perhaps I need to reassess my position on bank closures. The hon. Member for Mid-Norfolk (Mr. Simpson) claimed that we were not luddites. I must say in response that the luddites have had a bad press and I suggest that he reads the work of the historian, E. P. Thompson, who attempted to redress that position. At the time, luddites were faced with horrendous situations.

What is so obnoxious about the bank closure programme is that we have a growing economy. It surprises me how well the economy is doing, because it seems to be expounding third way proposals of which I am not an advocate. Bank activity is growing, yet banks are closing their outlets. The automated credit transfer system will add to the numbers of accounts with which the banks will be dealing and will add to the needs of those who require regular access to local branches.

The problem relates to not only Barclays bank, but major banks throughout the country, some of which will have reduced the number of branches even more drastically than Barclays will have done after 7 April. As my hon. Friend the Member for Waveney (Mr. Blizzard) said, it would be a good idea for people to sign up to the remaining bank in their community. It is easier nowadays to transfer entire accounts than it has ever been. That is useful, but all the banks in Killamarsh in my constituency have disappeared. Many people moved from their Killamarsh NatWest branch to Barclays, and were devasted when Barclays announced that it was to leave neighbouring Eckington. Many people are affected by inertia and do not bother to transfer, so banks lose out. I faced that problem when TSB moved out of Dronfield, where I live, and I retain my Lloyds TSB account despite great inconvenience. Lloyds TSB always rings people in the most inconvenient way, asking them to go and discuss their financial position.

There are many problems, but I had better allow other hon. Members to speak.

12 noon

Dr. Vincent Cable (Twickenham): I pass my congratulations to the hon. Member for Waveney (Mr. Blizzard), who has clearly struck a raw nerve in many constituencies, including mine. I shall try to make my contribution different by considering the big picture. It surprises me that people should be taken aback at what is happening.

Since the mid-1980s, there has been a shareholder-value revolution in the banking industry. Banks were once not primarily driven by their shareholders. Barclays was owned and run by old Quaker families with a paternalistic tradition. Until the mid-1980s, many banking outlets were dominated by the mutual movement; the Library shows that that was the case in about 35 per cent. of outlets, but the figure is now less than 15 per cent. Now the banks are primarily driven by the need to add value for their shareholders. That has some positive consequences, not only for the shareholders; large business or private customers with good credit ratings clearly do well out of the more abrasive environment.

That culture also has considerable costs, and I am not referring only to branch closures. One of the biggest costs is borne by the workers. There are far fewer of them, and they have less job security. Amid all the legitimate concerns about Longbridge, where, I think, 9,000 jobs are at risk, we might overlook the fact that approximately 30,000 jobs are at risk from the merger of NatWest with the Royal Bank of Scotland. The jobs are not so concentrated, as they are part of the fallout of the closure of bank branches across the country. There are also implications for pensioners, as those of us who were involved in the battle on the Floor of the House to hold up the Lloyds TSB merger until pensioners were properly looked after will know. Costs are primarily and most visibly being paid in terms of the contraction of the branch network.

Time is short, and the emphasis of our discussion is to try to find constructive solutions, so I shall suggest three approaches. The first is to build on growing competition in banking. We live in a tough, competitive environment, so we should make it work for the bank customers. There is not a great deal of competition in the retail sector at the moment; there appears to be, but customers do not often vote with their feet. Statistics suggest that people are more reluctant to change their bank than to change their husband or wife, so there is a low rate of mobility between banks.

Mrs. Shephard: The hon. Gentleman's argument is well constructed. The tenor of what he says is that people have a choice, but my hon. Friend the Member for Mid-Norfolk (Mr. Simpson) and the hon. Member for Waveney have said that that is not the case in rural areas.

Dr. Cable: The intervention is right. A problem in rural areas calls for social banking, as I shall mention in

[Dr. Cable]

a moment. People have greater choice than they realise, whether in reaction to poor service or in protest at bank closures. People could and should express that choice. Unfortunately, the Cruickshank report, which was designed to highlight the competitive problem, focused more on wholesale than on retail banking. Some major changes must be made to the portability of accounts to give consumer power, which is needed to make competition work properly. I hope that the Government deal with that.

Let me move to the second point, which was mentioned in the intervention. Competition can go only so far. It cannot address the problems of social or financial exclusion. Only social banking can do that. Although there is a clear, identifiable need for social banking and some effective campaigning for it—led by, among others, the hon. Member for Reading, West (Mr. Salter)—community banking is a concept that has not yet found a practical expression. Credit unions are an obvious vehicle for that, but although the Government have talked eloquently about them for three years, the proposed reform package is still bottled up in the Treasury. Credit unions are smothered with regulatory controls, which the Treasury has not yet found a way past.

The other fundamental problem, which has been touched on, is the post office network. We are not dealing with a static situation. The decline of the post office network is accelerating. The network has been declining at the rate of about 200 branches a year. In the current financial year, there have been 400 closures, in anticipation of automated credit transfer. Unless a mechanism can be found for replacing the £400 million of income earned by the post office network, that rate of attrition will increase and the most important vehicle for social banking will be lost.

If the post office network is to be sustained it needs an income stream. The hon. Member for Reading, West suggested a windfall tax. That measure has a varied ideological pedigree; I believe that it was Lord Lawson, as Chancellor of the Exchequer, who first introduced one. Another idea that has emerged during the debate is the need for a social banking system to be subsidised; it obviously cannot operate on a profit-making basis. If those two proposals are put together, with the windfall tax providing revenue that would be ring-fenced instead of disappearing into the Treasury, that would provide a mechanism for solving the problem.

My third and final argument concerns regulation. Several hon. Members have said that if the banking system does not change its behaviour, it may need to be regulated to stop the process of bank closures. I would argue that that is necessary, but should not happen in a highly politicised way.

I have suggested a clause in the Financial Services and Markets Bill, which is passing through the other place, that would oblige the regulator to ensure that banks comply with the needs of vulnerable customers—the aged, the disabled and those isolated in rural areas. So far the Treasury has not accepted that, although the Department of Trade and Industry has accepted a similar obligation on the utilities. A general power of that kind would impose on banks a requirement of the type in force in the United States, mentioned by the hon. Member for Hampstead and Highgate (Ms Jackson). It would also provide flexibility because it would not be unduly prescriptive.

Therefore, a combination of intensified competition, the creation of consumer power by enabling people to switch their accounts more readily, a boost in the arm for social banking and some regulatory restraints on the operation of banks, might address the concerns that were so eloquently presented by the hon. Member for Waveney.

12.8 pm

Mr. Tim Loughton (East Worthing and Shoreham): I also congratulate the hon. Member for Waveney (Mr. Blizzard). It has been an interesting and topical debate. I particularly congratulate the hon. Gentleman on his work as a private eye during his interview with the local Barclays branch. It would be interesting to see what memorandums are now flying from Barclays central office to branch managers, instructing them not to leave piles of papers on their desk during interviews with Members of Parliament. His remarks about the branch closure staff guidance pack make the procedure seem clinical—a world apart from the image of Capatin Mainwaring and the local bank branch.

It is a topical problem, with all the debate about automated telling machine charges, post office benefits changes and the formation yesterday, which the hon. Member for Reading, West (Mr. Salter) mentioned, of the parliamentary banking group. It is not just a question of BC—Barclays closure—on 7 April. Lloyds TSB has started a closure programme with the recent takeover of the National Westminister bank by the Royal Bank of Scotland. Many more closures of all kinds of branches are likely.

As my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard) said, the problem is not just rural. Certainly, rural areas are becoming some of the most disadvantaged areas for services. My constituency is largely urban and consists of parts of Worthing. It has a population of 100,000 that is made up of "villages within a town". At present, Worthing has the largest number of Lloyds bank branches per head in England. However, I confidently predict that, within the next couple of years only 50 per cent. will survive.

Barclays has also been closing branches in villages that are part of Worthing where they were the last branch. The closures have been carried out suddenly, with minimal consultation that has caused maximum disruption, particularly in Worthing with its higher than average number of elderly and disabled people. My right hon. Friend mentioned the 70-plus protests in her constituency, the fierce local reaction and the stress that had been caused to staff. She has seen nothing yet. If that tide gets under way, it will not just be 70-year-olds, it will be 80-year-olds, 90-year-olds, and a few 100-year-olds in my constituency. The figures for the past 10 years make interesting reading. Since 1990, 130,000 jobs in high street banks have gone, and as hon. Members have said, 4,000 branches have closed. In September 1999, Deloittes predicted that one third of the remaining 11,000 bank branches would close by 2005, and that many sizeable communities would be left without a bank.

The takeover of the National Westminster bank by the Royal Bank of Scotland came with a threat to cut floor space by half, and 850 of the 1,700 NatWest branches may be under threat. Let us hope that the news that the hon. Member for Reading, West brought us has delayed that decision, but ultimately those branches are under threat. It was rightly pointed out that this country gets a raw deal. High street banks in the rest of Europe fare much better. We have 170 banks per million people. France has 440 banks per million people, while Spain has 900 per million people. There has been much protest in the House about what is happening. The hon. Member for Reading, West underestimated the problem. There have been 28 early-day motions so far this year, 13 of them condemning Barclays, three condemning Lloyds and two condemning both banks. To date, they have attracted 563 signatures. It is a widespread issue.

Banks are not just buildings; they are at the heart of a community. They provide a vital service to many small firms. Solicitors' firms, for example, use overnight safes. Shops use overnight safes and, as my right hon. friend the Member for South-West Norfolk said, they face a serious security problem and may lose out on interest if they cannot bank their takings locally on the day of trading because of time pressure. Building firms that need to provide ready money for their employees may also experience problems.

Banks constantly fob people off with science. They say that the whole world is changing and that internet and telephone banking services are available. At the moment, Barclays has some 650,000 internet customers of one description or another and 1 million customers who use telephone banking. However, I suspect that many of those customers use the branches, too. There are still many people who are not on the internet and do not bank by telephone, particularly the elderly.

As the hon. Member for Hampstead and Highgate (Ms Jackson) said, it is offensive that Sir Anthony Hopkins appears in an expensive television advertisement, backed up by other media advertising, talking about being Mr. Big in a big world, for big business. Well, what about the little man? What about ordinary individuals who make up such a large proportion of a bank's customers? It seems the most enormous public relations gaffe to be talking about "thinking big" when banks are closing small branches that serve big communities in little villages and parts of towns.

Mr. Salter: I congratulate the hon. Gentleman on his contribution, but does he not think that it is entirely appropriate that Sir Anthony Hopkins was selected to feature in the Barclays advertisement? After all, he made his reputation in "The Silence of the Lambs" by eating people.

Mr. Loughton: I am grateful for that contribution, which I saw coming. It is almost a question of dog eats dog in this instance.

I want to touch on the issue of urban regeneration, brought up by the hon. Member for Waveney. Urban regeneration is all about increasing jobs and enhancing the environment and housing. Communities are not just a group of brick boxes; they need centres and facilities—especially for young people—shops, transport links, health centres and doctors. In walking away, as the hon. Member for Waveney put it, Barclays, Lloyds and other banks seem to have delivered a large vote of no confidence in the whole regeneration process, both in urban and rural areas. It is a severe blow to the aim of increasing facilities for people, a severe blow to the aim of attracting businesses into newly regenerated areas and a severe blow to those businesses already in the area, which may be clinging on by the skin of their teeth.

I am sure that banks could find other roles within communities—as business advice centres, for example—that accentuate the provision of customer services offered by them until now. There is interaction between banks and post offices, as several hon. Members, including the hon. Member for Hampstead and Highgate, said. It seems crass that Barclays is carrying out a three-month trial with 270 branches of the post office in Cornwall. Surely, we need to see the results of those trials before the BC cataclysm starts in the next couple of weeks. It makes one wonder whether that is just another PR red herring from the bank, which is not really listening, although it claims to do so.

Many hon. Members made comments appropriate to the experiences of people in their constituencies. My right hon. Friend the Member for South-West Norfolk mentioned the security element of transporting cash and the cost of travel, especially in rural areas. The hon. Member for Reading, West said that the closures come at a time when banks are reporting record profits, so it represents an extraordinary PR gaffe. Certainly, in the case of Barclays, which has behaved worst of all in terms of not consulting Members of Parliament before launching the closures, it is a case of saying, "I hear what you say" without actually listening, as my hon. Friend the Member for Mid-Norfolk (Mr. Simpson) said. I must congratulate my hon. Friend on mentioning so many business men and traders in his short speech.

The debate has been interesting. The hon. Member for Waveney has done the House a service by raising the subject, and I hope that any representatives of banks who are here today or who read reports of the debate will take notice of what has been said. The problem caused by the closures is complex. There will be a problem of unemployment, a problem of access denied, especially people with disabilities and the elderly, such as Mr. Baldry, who was mentioned by the hon. Member for Waveney. Another piece of the mortar that keeps communities together is being chipped away and the communities of the future, which should be regenerated, will suffer yet another setback. It signifies a vote of no confidence in the regeneration of less well-off areas in both towns and rural areas. Banks should do much better and listen properly.

I conclude by quoting a sobering statistic. In this country, more than one in three people change their spouse, yet fewer than one in five changes their bank. Perhaps, in the area of banking, there will be a higher rate of divorce, or threatened divorce, unless banks prove to be a more loving partner.

12.19 am

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Chris Mullin): We have had a good debate and it is evident

[Mr. Chris Mullin]

that hon. Members of all parties have strong feelings about its subject. My hon. Friend the Member for Waveney (Mr. Blizzard) has raised an important issue. I have a distant memory of his constituency, as I was a waiter at Pontin's in Lowestoft in a previous incarnation. The right hon. Member for South-West Norfolk (Mrs. Shephard) treated us to an entertaining—I do not lose sight of the importance of this matter—account of the sit-in that occurred in her constituency. The hon. Member for East Worthing and Shoreham (Mr. Loughton) treated us to a terrifying vision of what might happen in Worthing if direct action were to spread that far.

As has been said, banks play an important part in the stability of local communities. I am sorry to say that in their drive for greater profits—it was pointed out that their recent profits have been huge—they are abandoning any sense of social responsibility. Increasingly, banks are interested only in servicing the prosperous, and the latest round of Barclays closures serves only to illustrate that trend. No amount of exhortation from me or any other politician is likely to make the slightest difference to what are essentially hard-nosed commercial decisions, although I am happy to join my hon. Friend the Member for Waveney and others in their plea for Barclays to review plans, especially for closures in regeneration areas. The most useful role that the Government can play is to help to develop alternatives. That is why it is important that the Post Office remains in the public sector and why we are encouraging it to invest heavily so that it can provide customers in small or poor communities with a range of financial services that were hitherto provided only by banks.

One alternative that is becoming more widespread is the development of agency agreements between banks and post offices. Such agreements provide local post offices with additional business that can be crucial to sustaining viability and a valuable public service and are, therefore, a double benefit for the community. The Government are committed to maintaining a nationwide network of post offices. We have already embarked on an investment programme worth almost £500 million, to equip all post offices with a modern, on-line computer system enabling them to extend the banking facilities that they can offer on behalf of banks and building societies. That will be of considerable value in rural and urban areas from which the banks have withdrawn.

Only two weeks ago, we debated in Westminster Hall the closure of banks in Northumberland, at the other end of the country. Particular reference was made to the town of Belford, where a local bank—I think that it was a Barclays branch—was being closed. However, the local post office already had an agency agreement with two or three other financial institutions and was providing their services. A clear alternative was therefore available in that small town, and I hope that such arrangements will be emulated in other parts of the country. The Post Office already has successful agency agreements with the Co-operative bank, Lloyds TSB and Alliance and Leicester for the provision of free banking services to their customers. The services include both withdrawals and paying in, and many post offices now offer foreign currency exchange, which shows that such arrangements can work to the mutual satisfaction of the banks, the Post Office and their customers.

I shall not tell the hon. Member for Mid-Norfolk (Mr. Simpson) that I hear what he says about post offices, but I take this opportunity to restate what the Government have repeatedly made clear: anyone who wants to continue collecting their pension or benefit from a post office will be able to do so. I add one other point: it is no good signing petitions calling for post offices or banks to stay open if their services are not used. People must make use of local services or they will disappear. That applies to post offices as much as to banks.

As hon. Members have mentioned, Barclays is carrying out a three-month trial in 270 post offices in Cornwall to see how its services can be delivered. I agree with my hon. Friend the Member for Hampstead and Highgate (Ms Jackson) and the hon. Member for East Worthing and Shoreham that it is particularly unfortunate that the bank has nevertheless decided to proceed with its major programme of closures before seeing how the experiment is working. I said when this subject was last debated that I regard that action as premature.

The hon. Member for East Worthing and Shoreham said that banks currently enjoy a high level of customer loyalty. They cannot expect that to continue if it is not reciprocated. A number of banks have recently attracted a good deal of adverse publicity over their plans to charge for withdrawals at cash machines. I am glad to see that they are now reviewing that plan in light of the public's anger. That is a demonstration that public opinion can, with a little help from the Government, make a difference, even with such apparently hard-hearted institutions. Banks cannot, on the one hand, argue that branch closures make commercial sense because more cost-effective banking services can be offered by other means—telephone, internet, direct debit, cash machines and so on—and, on the other hand, expect their customers to pay higher charges for using those so-called more cost-effective technologies. They cannot have it both ways.

At the end of the day, the banks' customers must themselves make a commercial decision. If their bank fails to continue to meet their banking needs, they may consider transferring their business to one that does, either directly at a local branch, or through an agency agreement with the local post office. That sort of market pressure sometimes works. Some hon. Members will recall that in the 1970s, Barclays was forced to rethink its investment in South African defence bonds. Many local authorities that had bank accounts with Barclays and many individuals—including me, although I doubt whether the withdrawal of my modest account made a great deal of difference to the bank's corporate strategy—forced the bank to review its attitude towards its investment policy.

That sort of popular uprising can sometimes work, when appealing to the better nature of the banks might not. I note that Members of the National Assembly for Wales are calling for the closure of the Assembly's £3 billion account with Barclays. That ought to ring a bell or two in the appropriate quarter, even if what we say in Parliament does not have quite the same impact. That could easily spread, unless Barclays starts to take more

interest in the welfare of its customers. Only yesterday, for instance, the banks involved in the Link network succumbed to public pressure.

It is disappointing to see Barclays closing branches in an area where the benefits of the Government's investment of public money in regeneration are just beginning to bear fruit. As I said, such a move can help to undermine the viability of local shopping and commercial centres. There can be little doubt that such closures will represent a setback for the SRB partnership, because it will restrict access to banking services for local people and businesses. Unfortunately, it is not an isolated incident. Other areas that have benefited from the investment of public money in regeneration schemes are being hit by Barclays bank branch closures. We should also bear it in mind that, as my hon. Friend the Member for North-East Derbyshire (Mr. Barnes) said, not only Barclays is at fault. Barclays has been mentioned a lot, and rightly so, but other banks are doing the same.

I am only too happy to add my voice to that of my hon. Friend the Member for Waveney and the other hon. Members who have spoken this morning, in calling on Barclays bank to reconsider its strategy. However, I am under no illusion—the most effective pressure on Barclays is likely to be customers voting with their feet.

Chronic Illness

12.30 pm

Dr. Howard Stoate (Dartford): I feel fortunate to have secured a debate on the national health service and people with chronic long-term illness. As a former general practitioner—

Madam Deputy Speaker (Mrs. Gwyneth Dunwoody): Order. Hon. Members and members of the general public must leave the Room as quietly and, preferably, as safely as possible.

Dr. Stoate: As Someone who continues to practice in the NHS, I think that the subject is important and I feel privileged to raise it in the Chamber. I recently heard an interesting definition of the difference between hospital medicine and primary care. In hospital medicine, the conditions stay the same and the faces change; in primary care, the people stay the same and the conditions change. That is the point—the vast majority of chronic illness is managed in primary care. More than 90 per cent. of people using the NHS access it through primary care. Most people with chronic long-term illness are managed and treated in primary care.

In the United Kingdom, one in three people suffers from a chronic disability or illness, but the subject has not impinged enough on the recent debate on the future of the health service. As a recent World Health Organisation report commented:

> If a new virus were expected to infect millions of citizens on the scale that chronic illness affects people world wide today, a public campaign would be launched immediately to mobilise scientific resources.

Perhaps because chronic illness is so pervasive and familiar to us all, we have ceased to deal with it with the urgency that it deserves. Many people view chronic complaints such as arthritis as a condition that is the natural consequence of old age. National voluntary organisations, such as the British League against Rheumatism and the National Society for the Relief of Paget's Disease, have experienced enormous difficulty in persuading the public to view the complaints as genuine diseases, rather than simply afflictions of the old.

The majority of people in this country perceive disease as something that is acute, treatable and of specific duration. Chronic complaints rarely fulfil that definition but, although many conditions are life threatening, they seriously affect the quality of an individual's life, preventing them from doing many of the things that most of us take for granted.

There is no reason why the maintenance of individuals' quality of life and the management of the pain and suffering experienced by those with long-term illness should not be seen as a priority in the health service on a par with acute conditions. Unless that happens, there is little chance of persuading the public of the impact and importance of long-term conditions.

The interest of people with long-term medical needs has been represented for the past 10 years by the Long-term Medical Conditions Alliance. That is the umbrella body for national voluntary organisations working to meet the needs of such people. More than 700,000 people belong to its 111 member organisations. It aims to ensure that the voice of people with long-term illness is heard and to provide support to its members.

[Dr. Stoate]

Working to identify and distil common issues across a wide range of conditions has been a considerable task, for which the LMCA and its director, Judy Wilson, deserve the highest praise. The efforts to promote the interests of the members at national level and to instigate a debate on the subject have been extremely important and have served to identify and focus attention on the key areas of health service provision that are in need of review. Despite that huge contribution, many patient organisations feel that they are not always valued or sufficiently used by professionals or policy makers in the NHS.

The organisations have a large role to play in the shaping and monitoring of health service policy development. Ensuring that their role in supporting the health service forms part of a long-term strategy, in line with the 1998 compact on relations between the voluntary sector and the Government, would help to strengthen the relationship between the sector and the health service. The experience of people suffering from chronic illness confirms that, although the NHS is skilled at treating people with short-term or acute illness, there is no consistent, reliable mechanism to co-ordinate their treatment, which is based both at hospital and in the community.

Clearly, links between services and their integration need to be improved, both on the ground and at policy and planning level—between health and social services, acute and community services, and primary and secondary care. Greater emphasis on multi-disciplinarity is also necessary, so that the care of each individual is not focused exclusively on the medical model of care. Continuity between medical services for adolescents, adults and the elderly is not properly managed. We need a more cohesive and integrated approach.

Despite the prevalence of chronic illness, the general public and even health professionals can be ignorant about what it is and how it should be tackled. Sufferers of chronic illness, including people with physical and mental ill health, are frequently on the margins of society. We lack the knowledge and experience of their conditions that would allow them to play a full and active part in society, with rights and responsibilities. That sense of isolation and alienation needs to be challenged.

Long-term chronic illness does not merely have an impact on people's health; it affects their careers, relationships and social existence. Many people feel obliged to give up their jobs or feel severely constrained in what jobs they can take. They often need employers to be flexible, but many companies struggle, or are unwilling, to provide that support. It is vital that the problem is recognised by the Government and that ways are found to relieve specific pressures and tackle the challenges faced by people who suffer from long-term illness.

Chronic illness should not be confused with long-term care. A small number of people, especially the elderly, may need long-term care at the end of their lives, but most people with chronic illnesses are not in permanent care and are responsible for the management of their illnesses. They often receive insufficient support and guidance because their general practitioners and other health professionals lack information about their condition and how best to live with it. We must ensure that doctors have access to basic information about conditions and that they are aware of local support groups and national voluntary organisations that help sufferers.

The LMCA does a valuable job on behalf of people with long-term illness. It also publicises the work of its 111 member organisations. Nevertheless, it urgently needs the active support of the Government, the medical establishment and the wider community to ensure that the issue is given national prominence. Such specialist groups recognise that helping people with chronic illness involves more than diagnosis, treatment, cure and discharge. The health service is effective at servicing a condition by providing the requisite drugs and treatment to stabilise the advancement of chronic illness, but it is not as well prepared to deal with the wider issue of helping an individual achieve a full quality of life and take responsibility for his or her well-being.

In addition, people with chronic long-term illnesses often suffer from more than one complaint, although the severity of each condition fluctuates and is rarely stable. The acute sector or general practice is not always equipped to cope with the nature of long-term illness. Part of the problem is that the consultation procedure treats patients as consumers rather than as proactive individuals who are capable of taking a lead in their own treatment. The person with a long-term condition should be fully involved in deciding how treatment should be administered. He or she should be more than just a passive recipient of treatment.

The problem has been recognised by the Government who set up the expert patients task force, which is chaired by the chief medical officer. Its purpose is to design the new expert patients programme to consider the role that chronic disease sufferers can play as experts in managing their diseases. An expert patients programme for arthritis has been piloted and the Government are funding a programme for people with different conditions, which is co-ordinated by the LMCA. The programme arms patients with the knowledge, skills and motivations needed to take control of their illnesses and manage their symptoms. It allows people to develop skills to control feelings of anger and depression and to manage diet and exercise routines. Such help means that people will go to the doctor less often, use services differently and feel physically and mentally better.

The programme could be extended so that the sufferers of long-term medical conditions play a more active role in the training of health professionals. That would enable them to treat sufferers more effectively. Given the wealth of experience and expertise that expert patients have, it is not unrealistic that they should have a greater role in shaping how patients are treated. Patients are often the best experts. We could all learn from and share in their knowledge.

Although the programme is valuable, and despite the publication of the White Paper "Saving Lives: Our Healthier Nation" and coverage in the national press, too few people are aware of it. Aside from question of publicity, a key issue is that of service variation by geography and by age and background. It is a matter of concern to all national voluntary organisations. People

with long-term conditions should in principle have equal access to the most effective medical and non-medical treatments, drugs and complementary therapies, where appropriate. I am sure that the work of the National Institute for Clinical Excellence will ensure that, as new treatments become available and new therapies are evaluated, they will be made available to all. I welcome that development and I expect the future to show us what can be achieved.

Despite what I have said, diagnosis and referral by GPs still varies substantially, while access to specialist clinics and services, including nursing care and physiotherapy, often depends on where one lives. There is also evidence that older people and those from certain ethnic minority or lower income groups do not enjoy equality of access with the rest of the community.

At a recent forum on the health of ethnic minorities in the borough of Gravesham attended by my hon. Friend the Member for Gravesham (Mr. Pond) and I, I raised ethnic minorities' access to health services. Too often, cultural and linguistic barriers between the health service and the ethnic minority communities prevent the latter from using the health service to the full. Often, someone whose first language is not English finds it difficult to understand explanations, or to obtain suitable written information. Gaining access to, using and benefiting from services is thus more difficult. Consequently, the illnesses of people from ethnic communities are sometimes diagnosed and treated later than those of other people. Efforts have been made to improve consultation with ethnic minorities and to bring services, including screening services, into the community. We need to build on that success, specifically with respect to long-term medical care.

Before this morning's debate I made a presentation at the Royal Society of Medicine on the Government's national health service framework for coronary heart disease, as part of cholesterol awareness day. I met my colleague Dr. Ian Banks, who is chairman of the men's health forum and a spokesman for the British Medical Association on men's health issues. We discussed the fact that men often find it difficult to obtain access to health services. They do not necessarily make the best use of GP services, go for screening or otherwise get the best from the service.

Many of the changes that are needed would involve changes of emphasis and education rather than huge amounts of money. Our discussion concerned making men aware of the small incremental life style changes that could make a huge difference to their health. It is difficult to bring about massive changes to people's life styles, but small changes often make a big difference, without upsetting people's lives too much. I hope to continue to work with the men's health forum to find out what we can do to improve men's health simply by education programmes and making them aware of services. I am sure that we could bring about significant change by doing that.

The Commission for Health Improvement is an important innovation and I hope that it will help to realise the Government's commitment to ironing out service inequalities in the NHS. It must ensure that those inequalities are eradicated from every aspect of the service, including provision for sufferers of long-term illness. One way of tackling the holes in the service would be to develop and enhance the role of the specialist nurse. That should not be seen as a means of delegating to nurses work that should be done by doctors, but as a means of building on nurses' important work in the community in the treatment of people with long-term conditions.

Nurses' work often focuses on the whole person. Their interest in each individual is not exclusively medical and that is ideal for the treatment of such patients. The role of nurse prescribers and nurse-led clinics should be encouraged and expanded. I am pleased that the Government are expanding the role of nurses throughout the health service, with a widening of scope and increased availability of specialist nurses.

I spoke yesterday on the subject to the chairman of the Dartford, Gravesham and Swanley Healthcare Partnerships primary care group, Dr. Alasdair Thomson, a fellow GP. He told me that in the Dartford and Gravesham area it has already been possible to employ a specialist multiple sclerosis nurse and an additional epilepsy nurse. Work is now being done on the possibility of employing a Parkinson's nurse. Such initiatives are important and show how nurses with specialist skills can help people to make their lives more productive and make less use of services.

Much of what I have described makes sound economic sense. It is not a drain on resources or an additional cost to the health service. The Royal College of Nursing sent me some data on work done by Professor Sir Brian Jarman at Imperial college on the difference that nurses can make in the use of health services, in particular those who specialise in Parkinson's disease. They can reduce morbidity, mortality, the risk of fractures and falls, the amount of hospital in-patient time, nursing home costs and costs to social services as a result of health service investment. Professor Jarman estimated that between £300 and £500 per patient per annum could be saved on the treatment of Parkinson's disease by the use of specialist nurses.

I am not advocating a huge increase in extra health service resources, but a more focused use of those resources. We must ensure that they are tailored to the need of the patient. I want them to benefit the patient's as well as the nation's health, while not putting excessive and huge burdens on the health service. It is a matter not of throwing money at the problem, but of simply changing emphasis and ensuring that the right people with the right skills are put in touch with the right patients, to the benefit of everyone.

Also, the Government need to recognise formally the importance of chronic long-term medical conditions by the establishment of a ministerial responsibility for long-term medical conditions to oversee reforms in the service, ensure a more holistic approach to the needs of sufferers and raise the profile of chronic illness with both the Government and the country.

12.45 pm

The Minister of State, Department of Health (Mr. John Denham): I congratulate my hon. Friend the Member for Dartford (Dr. Stoate) on securing the Adjournment debate. He has considerable expertise on

[Mr. John Denham]

health issues. I hope that I am not taken ill in the Chamber but, if I were, I can think of no better place than in an Adjournment debate with my hon. Friend.

Madam Deputy Speaker: Order. Let me caution the Minister. He will discover that, on the whole, politicians who are doctors should be avoided at every level.

Mr. Denham: My hon. Friend the Member for Dartford is right to stress the importance of the management of chronic illness as an aspect of health care. One in three of the population suffers from a chronic, long-term condition. Patients who live with long-term illness are usually knowledgeable about their condition and are often in the best position to manage their illness with the help and support of health care professionals and other agencies, such as local authority social services.

As my hon. Friend said, in acute illness the object of health care is to return people to their previous states of health, so that they can resume their everyday life. With chronic illness, patients' lives and frequently those of their families are changed, often for ever. Our aim in treating chronic illness is to ensure as far as possible people's ability to continue to live independent and enjoyable lives. I welcome the debate, not least because it gives us a chance to set out the Government's policy on caring for people with chronic illness.

I reassure my hon. Friend that the other Minister of State at the Department of Health, my hon. Friend the Member for Barrow and Furness (Mr. Hutton), has ministerial responsibility for long-term chronic illness. The Chamber may question why I am answering this debate, but that is a private matter between him and me. I hope that I can effectively represent his work.

We have set out our aims to build a new national health service—one that is faster, fairer and more convenient for patients. It is a radical programme of change to transform the NHS, keeping it true to its values—based on need, not the ability to pay. The new NHS will be barely recognisable by the time that we have finished our 10-year programme of modernisation. A key part of that is a more patient-centred national health service with greater patient and public involvement in service delivery. We are integrating that principle into national policy through our reforms. It is happening through new organisations such as primary care groups, initiatives such as health action zones and Department of Health initiatives such as the patient-partnership strategy.

Users and carers are represented in new organisations such as the National Institute for Clinical Excellence and the Commission for Health Improvement. They are involved in developing the national service frameworks. People with chronic illness, in particular, have much good advice to offer those organisations based on their personal experience of local services.

I pay tribute to the work of the Long-Term Medical Conditions Alliance and its director, Judy Wilson. The merits of the organisation are well recognised in the Government and it gives us a great deal of help in formulating policy for people with chronic illness.

The Chancellor's announcement last week of significant extra investment for the national health service—an average of 6.3 per cent. in a four-year period in England—is tremendously good news for everyone who uses the NHS. It will provide resources for modernisation, which need to be coupled with change in some of the elements that my hon. Friend described.

Last week, my right hon. Friend the Prime Minister described five challenges, or themes, in improving the national health service: partnership, in ensuring that the different elements of the system work together; performance, in improving productivity and clinical performance; developing the professions, the entire national health service and the social care work force; patient care; and the prevention and avoidance of ill health. In taking forward that work, my right hon. Friend the Secretary of State has created teams to examine how those challenges can be met and will add a sixth team to consider patient empowerment as an essential part of a modern health system. Alongside that work will be a work force planning review designed to ensure that the national health service has the sort of work force that it needs to deliver for patients—a work force who can deliver services that are more flexible, skilled and customer driven.

My hon. Friend mentioned specialist nurses and I commend the local initiative in his area. Such nurses have an important role to play in the management of chronic conditions. The number of posts is a matter for commissioners and providers at local level and forms an integral part of their planning for the needs of local populations. There is no doubt that people with chronic illness can benefit from access to a wide range of nursing services, including practice and district nurses, who may be able to refer to specialists such as continence nurse specialists and MS nurse specialists, for example.

I hope that the work force review will strengthen local work force planning so that needs identified in local health improvement programmes, including those of people with chronic illnesses, are properly reflected in the training and employment of appropriate staff, including specialist nurses.

In the new approach to the new national health service, it is important to improve the way in which we aim to deliver services. Too often, people with long-term chronic conditions have been made to fit themselves around the way in which care is provided locally, regardless of whether that meets their individual needs. To overcome that approach, we have developed as part of our reforms the concept of long-term service agreements between commissioners and providers, based on the concept of pathways of care and recognising that patients at different times in their lives will need care and support from primary care, secondary care and social care. By developing services around the pathway of care, we expect the service to be much more flexible and to put the individual patient's care at the heart of the system.

That new approach will develop in time. At local level, people will inevitably have to concentrate on a limited number of local priorities each year, but it will produce better arrangements for patients. That approach will reinforce the need for the seamless working of health, social services and other agencies such as housing, which my hon. Friend discussed.

We must break down the barriers between the national health service and social services. The Health Act 1999 put in place much of the legislative framework

that is needed for closer working between the health service and social services. Those new powers will provide opportunities to improve services for people with chronic illnesses. People living with chronic illnesses know only too well how failure to deliver the right package of care can result in frustration and unnecessary difficulties in the activities of daily life.

Clinical governance will underpin much of the Government's quality agenda. It is a means by which standards will be raised and it will form the basis for monitoring and evaluating quality improvements in the national health service. It will play a key role in providing a health service that improves the overall standard of care that it delivers, reduces unacceptable variations in treatment and ensures that decisions about care and treatment are supported by up-to-date evidence of effectiveness.

As part of the process of clinical governance and our wider drive to tackle variations in treatment in care, it is important to focus on chronic conditions among others. Let me provide some examples. Good work intended to raise standards of care in chronic neurological illness was launched by my hon. Friend the Minister of State for Health recently. An innovative neurology programme for GPs was developed by the British Brain and Spine Foundation in collaboration with the university of Bath. It developed after in-depth research to establish GP needs and it aims to improve early diagnosis, case assessment and management and referral for secondary care. It was supported by a research grant from the Department of Health.

The programme focuses on the six most commonly seen aspects of general practice and provides a unique opportunity for United Kingdom GPs to enhance their skills in a crucial area of medicine. I hope that my hon. Friend the Member for Dartford will view that as a practical example of recognising the need to tackle variations in referral rates and the management of different conditions. He is right that we must ensure that it applies to all members of the community, including the black and ethnic minority population. He rightly referred to some good practice in the system, but it remains patchy. As we mainstream our equal opportunities and diversity agenda in the Department of Health, it is important to iron out any differences in the quality of services received by different members of the community.

Diabetes is relevant to the whole population, but its incidence is higher among the south Asian population. It is a chronic condition for which we are developing a national service framework to set out clear standards for care and treatment. More than 1 million people in the UK have diabetes and it is predicted to increase significantly in the next decade. Diabetes and its complications account for at least 9 per cent. of health care costs. At the personal level, it is not properly managed and long-term complications—blindness, renal failure, lower limb amputation and cardiovascular disease—can be severe.

There is considerable evidence throughout the country of variations in the organisation and quality of diabetes services. Our plan is to develop a national service framework for implementation within the national health service in spring 2002. It will set national standards, define service models and put in place strategies to support implementation and delivery. It will also set out performance measures against which progress in an agreed time scale will be monitored. The expert reference group for the NSF is adopting a patient-centred approach. As well as including two people with diabetes and the chief executive of the British Diabetic Association on the group, it is considering how else to access views and information from service users.

I have provided two examples of approaches to tackling variations in the quality of service. I agree with my hon. Friend that one of the most important and exciting ways for the Government to work with people with chronic illness is the development of the concept of the expert patient. Research shows that patient-led self-management schemes have beneficial effects. Improved health, a better ability to communicate with health professionals and fewer hospital admissions will result if patients are informed about their condition, know where to receive a treatment and have greater control over it.

We have established an expert patients task force, led by the chief medical officer. It is developing an expert patient programme for people with chronic conditions, which is likely to lead to more lay-led self-management programmes, the strengthening of professionally led, condition-specific, self-management programmes and the integration of aspects of the current self-management programme into the planning of the future health system. It will give advice on how self-management programmes for people with chronic diseases can be brought right into the main stream of the national health service rather than remain a fringe activity. We hope to receive the recommendations by autumn.

Some professionals might initially view the programme as potentially threatening, but it will not replace patients' needs for informed advice and treatment from health care and social care professionals. I am pleased that health professionals in the task force have underlined that approach.

My hon. Friend made an interesting point about using patients' expertise in professional training. I recognise that this is done in some areas, but there is scope for improvement.

EU (Enhanced Co-operation)

12.59 pm

Mr. Michael Fabricant (Lichfield): I shall concentrate on the global scene. Before I present my arguments in favour of strengthening political and economic ties with the United States and the North American Free Trade Area in particular, I should make it clear for the benefit of any mischievous journalists who might read this speech, let alone listen to it—let alone any mischievous Minister who might be sitting opposite me—that this debate is most certainly not about our leaving the European Union. I shall argue today for a positive and additional step to be taken that I believe will benefit the British economy. If taken, it will secure jobs and generate increased jobs for the benefit of all in this nation.

This debate is timely. Two significant events have taken place in the past couple of weeks. First the Institute of Directors, which is not known for its Euro-scepticism, published a detailed report entitled, "EU Membership, What's the Bottom Line?" Graham Leach from the IOD's economics department conducted a detailed cost-benefit analysis of our EU membership. Incidentally, I am asking the Government to do just that in my Analysis of Costs and Benefits (European Union Membership) Bill, which is on the Order Paper.

The IOD analysis is deeply disturbing. Despite all the advantages, including the single European market, the inward investment that we have enjoyed from Japan, Korea and elsewhere, the influence that we have exercised in Brussels—or not—and most recently in Lisbon, our EU membership is still, it would seem, a net drain on British resources. According to the study, the net cost of EU membership to each family in Britain is at least £1,000 a year, perhaps double that. That money could be spent on pensions, schools and the health service in Staffordshire as well as in the rest of the UK. Sadly, the Government are in no position to disagree because they have not conducted their own analysis. Perhaps they fear the answer.

First, may I challenge the Government and the Minister in particular to enact the provisions of my Bill? There should be no no-go areas for knowledge and free debate. The second event in the past two weeks has been the visit of the International Trade Commission from Washington DC at the behest of the United States Senate Finance Committee. It is conducting its own cost-benefit analysis into the advantages of the UK joining NAFTA. The visit is significant, although not because it will lead anywhere in the short term; it will not. Sadly, a Senate committee can no more dictate to the White House than a Commons Select Committee can dictate policy to Downing street.

However, this inquiry demonstrates that there has been a sea change in attitude in the United States regarding economic relations with Britain. For years, the United States showed no interest in such ties with Britain. Harold Wilson's sensible overtures in that direction, from 20 or 30 years ago, were rebuffed. However, as the song goes, "The times they are a'changin'". Technology and changed practices have seen to that. It is now cheaper to phone anywhere in the United States than France. It is cheaper to send a container of coal, or anything, to New Jersey than to Nuremberg. We share the same commercial and civil law. We share the same language, the same heritage and the same way of doing business. As I am sure the Minister will confirm, that already leads to huge mutual investment in each other's countries. I shall say more about that later.

There could be more mutual trade for our mutual benefit. Growing voices in Washington DC and beyond see the potential benefits of Britain joining NAFTA. That would create a bigger market with an even bigger gross domestic product than the European Union.

In the darkest days of the war, before Pearl harbour, Winston Churchill said that the United Kingdom and

> the United States will have to be somewhat mixed up together in some of their affairs for mutual and general advantage. For my own part, looking out across the future, I do not view the process with any misgivings. I could not stop it if I wished; no one can stop it. Like the Mississippi, it just keeps rolling.

How appropriate that Churchill, the product of an Anglo-American alliance should have foreseen another so fruitful. So firm was his belief in "the special relationship" as he christened it, that he vowed that with Europe and the Commonwealth it should remain one of the three interlocking circles with which future British foreign policy should be concerned.

As Churchill foresaw, the broad strategic interests of the United States and the United Kingdom continue to run together. Those interests lie in the preservation and promotion of peace, democracy and free trade. Our two nations are inextricably bound in the effort to secure those interests. Over the years, there has been co-operation in the North Atlantic Treaty Organisation, the World Trade Organisation and other forums to secure those ends. It has not been easy, however. The growing pressure in continental Europe towards greater harmony of purpose, or federalism, is straining those ties at political, military and economic levels. The United States and the United Kingdom share enormous mutual interests for the benefit of us all, but they are being jeopardised.

In trade terms, the United States and the United Kingdom share, and are continually replenishing, a colossal mutual investment. In 1997, as in most other years, the United States received the largest share of total foreign direct investment—more than 30 per cent.—not from Japan but from the United Kingdom. The total UK investment in that year amounted to some $18.3 billion; in north America as a whole, our net direct investment in the past decade has been double our investment in the European Union, and that huge investment is reciprocal. Indeed, more United States outward investment goes to the United Kingdom than to any other country. In the past decade, net direct investment in the United Kingdom by United States and Canadian firms was one and a half times that of net direct investment from the European Union. In 1998, United States capital outflow to the United Kingdom was $35 billion compared with $75 billion to the rest of Europe combined. What is left of our overseas territories received an additional $5 billion in that year, more than Portugal and Spain combined.

The importance of our trade with the United States should not detract from the importance of our European markets; by the same token, we must not exaggerate or over-privilege our trade with Europe at the expense of that with the United States.

Mr. Owen Paterson (North Shropshire): Will my hon. Friend reflect on that fact that the European Union's total share of world trade, excluding the United Kingdom, has fallen by 11 per cent. since 1992, while the UK's has increased by 9 per cent., mostly to NAFTA? In that time, the United States has created 13 million jobs and the euro zone has lost 700,000.

Mr. Fabricant: I thank my hon. Friend for his intervention. It shows that Europe has much to learn from the United States. As I shall say later, it seems that at present Europe is trying to exclude the United States, at Europe's cost.

Some vested political interests claim that European markets account for 60 per cent. of our foreign trade, but the Office for National Statistics pink book reveals that the true figure is a shade over 48 per cent., and even that, valuable as it is, can hide almost as much as it reveals. For example, a substantial portion of our trade with Europe takes the form of goods, such as motor cars, which are exported immediately, often to the United States. Those substantial re-exports constitute trade through, rather than with, Europe. That should not be used to exaggerate our economic reliance on a continent with which the United Kingdom has a massive trading deficit, probably as a result of the matter mentioned by my hon. Friend.

The telecommunications revolution and computing—especially the rise of the internet—have closed the gap between the UK and US economies to the point that it is vanishing altogether. Dominated by a common language, the internet represents the death of distance once predicted by the makers of jet airplanes and express trains. The cheapest international call that one may make from the United Kingdom is now not to Ireland, Germany or France but to the United States. A tunnel may traverse the short distance to Calais, but a new cyber tunnel across the Atlantic affords far speedier access to the United States.

Anglo-American relations are as fused in the defence of democracy as they are in trade and technology. Thrown together in two world wars, the United Kingdom and the United States went on to form an alliance against communist expansion, which came into practical effect during the Malayan and Korean campaigns. Between 1975 and 1989, our two nations stood alone among major western countries in devoting more than 4 per cent. of gross domestic product to defence and exerting financial pressure on the Kremlin that eventually brought Gorbachev to the negotiating table and the cold war to an end.

A firm mutual belief in confronting one's enemies characterised Anglo-American defence relations throughout the 1980s and 1990s. I shall give a brief history lesson to illustrate the reciprocity that marked Anglo-American defence relations between 1980 and 1985. In January 1980, the Conservative Government rightly announced support for 160 US nuclear missiles to be stationed in the UK to counter the threat from SS20 missiles deployed by the Soviet Union. In 1981, Britain declared its wholehearted support for President Reagan's plan to set up a rapid deployment force to be dispatched to trouble spots throughout the world. That force was the forerunner of today's rapid reaction forces.

In 1981, the United States sold the United Kingdom second-generation Trident missiles at a considerable discount, I am happy to say. The US also provided crucial assistance to our Falklands campaign in 1982. In 1983, we contributed military support to a US peacekeeping force that prevented Syria engaging in the Lebanon conflict. Such an engagement would have been disastrous. The well-revived Anglo-American relationship then went on to manifest itself in a host of different areas in the second half of the 1980s.

So much for the past, the cold war is no more and defence expenditure—although higher in the UK and US than in continental Europe—has been slashed. What of the present? When a poll for *The Economist* in November 1999 asked who was the UK's most reliable ally in a crisis, 59 per cent. of respondents cited the United States, despite the ending of the cold war. Only 16 per cent. of respondents paid Europe that compliment. Similarly, when respondents in the American social attitudes survey are asked who is their most reliable ally, they reply, year after year, that the honour of that status goes to the UK, above even Canada.

Regrettably and unnecessarily, the special relationship between the United Kingdom and United States—so long the linchpin of world security—is coming under strain from growing European integration. In trade and defence, the mutual interests underpinning the Atlantic alliance have been ill served by EU policies targeted, sometimes unashamedly, at challenging or frustrating the United States.

The repeated attempts of former EU Commissioner Sir Leon Brittan to secure a free trade agreement betweeen EU and NAFTA countries collapsed as a result of French fears about US dumping. Sadly, many politicians in Paris are hostile to such a deal ever being concluded. Rather than link with a genuine free trade area, such as NAFTA, or press for free trade agreements through worldwide bodies such as the WTO, the European Union has chosen to secure bilateral trade deals between itself and smaller economies. By creating a patchwork of varying trade deals throughout the world, the EU seeks not so much free trade as favourable terms with parties too weak on their own to resist its protectionist demands.

Even the United Kingdom has suffered from the protectionist instincts of some EU countries. As recently as 16 March, manufacturers of milk chocolate in the UK, including the well-known brand of Cadbury's in the west midlands, learned the good news that its product is to be allowed into certain European markets for the first time in 30 years. Hurrah for British chocolate!

What about defence? European nations have been making drastic cuts in expenditure at exactly the same time as they seek to create, as the President of the European Commission Romano Prodi has made clear, a fully fledged European army. According to President Chirac:

> The object of the European defence identity is to contain the United States.

[Mr. Fabricant]

That is some quote—quite extraordinary. Speaking in Paris in December, Chancellor Schröder echoed President Chirac's comment, stating:

whining about US dominance is not good enough. We have to act.

Such anti-American rhetoric may go down well with continental audiences but it certainly does not reflect British interests. The UK might not have cause for concern if the anti-American streak within European integration remained rhetorical. Yet, as Dr. John Hulseman, senior European affairs analyst at the Washington-based Heritage Foundation, pointed out:

We need to stop thinking that European rhetoric isn't serious, that it is just a cultural eccentricity. Rather it reflects the honest beliefs of a people that have very different political and economic agendas from our own."

The difference between the Anglo-American and the Continental perspectives to which Dr. Hulseman referred surfaces time and again whenever crucial interests are at stake. In December 1999, France abstained from a crucial vote in the UN Security Council on sanctions against Iraq. On 18 January, France allied herself with Russia and China in opposing Anglo-American moves to appoint Rolf Ekeus, a Swede with great experience of arms control, to oversee the destruction of Iraqi weapons.

Each of these cases—and there are so many more—exposes a fundamental mismatch between the Anglo-American emphasis on free trade and active defence and the continental tradition of military equivocation and economic protectionism.

However, there is an historic opportunity now to narrow the gap between our treaty commitments to the EU and our cultural and historic commitments to the United States. The opportunity to narrow this gap is being created not in London, and certainly—of course—not in Brussels, but in Washington DC and elsewhere in north America. I repeat that I am not convinced that the US Senate Finance Committee will lead to our joining NAFTA; indeed, this is not possible without a change being made to the treaty of Rome. However, there is a nexus of events and circumstances that we would be foolish and irresponsible to ignore.

If the IOD and other economists are right, and there is no net benefit—indeed, a cost—to our membership of the EU, we must renegotiate our terms of membership. We owe that to our farmers, fishermen and pensioners and to the wealth creators in our society. Expansion in the EU to absorb the eastern European states, which I welcome, will worsen the cost-benefit outcome for Britain unless we renegotiate our treaty obligations to the EU. Such renegotiation is therefore urgent, and should include the repatriation of Britain's right to enter into its own individual bilateral treaties with other nations.

Let me make it clear that renegotiation is not a code for withdrawal; it is a code for commonsense economics. I remind the wishy-washy folk in the Foreign Office—I hope that the Minister is not one of them—who say that renegotiation is impossible that Mrs. Thatcher knew that in Europe, as elsewhere in life, he who pays the piper calls the tune. Britain is a major contributor to the EU budget.

The current position is unsustainable. The future without renegotiation will be impossible. I am not driven by anti-European feelings—I speak French and German and have friends in those countries. I understand the reasons why Europe, which has endured two European wars in the past century, causing border changes and huge migration, wants to move towards political integration. That is natural, but what is right for continental Europe is not right for Britain. Even my French friends refer to "les Anglo-Saxons", automatically linking Britain with the United States, Canada, Australia and New Zealand. They instinctively understand what is logical and right.

Britain's membership of NAFTA, while staying in a looser, freer EU, is both logical and right. My purpose is not to argue for any specific option under investigation by the United States Senate. I call upon the Government and the Opposition to prepare and reflect upon specific proposals to move the special relationship forward for the benefit of all our people and to shield it from anti-American pressure.

Although Anglo-American relations may, as Churchill put it, roll on like the Mississippi, even that great river has several forks in its path. If the United Kingdom's membership of the EU is not to constitute such a fork, we must act now for all our sakes. We must actively investigate how to strengthen that relationship, the success of which is vital to this country and, as history records, the world.

1.22 pm

The Minister of State, Foreign and Commonwealth Office (Mr. John Battle): It is usual to give a customary word of congratulation to the hon. Member for Lichfield (Mr. Fabricant) on securing the debate. His tenacity in pursuing causes is well known and appreciated with serious affection.

I shall comment on the points that he makes in the few moments that he has left me to reply. First, he suggests joining the North American Free Trade Area, but that is not a good idea. Secondly, he suggests renegotiating the treaties of Rome and Maastricht, but that is a disingenuous cover for withdrawal. Thirdly, he suggests that the benefits of joining NAFTA would greatly outweigh those of our EU membership, but the benefits of being in the EU greatly outweigh those of joining NAFTA. Fourthly, the Americans prefer us to be in the EU, not to withdraw from it.

Mr. Fabricant: I did not say that we should join NAFTA instead of the EU. I am surprised that the Minister fell into that trap.

Mr. Battle: If the hon. Gentleman will give me a chance to reply, I shall tell him precisely why it is not possible to join NAFTA without withdrawing from the EU, which the International Trade Commission acknowledges in its terms of reference. Crucially, those terms of reference refer to the EU, but that point is missed because the Opposition say that they will construct a purely hypothetical model.

It is disingenuous of the hon. Gentleman to argue that we could remain in the EU if we were to join NAFTA. He acknowledged that changes to the treaty of Rome would be needed. He sat through the Maastricht

debates. He is simply pretending that we can be members of both. He argues that that would bring us closer to the EU, but he does not say that joining NAFTA would inevitably mean leaving the EU, with disastrous consequences for jobs, trade and foreign investment in Britain. I would prefer it if the hon. Gentleman openly said, "Let us leave the EU and form other relationships", because that is the implication of his arguing that we should join NAFTA. Let him say openly that we should leave the EU.

The hon. Gentleman referred to the report published by the Institute of Directors. The press release of 14 March, which launched the IOD report on the costs of EU memberships, states:

> There are no simple solutions. Withdrawal from the EU to the EEA—

the European Economic Area—

> would expose the UK to regulation without representation. This is why the IoD argues that the UK should remain within the EU and fight for radical reform from the inside.

That is what our Government are doing. It is what the Prime Minister did at the Lisbon summit last week.

Joining NAFTA would mean leaving the EU, as it would be incompatible with the Single European Act that set up the single market in 1987 under Baroness Thatcher. We do not intend to join NAFTA and leave the EU. It would not be in our interests because more than half our overseas trade is with the EU—59 per cent. of our exports and 54 per cent. of our imports. NAFTA now accounts for only 16 per cent. of our exports. That does not include our total trade with the EU, which is £240 billion, as opposed to £79 billion with NAFTA. Not only big exporters are involved: 30 to 40 per cent. of Britain's small and medium enterprises now do business with the EU.

The European single market comprises 372 million customers, or 38 per cent. of world trade. Three and a half million British jobs depend on that trade to some extent. The EU will be enlarged to more than 500 million customers and will be the largest market for trade and investment in the world. Leaving it would jeopardise foreign direct investment. More than 44,000 jobs were generated by that investment in the past year. I cannot imagine companies choosing to invest in the UK to gain access to NAFTA the other side of the Atlantic. The UK would not be an investment springboard for entry to NAFTA, so leaving the EU and moving to NAFTA, for which the hon. Member for Lichfield argued, would jeopardise our economy.

Mr. Fabricant: On a point of order, Madam Deputy Speaker. The Minister keeps saying that I said and implied that, but I made it clear that I did not do so.

Mr. Battle: The hon. Gentleman—

Madam Deputy Speaker: Order. Please could we pretend to be civilised? That is not a point of order.

Mr. Battle: The hon. Gentleman cannot have it both ways. The argument will not stack up. He cannot argue for our joining NAFTA without our leaving the EU. He does not seem to recognise that, but everyone else does. Our relationship with the United States is of fundamental importance. Our political relationships are strong. The Government of the US have warmly welcomed the European defence initiative, which strengthens rather than undermines the North Atlantic Treaty Organisation. Our economic ties with the US are stronger than ever and 40 per cent. of all US investment in Europe is in the UK already.

It is because we are in the European Union that our influence in the US is so strong and significant. Our Government play a full role in Europe and are deeply engaged in shaping it, and that is why we are strong partners with the US. Raymond Seitz, former US ambassador to Britain, said:

> if Britain's voice is less influential in Paris or Bonn, it is likely to be less influential in Washington.

In his book, "Over Here", he said:

> the option of leaving the Union altogether . . . is a flimsy proposition, unlikely to gain much traction except with the graspers of straws . . . Standing between America and Europe . . . was never either-or. It always had to be both . . . If Britain is not part of important European decision-making, it is less likely to be important in American decision-making, and vice-versa. If Britain is aloof from developments on the continent, it is bound to be more marginal in America.

That is why we are engaged at the heart of Europe, shaping the agenda of the future, as the Prime Minister demonstrated at the Lisbon summit. We are building a truly single market, driving forward a modern agenda and using technology as a means to generate employment through innovation, enterprise and imagination.

The hon. Member for Lichfield may now gain a reputation as a straw grasper, but I suspect that he is an outrider for the Leader of the Opposition, who is covertly campaigning to join NAFTA. That is merely a covert strategy to withdraw from the EU, which is why the Foreign Secretary spelled out that the Tories are prepared to jeopardise British jobs to justify their extreme anti-European prejudices.

Immigration and Nationality Directorate

1.29 pm

Ms Diane Abbott (Hackney, North and Stoke Newington): At the beginning of the new millennium, millions of people are criss-crossing the globe, seeking asylum from war, disease, starvation and economic collapse. That is the context in which all western European countries are experiencing a rise in the number of asylum seekers. The majority of asylum seekers find asylum within their own regions, whether in Africa, the middle east or the Balkans. Only a minority find their way to western Europe, America or Canada.

The number of asylum seekers has risen as a result of civil war and economic problems around the world. A fair, efficient, transparent legal system must be at the heart of meeting the challenge of that sad army so that asylum claims can be dealt with. Hon. Members and perhaps even Ministers may believe that a more punitive line is in order. Whatever one's views on asylum seekers, fairness, efficiency and transparency must be at the heart of the system for dealing with claims.

My hon. Friend the Minister will not need to be reminded that we inherited an extremely bad position from the Conservative party. However, I do not want to detain the Chamber on the iniquities of the previous Administration. Three years into a Labour Administration and with a general election in sight, it is appropriate and necessary to examine our stewardship of the issue.

Ministers have addressed the matter and done many good things, as my staff and I have seen for ourselves. For example, we welcome the Members' hotline, and are grateful for the helpfulness and enthusiasm of those staffing it. Sadly, however, it cannot deal with asylum cases. We welcome the fact that a backlog squad has been set up, which, as we have seen, is enthusiastic and well led and managed. Unfortunately, however, it does not deal with asylum cases.

We welcome the reforms of the initial consideration unit, which, as we have witnessed, is enthusiastic, well led and doing good work. However, I remind Ministers that more than 100,000 asylum seekers are waiting for their application to be processed. That figure may not be exact, but I am sure that my hon. Friend the Minister will provide me with the most up-to-date figure.

I remind Ministers that the backlog of asylum seekers has risen under the present Government. Last May, when the Immigration and Asylum Bill was in Committee, the backlog stood at about 70,000, and it is distressing that it continues to rise. It is important to put on record the problems for individuals and communities caused by delays in dealing with asylum cases. Uncertainty about what people are to do with their lives sometimes continues for months and years. This morning, I interviewed a series of asylum seekers, many of whom have waited for months and even years for their case to be resolved.

Practical problems are also caused by such delays. People cannot get driving licences, have difficulty claiming benefit and cannot travel abroad to study or for a family funeral. The Minister's constituency adjoins mine and its population is similar, so she will be aware that people experience many practical difficulties as a result of the delay in dealing with asylum cases.

Furthermore, the biggest incentive for people to make an unfounded in-country asylum claim is the long delay in processing such claims. People have known for a long time that at the end of the road—they may have applied as a student and many times subsequently—making another asylum claim will effectively give them several more years in the country.

Ministers have much to say about unfounded cases, so one of the most effective actions that they could take would be to choke off unfounded in-country applications, often made in good faith on advice from solicitors. I know that Ministers have acted against the worst immigration-advising solicitors. One of the most effective weapons against ill-founded in-country claims would be to deal with delays.

Next week we expect—the Minister will correct me if I am wrong—the implementation of the system of voucher-based support for new asylum seekers, and forced dispersal, which were debated at length in Committee and on the Floor of the House. The Minister and her officials who have read *Hansard* will know that I contributed extensively to those debates. Over and over again, we were reassured by Ministers, "Yes, the voucher system amounts to less in total than income support"—that means people living below subsistence levels—"but only for two months initially and six months if there is an appeal." The argument behind the voucher system and forced dispersal is that people will be in the system only for short periods. Ministers promised that on the Floor of the House, and it provides another reason to focus on delays in dealing with asylum cases.

As I said earlier, the backlog of asylum cases has increased—almost doubled—during the Government's period of office. There have been some improvements. I understand that the most recently available monthly statistics show that the number of cases successfully dealt with increased from about 2,000 to 8,000 per month. The greater speed in dealing with new cases is obviously welcome but it does not help people who have been waiting in this country throughout the 1990s for their asylum cases to be dealt with.

One way of increasing the speed of dealing with new cases is to dish out a 14-page standard evidence form and not give people enough time to fill it in. When it is not filled in properly or gaps are left, a technical refusal is made. That amounts to pushing up the numbers by sleight of hand. I shall be interested to hear the Minister's comments about that.

Let me remind my hon. Friend the Minister, who is new to her position, of the commitment made by her predecessors to clearing up the backlog and reducing the time of decision making. Her predecessor, my hon. Friend the Member for North Warwickshire (Mr. O'Brien) said on 4 May in the Special Standing Committee considering the Asylum and Immigration Bill:

> Our target is to reduce the time . . . to two months for an initial decision and a further four months for an appeal.—[*Official Report, Special Standing Committee*, 4 May 1999; c. 1245.]

He later said:

> The Government have committed themselves to reducing the time taken to process asylum applications. We have set the target of bringing that time down to six months and below.—[*Official Report, Special Standing Committee*, 18 May 1999; c. 1601.]

The Minister will also be aware of the report signed by management consultants brought in by the Home Office, which was published last year. It states:

> At present, delays occur at each stage of the asylum process. These are primarily caused by: process inefficiencies, a lack of resources and a lack of cross directorate prioritisation. If there were no backlogs and adequate resources were available, we consider that process inefficiencies alone would prevent IND from achieving the two month target.

I now want to ask the Minister some specific questions. If she is unable to reply to them in our debate now, I would be grateful if she would write to me.

Mr. Jeremy Corbyn (Islington, North): Does my hon. Friend share my concern that, in the rush of dealing with cases, there is an overwhelming presumption against many asylum applicants from countries that are democratic on the face of it—they have independent legal systems—but in which the reality on the ground is different? I am thinking of the treatment of Roma people in the Czech Republic, which is a democracy on the face of it, but allows Roma people to suffer constant race harassment and attacks. I am worried that hardly any Roma cases have been granted asylum because of the presumption to which I referred.

Ms Abbott: I agree with my hon. Friend. I, too, am deeply concerned. This morning, I met one of my constituents, a Jewish gentleman from Georgia—one of the former Soviet republics—who has applied for asylum here. He is an Orthodox Jew and wears the full costume of that religion. He has lived here for eight years. When he went back to Georgia, he was subjected to appalling harassment because those ex-Soviet republics have a history of antisemitism. However, technically, Georgia is a democracy. It issues statements declaring that it is against antisemitism, so the Minister has refused to grant this man asylum and he does not know what to do. He is being sent back to a society that has a history of persecution of Jews going back to the 19th century, but, on the basis of the technical nature of the state of Georgia and the statements of its Ministers, he is going back to certain persecution. I personally brought his case to the Minister's predecessor's attention and was extremely disappointed by the response.

We were promised in May last year that the backlog of cases would be cleared by April 2001. Is the Immigation and Nationality Directorate on target to clear the backlog by spring 2001? When we debated the subject of backlogs in waiting lists, and delays, we were promised by my hon. Friend's predecessor in Committee that the Immigration and Nationality Directorate was recruiting new staff. When I asked him how many new clerical staff would be recruited, he could not tell me. Can the Minister now say how many clerical staff have been taken on since May last year, which was the last time I raised the matter? If not, will she write to me? I should also like to know how many new decision makers have been recruited?

I would welcome any information about the position with the computer system. Many past delays have been connected with Siemens and the computers. Is it true, as my staff and I have been told, that new applicants for asylum will not be given a full interview until 2001? If so, that makes nonsense of the promises given to hon. Members a year ago that the processing time for new claims would come down to two months. Are 29,000 asylum files to be sent to Glasgow? It seems extraordinary—given that, in the coming weeks, my colleagues and I will be asking questions about asylum seeker cases—that, during that time, the files will be somewhere on the M1. If they are to be sent to Glasgow, when will they be returned so that work on them can begin?

The burden of my comments has been about the backlog of applications because I and other hon. Members know that an increasing number of asylum seekers have been waiting for some years for their applications to be determined.

I want to ask about the situation with travel documents. There used to be a same-day service for people seeking travel documents, but as far as I know it no longer exists. We hear constantly from constituents who have applied for travel documents. Recently, relatives of Turkish earthquake victims were unable to travel because they did not have documents. People who have to study, take jobs or attend funerals abroad have the same problem.

We have been told off the record by IND staff that the number of travel documents that are lost is a disgrace. Why, then, when departmental staff suggested that, as part of the process, people applying for travel documents be charged an extra fee to cover their return by recorded delivery, management turned it down? There would have been no cost to the IND and it seems a very practical suggestion that would have got round the problem of documents being lost, but management did nothing. When will the Government introduce an effective system for tracking lost travel documents? Staff have suggested to us that a bar code could be used. Each week in my advice sessions I see people who may have a family emergency or illness but are unable to travel because of what is happening in the travel documents section.

I have to touch on the general question of the ministerial case-working team. We understand that the team is only now dealing with letters sent to them in October and November. Members of Parliament have a democratic responsibility to take up issues on behalf of our constituents. It really is not good enough that the IND is only now dealing with cases that go back to October. We believe that there is no monitoring in the ministerial case-working team and that individual case workers have no targets. I think that I speak for every colleague who deals with nationality case work when I say that something must be done about the number of staff and, more importantly, about management, monitoring and targets, to enable Members of Parliament to obtain replies to their letters within a reasonable time.

When we write to the Department, we have to wait four or six months, or longer, for a reply. People come back to us week after week, but what are we to tell them? When a member of my staff asked a member of the ministerial case-working team, "How long is it taking you to deal with our letters?" he or she replied, "How long is a piece of string?" I put it to the Minister that that is not a satisfactory response to Members of Parliament who are trying to carry out their democratic duty.

[Ms Abbott]

My final point concerns the work-in-progress queue. The majority of the work with which my office currently deals relates to immigration and nationality matters, most of which involves asylum cases. We often find when we ring the Members' hotline that work is in the work-in-progress queue, so when my staff visited Croydon, we asked to see that queue. Let me tell hon. Members what the work-in-progress queue is. It is a basement in Croydon in which thousands of files are piled up. We were told that all work that was unfinished at the time of the move to C block from Lunar house—we know that the location has recently changed—was dumped in the basement. My members of staff saw those dumped files with their own eyes.

It is not good enough to tell Members of Parliament and their staff on the telephone that cases are in the work-in-progress queue when they are merely in a basement. If the Minister did not see those files on her recent visit to Croydon, she should return and ask to do so. We saw them.

Although I have expressed my concerns—which are shared by many other hon. Members—about what is happening, to the asylum backlog in particular but to immigration and case work generally, I pay tribute to the hard work of many of the members of staff involved. The Minister should encourage staff to make suggestions. We visited Croydon a week after she had been there, but staff told us that they were not encouraged to speak to her and that they felt that they could not make practical suggestions. Attitudes vary from team to team, but the teams to which I have specifically referred are well led and have enthusiastic and motivated staff. However, that was not true of all the staff who we encountered in Croydon.

During past months, there has been rising hysteria in the popular press about asylum seekers. Such hysteria sheds more heat than light on the subject. I could not leave the debate without putting on record my distaste for the tone in which politicians and the media discuss economic migrants. I entirely accept that many people who apply for asylum are not asylum seekers under the Geneva convention rules. However, to talk about people who have left collapsing economies, disease, dislocation and chaos and who are trying to do the best for their families as if they are a criminal underclass does no credit to the acute fears and pressures that sometimes force people to cross the globe to Europe to seek a better life for their children and families.

The Minister's family still lives in my constituency. With our background, she and I should have no truck with people who say not that asylum seekers do not meet the terms of the Geneva convention—we know that many of them do not—but that economic migrants are a sub-species of human being. Many asylum seekers have to be turned down at the end of the day, but their demonisation and the extent to which Ministers seem to think that they have to outbid the Conservatives on this issue cause great distress to many people. I suspect that those people include many of our supporters and constituents, who do not expect to hear Labour Ministers adopting the tone of Tony Ministers when speaking about asylum seekers.

The issue is complex. Next week, the Government's new support arrangements will be introduced, involving the voucher system and forced dispersal. I shall keep a close eye on those arrangements; not only do I believe that they will cause unnecessary suffering, I am not persuaded that they will work. I wanted today to talk about the processing and management of claims in Croydon. The situation is not new and is not unique to this Government. Minister after Minister has investigated immigration and nationality and has been reassured by senior officials who say that this or that is being done. Year on year, myself and other hon. Members who deal with such case work see increasing chaos.

It is not too late for Ministers to tackle the problems. Some good initiatives have been started, but more are needed. It is unfair to asylum seekers, whether they are Geneva convention compliant or not, to engage in rhetoric about unfounded claims when the core function of Government—to deal with claims quickly, transparently, fairly and within the law—is not being carried out.

I await with interest the Minister's response to my specific questions, but she may rest assured that this is not the last occasion on which I shall raise the subject.

1.49 pm

The Minister of State, Home Office (Mrs. Barbara Roche): I will start off on a note of agreement with my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott), whom I congratulate on securing today's short but important debate. However, I take issue with the context in which she placed her concluding remarks. The Government want to honour our international obligations under the convention to those who flee persecution and seek asylum. The concept of asylum is an honourable and ancient one, which I, my right hon. Friend the Home Secretary and the Government want to preserve, but in order to do that we must say that those who make unfounded applications will be swiftly returned.

My hon. Friend omitted from her speech any reference to the worldwide criminal smuggling of people, which is helping many people to make large sums of money from others who are especially vulnerable. It is a pity that she did not mention that.

Ms Abbot: I did not mention worldwide smuggling because, as far as I understand, Ministers have no responsibility for that, so it would have been pointless to raise it.

Mrs. Roche: I believe that we have a responsibility for the consequences of smuggling and should try to combat it, along with other like-minded Governments. Perhaps my hon. Friend will be lucky enough to secure another debate in which to raise that issue, on which occasion I shall give her my full and considered response.

My hon. Friend is right to say that delays and perceived delays in the system encourage people to make unfounded claims, which is why certain measures have been implemented. She is also right to mention the role played by unscrupulous advisers and solicitors and to emphasise the need to eradicate backlogs from the system. I put on record my thanks to her for speaking about the hotline staff, and I am pleased about the visit that will take place. Let me assure her that I visit Croydon frequently; my route there is well worn. I am

virtually not only immigration Minister, but Minister for Croydon. I assure her that I encourage staff to speak to me and I visit all the teams. I recently attended the forum that has been set up to enable staff to speak to management. I also recently attended a meeting of the unions there, and I meet them regularly. There are no difficulties in that area.

My hon. Friend mentioned the Vantage point report. That report is fairly old, but we have recognised its recommendations. She also mentioned some recent cases. I believe that it is invidious to mention individual cases in this sort of forum, but I say to her and to my hon. Friend the Member for Islington, North (Mr. Corbyn) that such cases do not involve only a decision by the Home Office. A case goes to an adjudicator and to a tribunal both independent bodies set up by Parliament.

Mr. Corbyn: The issue of the perception of the human rights situation in various countries frequently arises. The Home Office was due to set up its own evaluation unit. I should be grateful to know what progress has been made on that and what assessment is made of newly democratised countries in which there are still human rights abuses.

Mrs. Roche: As my hon. Friend will know, we publish our country assessments, so they are available for everyone to see. We do not rely only on reports from the Foreign and Commonwealth Office. We also consult non-governmental organisations, Amnesty International, Oxfam and a range of organisations.

My hon. Friend the Member for Hackney, North and Stoke Newington spoke about dealing with Members' asylum cases. She and my hon. Friend the Member for Islington, North will be pleased to know that we are setting up a case management unit specifically to deal with such cases. That will be warmly welcomed.

In the short time left to me, I shall deal with some of the difficulties. My hon. Friend the Member for Hackney, North and Stoke Newington is quite right that the debate is about the present Government's record. However, we are still suffering from the plans made by the previous Administration to reduce the number of posts by a total of 1,200 in anticipation of the efficiencies that will result from the introduction of a computerised casework system. She will know that the Public Accounts Committee criticised that as an over-ambitious project. We are recovering from those plans. I know that much remains to be done by the present Administration, but we have done a lot already.

Last year, we began a substantial programme to increase the number of staff. That has already resulted in hundreds of additional staff, and more are planned. New working processes have been developed to speed up the time taken to decide applications without compromising quality. Those processes seek to obtain the maximum amount of information from applicants at the outset. Pilot exercises at Heathrow and Dover are testing new procedures for port applicants. Substantive asylum interviews are conducted on the day of arrival, and an e-mail link to the Croydon computer system enables case papers to be sent electronically, which enables quick decisions to be taken.

Partly as a consequence of those changes, but also as a result of the massive intake of staff, the number of initial decisions has increased enormously. I do not know that only because I am a Minister. The profile of cases in my constituency is similar to my hon. Friend's, so I know the problem from my own case work. In February, 7,840 decisions were made—the highest monthly total ever recorded. As a result, the number of decisions now exceeds the number of new applications. The backlog of cases is therefore beginning to reduce.

The February total of just over 103,000 is still too high but, for the first time since March 1998, it has reduced. I am not complacent about that. There is much more still to do, but it is an improvement. We expect to make significant inroads into the backlog by late spring, and we aim for a substantial reduction by April 2001. We have all but cleared the backlog of pre-1993 cases, and we expect to clear the backlog of 1993–95 cases by the summer.

I reassure my hon. Friend on one point. She spoke about asylum cases being transferred to Glasgow. They are being transferred for recategorisation. That is necessary to allow us to reorganise about 29,000 cases in the case allocation unit so that we can identify work screens for them. However, that exercise will last for only three weeks; the files will be back in Croydon by 17 April. We want to speed up the work as much as we can.

My hon. Friend mentioned the targets for new cases, particularly new family cases, under the new scheme, which will be introduced on 3 April. We started using targets for new family cases at the beginning of November 1999, and we are already meeting those targets for new applications from families with children. The new processes and the increase in the number of staff are designed to ensure that, from April 2001, most new claims are decided within two months, as envisaged in the immigration and asylum White Paper. We are already doing exactly what we said that we would do.

There is a great deal of work yet to be done. I am grateful for what my hon. Friend the Member for Hackney, North and Stoke Newington said about the commitment and enthusiasm of the staff, who are working incredibly hard against a difficult background. We are making progress, which is shown by the record number of decisions. We are beginning to deliver a policy that is firm, fair and fast, a policy that recognises the needs of genuine claimants while deterring those who would seek to abuse the system. Those who make unfounded claims are the enemy of the genuine asylum seeker.

Question put and agreed to.

Adjourned accordingly at Two o'clock.

Westminster Hall

Thursday 30 March 2000

[MR MICHAEL J. MARTIN *in the Chair*]

Women and Development

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Sutcliffe.*]

2.30 pm

Mr. Bowen Wells (Hertford and Stortford): I am grateful to have the opportunity to speak on what I regard as one of the most important subjects, not just for international development but for human society as a whole. Women constitute half the human population, and are of huge importance. I want this debate to initiate an understanding of the problems faced by women among not only women but men and the whole community. That is important in terms of achieving the international target of reducing poverty by half by 2015, which is closely related to the issue of women and development and their status in the world.

The Minister will know that the White Paper stated that the Government's prime objective was to achieve that international target. Women comprise 70 per cent. of the world's abjectly poor, so it is inevitable that if the objective is to be addressed seriously, the nature of, and remedies for, women's poverty must be understood and acted on. Of the 1.3 billion poorest people in the world, more than a third, or 450 million, live in India, 14.8 million live in Pakistan and 30 million live in Bangladesh. That is a total of 494.8 million women in abject poverty. The International Development Committee visited those three countries to learn at first hand why so many poor women lived in the sub-continent, and what could be done to help them out of poverty. Unless help is provided, the objective of reducing world poverty by half by 2015 cannot be achieved.

The first statistic that smacks an inquirer in the face is the one that shows that the gender balance is reversed in the three countries that I mentioned. In most human societies, the population is 52 per cent. female and 48 per cent. male—106 females to 100 males. In the early years, the male is much more vulnerable to illness and death than the female. Despite that, India, Pakistan and Bangladesh manage to achieve a population in which there are more males than females. In those countries, there are 94 females to 100 males, and the ratio is declining still further—it has declined during the past 50 years. In sub-Saharan Africa, where poverty is also rampant, the figures are better, but they are still alarming—102 females to 100 males. We concluded in paragraph 19 of our report "Women and Development":

> The declining sex ratio in India provides a stark and shocking indication of the true extent and impact of women's low status in society, their lack of access to basic health and education services, and the discrimination and violence which continues to threaten their chances of survival.

Faced with such statistics, we must ask why that situation is so apparent in India, Pakistan and Bangladesh. We know that it is not the inevitable result of the culture and approach to life because, in our contacts with those countries, many of us have met sophisticated and powerful women, including the Prime Ministers of India and of Bangladesh.

The Parliamentary Under-Secretary of State for International Development (Mr. George Foulkes): And the Leader of the Opposition.

Mr. Wells: Yes, the Prime Minister and the Leader of the Opposition in Bangladesh are both women. There seems to be a curious contrast, which is difficult to explain.

The Committee visited many areas where women were suffering, including, much to the amusement of many of my colleagues, two brothels, one in west Calcutta and one in Bogra in Bangladesh. I shall explain later why we felt it necessary to visit them, but I shall begin at the beginning of life and explain what happens to female children in infancy and childhood.

Modern methods allow the sex of a foetus to be ascertained and amniocentesis is being used ruthlessly in middle-class India, Bangladesh and Pakistan. When it is established that a foetus is female, the foetus is often aborted. There are more traditional ways of disposing of female foetuses and children, including direct infanticide. First, a female child may be fed on the breast for a shorter time and, therefore, will be less able to withstand attack by the variety of viruses and infections that confront young children. Secondly, if there is not enough food for the whole household, a boy child will be fed, but the girl child will not. If they have not succumbed to death in the first five years, many female children will be brain damaged due to a lack of food and unable to take advantage of education, if it were offered. There is a hugh preponderance of illiterate women and girls in India, Pakistan and Bangladesh, the whole of Africa and many parts of Asia. The appalling statistics are not confined to India, Pakistan and Bangladesh.

Education and the way in which children grow up can provide an exit from the appalling statistics. If a female child is educated, she will want to educate her children, whether they are male or female, when she becomes a mother. That is the solution to the problem of education for women, but due to the abject poverty in many areas of India, Pakistan and Bangladesh, female children are not educated because malnourishment has caused brain damage during childhood. Some female children are not offered any education.

If, by chance, female children have been able to achieve basic literacy by the time they reach adolescence, they are often taken out of school at the age of 10, 11 or 12 and are married and already having children by the age of 12, 13 or 14. Then the cycle of illiteracy, malnourishment and infanticide goes on. This is the cycle that somehow the world must break, if we are not only to achieve just rights for women but to confront the issue of abject poverty in the world.

In adolescence, the female may also be subjected to domestic violence, which takes a number of unpleasant forms. There are the dowry deaths in India; if the female is sold into marriage with a dowry, but the dowry is considered inadequate, she may be abused physically and mentally in the husband's family, whom she had probably never met before she married. There are also

[Mr. Wells]

sati deaths. As you may know, Mr. Deputy Speaker, the wife of a dead husband is expected to throw herself on his funeral pyre and die with him.

In Bangladesh in particular, there is now the most appalling growing abuse of throwing acid at the wife if she has not performed in accordance with male needs. The most disgraceful episodes of that have recently come to the attention of the western press.

Mr. Andrew Robathan (Blaby): My hon. Friend will know that the part of the Select Committee with which I was travelling went to Pakistan, where, I submit, the cases may be even worse. In Lahore, the practice of stove burning, which we would call murder and mutilation, is prevalent. The report states that at any one time in Lahore alone between 60 and 70 women are dying of burns, many of which are presumed, and likely, to have been caused by deliberate stove burning by their husbands or in-laws. That is yet another awful indicator of what happens in parts of the sub-continent.

Mr. Wells: Yes, indeed. My hon. Friend will remember the evidence given to us by Dr. Kate Young of Womankind, in which she talked about that kind of death for many women and referred to acid burning, particularly in Bangladesh. The World bank calculates that rape and domestic violence account for about 5 per cent. of the total disease burden among women aged between 15 and 44. Stove deaths are another manifestation of the same disregard lack of respect and care for women.

The figures for maternal mortality in the whole of India, Pakistan and Bangladesh are shocking and the deaths are almost entirely unnecessary and preventable. Dr. Kate Young also gave the Committee evidence on this subject. She said:

> Maternal mortality—lack of family planning resources, high demands on women's fertility, and lack of birth spacing, combining with existing poor health conditions (ie anaemia and malnutrition) strains women's health.

That can result in their death, during or after giving birth.

Only by trying to improve the lot of women who suffer such abuses can we begin to find a solution. It is a matter not simply of looking after sexual and reproductive health but of taking care of the female child when she is confronted with normal childhood diseases such as measles or, on the sub-continent, malaria and tuberculosis. Often the female child is simply not taken to any kind of medical care and consequently dies.

Mrs. Cheryl Gillan (Chesham and Amersham): My hon. Friend mentioned malaria. Does he agree that the implications of a future malarial insurgence in Mozambique and the part of Africa that suffered severe flooding are very worrying? Does he agree that it would be helpful if the Minister could tell us what aid had been lined up for that area to help it to cope with the malarial infection that is expected to follow the flooding? Such an outbreak would disproportionately affect the population in that area, compared with the rest of Africa.

Mr. Wells: Any area hit by a major humanitarian disaster of the kind that has afflicted Mozambique must confront exaggerated and exacerbated health problems, including malaria, TB and, possibly, cholera. I have heard reports that although cholera has not yet broken out, it is an ever-present danger, especially in areas of flooding in which the population is vulnerable to water-borne diseases. In such cases, women are likely to be more vulnerable because they are probably less well fed than their male counterparts, whether adults or children.

The problems are not confined to health care and education. Women are often employed in difficult working conditions. Let us take the most common example, that of cooking for the household. In Pakistan, Bangladesh and India we saw very rudimentary housing with no windows, in which women were expected to spend almost all their lives. They were not expected to go out in public. The stoves in those houses filled the rooms with fumes and smoke throughout the day and night, because the women were expected to provide the food for the family and for her husband on his return. Dark, smoke-filled kitchens are a serious danger to women's health and to their lives. Women also perform all the menial and sanitary tasks around the house—I shall not go into details. Such work endangers their health and many women die as a result. Not only do women not own any property but they are the property either of their husband or of other male family members. They do not even own their children or the products of their labour. Those belong to the men.

What are the solutions to these problems? Before we get too depressed, we must recognise that there are solutions; the problems can be addressed and the conditions can be altered. The status of women in this country has altered dramatically. Even in my lifetime, women have achieved the vote. Actually, it was a little earlier than that. My mother achieved the vote in 1930, and I was born in 1935. While all men and women over 30 achieved the vote in 1918, women under 30 were not entitled to vote until 1928, so we must not congratulate ourselves too much on our treatment of women.

This is an international problem, but it can be solved. We have evidence of that, in the presence in this Chamber of some excellent women Members of Parliament, who are at least the equal of their male counterparts—and possibly superior, as former Prime Minister Thatcher certainly proved.

Dr. Jenny Tonge (Richmond Park): On behalf of the women present, I cannot resist saying that I heard at lunchtime that both Uganda and South Africa have a much higher proportion of women in their legislatures than Britain does. Would the hon. Gentleman like to comment on that?

Mr. Wells: I would, because we should remember that one of India's achievements in the recent past is that a third of local government institutions are required by legislation to have at least a third of their constituencies represented by women. Although I have said many bad things about India today, I recognise that it is trying to deal with the issue. Many cultivated women, who are sensitive to their fellow females' plight, have managed to introduce such reforms.

We must consider how the statistics can be changed. They can change, and have changed, and will change further if we are determined to try to develop the political will for change in those countries. There is not a total absence of will in that respect.

Mrs. Gillan: Is my hon. Friend as pleased as I am to see many women in Westminster Hall in this debate on women and development? Does he agree that it is, however, a shame that there are not more women here, and a crying shame that there are not more men? It is equally important for men to be engaged in this debate as it is for women.

Mr. Wells: I am deeply grateful to my hon. Friend for making that point. As I intended to say later on, unless men can be brought to understand the problems with which they confront women, and to join with women in improving their status and the way in which they are treated, none of the reforms that we are trying to introduce will happen. I should like to ensure that when one is involved in a debate on women, a nasty little titter does not run round the society or informal meeting that one happens to be in. The issue is as important for men as it is for women, and we need to join together to get it right. Men need to be understanding; those who love their women—as many do—must try to make the changes that are necessary to ensure that they achieve equal status. That is what I mean when I refer to political will, which must be generated by us all. The Committee saw examples of men who had agreed to do that, and their womenfolk and children had benefited from it.

Mrs. Maria Fyfe (Glasgow, Maryhill): The problem is not merely that the abominations that are perpetrated against women in some parts of the world are ignored by Members of Parliament, whether male or female. The lack of interest among many of our male colleagues has already been noted. Economic interests are also at work. Many people are not willing to embark on a strong argument with powerful countries with which they do business. It is all very well to talk about giving more aid to appropriate non-governmental organisations and helping women's groups, but unless we tackle the root cause of the problem and tell such countries that we will not trade with them, or help them in any way, unless they stop their abmoninations against women, they will continue.

Mr. Wells: I agree with the sentiment of the hon. Lady's comments. However, I am not certain that the big stick achieves the results that she and I would like to see. We have to persuade men that it is in their interests—and those of their children, families and countries—to change the way in which they treat women. We can back that up with a bit of stick—for example, by trading fairly in terms of what we buy. I should like to say more about that, if I have time. We visited the Gap factory in Dhaka in Bangladesh, where fairer trade was being insisted on, and further measures could be taken. However, I know that other hon. Members have valuable contributions to make. I promised the hon. Member for Clydebank and Milngavie (Mr.Worthington), who has just come into the Chamber, that I would not speak for too long this afternoon.

I shall rehearse the six actions that the report recommended. We should understand the nature of women's poverty. I have given an outline of what that is. As I have said, we must increase girls' and women's access to effective basic education. That principle should extend to secondary and tertiary education. We must provide gender-sensitive services and resources for women's health. In discussing access to effective basic education, we must recognise that many girls do not have the confidence to say to their male partners, "I do not wish to have sex tonight." Nor do they think that they have the right to do so. We must provide that self-confidence. Education will enable girls to read and learn how others conduct relationships. Only when they are to some extent literate and educated will they acquire the self-respect and self-regard that will enable them to talk to their male partners on equal terms.

Of course, the provision of gender-sensitive services and resources for women's health is related to treatment in childbirth and women's understanding of their reproductive health. On our recent visit to Malawi, we were told that women there believe that a daily injection of sperm is necessary to remain healthy. We should consider what such an attitude to sex means in terms of the prevention of AIDS.

We must also improve women's access to credit and businesses. The small credit movement is a major example on which we must build. The Grameen bank, which began in Bangladesh, is now a huge concern. Minuscule amounts of money are lent for three-monthly periods at, I fear to say, high rates of interest, so that a cow, a chicken, or other goods to sell at market may be purchased. Those women have no property, and therefore no security to offer to a normal banking system. Women acting in groups have proved themselves able to help each other to repay loans. If a cow against which a woman has borrowed money dies, women join together to repay the loan and buy a new cow. Much more needs to be done, but that is a major step towards women earning a living to help themselves and their children.

We should also understand and address the root cause of women's disproportionate poverty. Why are women poorer than men? Why is there gender-based discrimination and violence? We must, above all, demonstrate political will by allocating resources, implementing relevant instruments of international agreements and national legislation, and mainstreaming gender concerns throughout all development programmes, as well as those aimed directly at women and girls.

That last point, to which I have already made reference, is one of the most important. Although today's debate is not as well attended as we would have liked, it has enabled discussion and understanding of these issues. I hope that the annual conference of the Commonwealth Parliamentary Association, which will be attended by women in London and Edinburgh, will also enable such discussion and understanding. We must encourage men to take part in such discussions.

We on the Select Committee welcomed the commitment to poverty eradication and women's empowerment as a key element of the White Paper. We also welcomed the 1997 paper entitled "Breaking the Barriers", and the consultation paper entitled "Poverty Eradication and the Empowerment of Women", which

[Mr. Wells]

was published in February. My only complaint about that paper, copies of which are sitting on my and the Minister's desks, is that it makes no reference to the Select Committee report "Women and Development" that we are debating today. The Department for International Development should recognise that it operates in partnership with Select Committees—a partnership that should be built on and rejoiced in. Our function is to criticise, but also to support and empower poor people and help them to understand the issues.

Mr. Foulkes: I shall deal with the question of rejoicing in partnership later. In case hon. Members do not have the report to which the hon. Gentleman referred, additional copies can be found behind the officials.

Mr. Wells: I return to the point that was made by the hon. Member for Glasgow, Maryhill (Mrs. Fyfe) about the private sector's role. The International Development Committee went to a factory in Dhaka, Bangladesh, which produces clothes for the Gap Clothing Company. It employs many female employees, many of whom are working for the first time. The Department for International Development supported Marie Stopes International in the provision of a clinic in the factory, which taught those women how to control their fertility and practise safe sex. That would prevent their infection with HIV-AIDS and help them to control the number of children that they had, which would mean that they could continue to work. Conditions in the factory were far from perfect.

Committee members wondered why the Department for International Development was supporting such clinics with funds from taxpayers in this country. Why should not the Gap Clothing Company fund the clinic? Should we not talk to Gap and to similar companies, including B&Q, which buy from Indian sources? We could say to them, "You have got to ensure that labour conditions—the conditions in which people produce goods for you—are hygienic and are consistent with the social direction that the Government and the people of this country support."

I want to conclude by discussing HIV-AIDS, but I shall do so briefly—it is a big subject. HIV-AIDS will destroy many of our efforts in this context unless it is properly managed. That was why Committee members visited the brothel in Bogra. The fact that that brothel is 600-strong tells us something about the relations between males and females in that Muslim country. Those females—sex workers, as we must call them—were being taught English. They could be taught how to have safe sex only if they were taught how to read. They could read the instructions on a condom packet only if they were litertate. If we are to prevent HIV-AIDS from spreading, we have to start right at the beginning—it spreads fastest from brothels.

I asked to meet the owners of the brothel, and I interviewed the men concerned. I asked whether the clinic was doing their business any good, and they said that it was attracting more custom and they were doing better business. I asked whether they were getting larger profits. They said yes, and that the clinic was a very good idea. I asked, "So why don't you provide the clinic yourself?" "Oh, that would be far too expensive," they explained.

We must ensure that employers and the public and private sectors adopt the same targets in relation to education and health. Those targets must be adopted by the owners of brothels such as those in Bogra and west Calcutta, and throughout the country. That approach will give women self-confidence and help them to own property and to decide their future on equal terms.

Mrs. Fyfe: The hon. Gentleman's comments on the private sector remind me of a BBC2 programme that was broadcast last Saturday,which was about a woman who made a very modest effort to enter the private sector herself—she sold a few goods in the marketplace. Her son killed her because, according to the interpretation of Islam that is followed where she lives, what she was doing was immoral and wrong. The state did not prosecute him for her murder because his action was held to be acceptable. The problem goes even deeper than that outlined by the hon. Gentleman. The woman was making a modest effort to earn her own living, yet she was killed for her pains. To solve that problem, we need to go well beyond the attitudes and education in that village—we need to go to the top of Pakistan society and make it clear that such behaviour is not acceptable in international society.

Mr. Deputy Speaker (Mr. John McWilliam): Before I call the hon. Gentleman, I remind hon. Members that interventions should be brief.

Mr. Wells: I know of several examples of the behaviour to which the hon. Lady refers. The Select Committee also met several imams in Bangladesh who had been tackled first by the Department for International Development, which explained to them what it was trying to do for women. It tried to make them understand in terms of the Koran why such action was necessary. That is why I said to my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) that such education must involve men and women and that it had to start at the top of any society. Imams are most powerful people in many villages and they must be retaught that it is not in an ordinary person's reading of the Koran that women should be so treated. However, that is how the Koran is interpreted locally and regionally and men have power over women and throughout society. We must stop such bigotry and ignorance.

Mr. Robathan: I refer to the intervention of the hon. Member for Glasgow, Maryhill (Mrs. Fyfe) and to what is an unusual cross-party consensus. Last year, we had a meeting with the Attorney-General of the Sharif Government in Pakistan—it was before the military coup. When the subject of a report on human rights was raised, especially the status and ill-treatment of women, he stormed out of the meeting and refused to discuss the matter with us. I hope that a change has come about under the new Government.

Mr. Wells: My hon. Friend makes an important point. We have a huge amount of work to do. It must be carried out constantly and enthusiastically by

Parliament and the entire country, and we must start now. I want to see the reversal of such terrible statistics. I want women to stand up self-confidently in their own right and be responsible for their own future. I want them to have equal responsibility with their male partners for their children. They must have equal ownership of anything that they produce or that they labour to produce. I want them to be able to own property, discuss matters sensibly, know their legal rights and stand up as people of this world.

3.7 pm

Ms Glenda Jackson (Hampstead and Highgate): I congratulate the International Development Committee on targeting its inquiries on women and their rights in the developing world. I have read the report and I am grateful to the hon. Member for Hertford and Stortford (Mr. Wells), but I am somewhat amazed at what was clearly a sense of bemusement on his part when he discovered the reality of life for women in such countries. I do not wish to be rude or dismissive of the Committee's findings. The facts that it outlined make shocking reading. In 1994, the United Nations published a report on the state of children in the world. It drew attention to the fact that three quarters of women in the world live in abject poverty, which means that three quarters of the world's children are in a similar state. The issues that he delineated for us were described in no small detail in that report.

The evidence that the International Development Committee presented to the House has been available to the world for the whole of my natural life.

Mr. Wells: It is a matter not of bemusement, but of shock. The situation continues to shock me. I know about the reports to which the hon. Lady referred, and I was shocked when I heard of them. When one sees it on the ground, it is even more shocking.

Mr. Deputy Speaker: Order. I must remind hon. Members to address the Chair. I am not touchy about this matter, but if hon. Members addressed the Chair, would allow the *Hansard* transcribers to hear the words clearly, rather than in a jumble. That would be helpful.

Ms Jackson: It is an example of the humanity of the hon. Member for Hertford and Stortford that he is capable of being shocked. The gross mistreatment and undervaluing of women, who are half the world's population, continue to shock even those of us who have been aware of it our whole lives.

I repeat that I strongly agree with the interventions of my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe). If the world wants to make the changes that basic humanity and the belief in human rights would suggest, the developed countries must change first, and change their treatment of the developing world.

My hon. Friend touched on the deep-seated problem of the treatment deemed to be the norm in the countries to which the report refers. That may be seen on all the continents, and in a more minor way within our own borders. Today, women in this country experience all the behaviour to which the hon. Member for Hertford and Stortford referred, and they may not have emigrated from countries in which it is part and parcel of tradition to deem women to be merely objects for abuse by whoever has the power in the relationship, whether it be one of the family, community or state.

I am grateful for the major changes in international development secured by the Government, and for their attempts to bring together all Departments that have any dealings with other countries, using joined-up thinking. They have prioritised making the case for altering dramatically for the better the circumstances of the majority of women around the world.

As my hon. Friend the Member for Maryhill said, the problem is deep-seated. I pay tribute again to what the Government are doing, although one always wishes that they could do more. What we, as well as the Government, should do, is find ways to make use of British businesses, for example, that invest or work in other parts of the world and apply for export credits guarantees. When those businesses invest in industries, businesses or services in other countries, it should be taken for granted that they will take the chief responsibility for ensuring that women who are employed by them will be given the respect and the basic rights of workers that we expect in this country.

I took to heart the point made by the hon. Member for Hertford and Stortford. If such issues are raised in the House, it is almost inevitable that they will be dubbed women's issues, because we remain a minority here. That has been our experience throughout our working lives. There will be either shuffling or a half-hearted titter, and sometimes outright abuse, which I am sure that we can all remember from exchanges across the Chamber.

The hon. Gentleman spoke of giving women the self-confidence to carry their responsibilities. The problem is not that women lack self-confidence or that they are unaware of their responsibilities; it is that they are deemed to be responsible for everything within their ambit, their community and even their state. Women are inevitably and consistently punished for their failures, even though there is no support to allow them to deliver fully on what is deemed to be their responsibility.

It is all very well for us to make categorical statements about sex education or what people in Malawi, as the hon. Gentleman said, perceive as the way for a woman to maintain her health—an injection of sperm every day—if she, her family, her community and her state deem that her prime purpose for being is to ensure the continuation of the male line. Prelates in this country have made that a requirement for families here, too, although in a rather angular way—they have not couched it in precisely the same terms.

That is why I return to my earlier point: if we are to energise the push to relieve women's and children's abject poverty, we must examine our actions. Instead of making a half-hearted response, which is still the norm in this country, we have to state categorically in all areas of our national life that equal opportunities, equal rights and equal pay for women are right and proper. It is only when we begin to examine ourselves that we will be able to implement essential changes in the world over a much wider range than is being attempted at present. That has to do with equality, opportunity, rights, education and health for women.

The hon. Member for Hertford and Stortford mentioned the incidence of violence against women, and we know that it happens in our own country. There is

[Ms Jackson]

still a presumption that a woman who is beaten up by her partner has done something to deserve that. I always find it especially bemusing when women, who may have experienced violence themselves, presume that. I regret to say that I have direct experience of this. Women have come to me who have experienced domestic violence, and they regard it as proof of love. We are in very murky waters. Such presumptions about the reasons for women's experience stretch a long way back.

Mrs. Gillan: Although I do not disagree with the hon. Lady's argument, does she agree that we, as women, owe a duty to men not to be totally self-indulgent and not to focus entirely on one half of the human race? We need to admit that men often suffer domestic violence, and that they suffer from cancer. The emphasis has been on breast cancer, but prostate cancer has not been highlighted as it should have been. Equally, in war, men and boys can be raped and exposed to the privations that we have discussed. We must not fall into the trap of concentrating purely on women; we must remember the other 50 per cent. of the population.

Ms Jackson: I strongly disagree that we should prioritise the overwhelming arguments for greater equality for women by always presenting a balanced view. In my experience, the view that the hon. Lady described is remarkably unbalanced. She said that insufficient attention is paid to prostate cancer, with all the attention being devoted to breast cancer. I was one of the Members who entered the House for the first time in 1992 who organised an all-party group to deal with breast cancer. Previously, there had been no all-party group, or prioritisation of that issue.

As my hon. Friend the Member for Slough (Fiona Mactaggart) said from a sedentary position, one reason why so little attention is paid to prostate cancer is that men take so little responsibility for their own health and well-being. It has certainly been my experience that women are always regarded as being in the driving seat when it comes to ensuring—the hon. Member for Chesham and Amersham (Mrs. Gillan) is looking at me in a bemused way. I speak directly from my experience. It may not be hers, but it is no less valid when I say that people still believe that the woman has prime responsibility for ensuring the health of a family. I have no doubt that all hon. Members know of women who have made themselves ill by carrying the burden of that responsibility. I do not condone violence in any form, but we are debating the overriding emergency of the violence and lack of facilities, concern and consideration that women suffer—mainly at the hands of men. If we argue that we can move forward only when there is absolute equality, we will be standing here 20, 30 or 50 years from now, putting the same evidence.

Ms Oona King (Bethnal Green and Bow): Although it is true that some men also experience terrible domestic violence—I have recently had such a case in my constituency—in 90 per cent. of murder cases involving women the perpetrator is the partner or ex-partner, but the same is not true of men who are murdered. We must therefore give women precedence in that matter.

Ms Jackson: That certainly happens. When the case of a woman who has murdered her partner is taken to court, the legal arguments that may be put in the case of a man are not used.

Interesting though the exchange has been, I do not wish to be deflected from the core of my argument. I conclude with what was for me the most telling and crucial sentence in the Select Committee report, which appeared in the section on female genital mutilation; I am sure that we are all concerned about that appalling action on young women and girls. The Select Committee, in agreeing with Joan French, said at paragraph 147:

> Culture can no longer be used as an excuse for inaction on securing women's rights.

That is fundamental and absolute. However, the Government response that

> The Government agrees with the Committee that culture can not be used as an excuse for the violation of human rights

concerned me because it makes a subtle alteration to the original. I want the Government to act on the statement that culture cannot be used

> as an excuse for inaction on securing women's rights.

We should make that part of Government policy in every Department. I hope that my hon. Friend the Under-Secretary of State will allay my concerns.

I have outlined the changes that I would like in regard to companies that invest abroad. I could give other examples of desirable changes in every Department. We all know what the problem is and what is experienced, day in and day out. No country can bring about on its own the changes that we desire. That can happen only if countries work with their partners as well as individually—and not just in their area of the world. A wider international consensus can bring about the changes that must occur. We have to accelerate the process of change, but we will not do that until we acknowledge the serious flaws in the equality of women in every country of the world, not simply those of the developing third world.

3.24 pm

Dr. Jenny Tonge (Richmond Park): I thank the hon. Member for Hampstead and Highgate (Ms Jackson) for her useful reminder that we must not look at the mote in our brother's eye when we cannot see the beam in our own. I also thank the chairman of the Select Committee for spearheading the report; I was proud to be part of the Committee that considered it.

Seventy per cent. of the world's poor are women; yet, wherever one looks in the world, countries with good health care and education for women are also successful economically. The link stares us in the face, and I can never understand why men all over the world do not see it. Healthy women have healthy babies, male as well as female. Educated women are more likely to be healthy and have healthy children. Women who are malnourished and have poor health care will not have the energy to take up educational opportunities, and their children are less likely to be educated.

Rather than try to cover all the issues in the report, which I would dearly love to do, I shall concentrate on women's health issues because I feel most passionately about them. They were my specialty before I became a Member of Parliament, and are crucial to development.

In paragraph 161 of the report, Marie Stopes International points out that

current levels of global expenditure on sexual and reproductive health—around $3.7 billion—amount to less than the amount spent each year on confectionery in the UK.

That is a wonderful statistic. The paragraph states that the money

in real terms development assistance spent on sexual and reproductive health projects—

the subject that I care about so much—

has not increased for the past 20 years.

That says a lot about the aid we are giving.

Woman in the west take reproductive health for granted. I used to have trouble convincing my patients to come for their screening tests and exhorting them to be healthy. They are fed up with being pestered and told what to do. In developing countries, the situation is different. I must warn those who are squeamish that the next 10 minutes will be uncomfortable.

The hon. Member for Hertford and Stortford (Mr. Wells) dealt well with women's general health, which is crucial to their sexual and reproductive health. The picture in the report of an Asian woman feeding her boy baby was a wonderful example. It had grown fat and healthy while the girl baby died quickly from malnutrition, as the mother had enough milk for only one baby. In the short term, boy babies seem more important to poor families in developing countries, as it is felt that boys are the economic future of families and farms.

The hon. Gentleman mentioned women in huts in Bangladesh inhaling smoke all the time. When we were there, I asked myself whether that was a factor in giving Bangladesh the worst maternal mortality rate in the world. Bangladesh shares many qualities with other developing countries, such as poverty, poor hygiene, lack of obstetric care and lack of infrastructure. There are plenty of Muslim countries in the word. However, the women of Bangladesh do not only inhale smoke all day. The fuel that they use is dried cow dung, so I wonder what they inhale. Someone, somewhere, must be able to tell us whether that is significant. If anyone at the Department for International Development were interested, I would love there to be a little project on the subject. The problem would be relatively easy to deal with.

Obstetric care for women in developing countries is often non-existent. Another lovely statistic from the report is that maternal death rates in the developing world are equivalent to a jumbo jet full of women crashing every six hours, every day of the year. That is the number of women who die in childbirth. I have had three babies, and I shall not, as women love to do, describe the details of my labour. Being in obstructed labour for not hours, but days and days of agonising pain unrelieved by anything, would lead to death by exhaustion. There may be terrible haemorrhage, but no one can do anything about it—the women simply die of blood loss. That is relatively quick compared with dying in agony of an infection which leads to septicaemia after being contracted during the birth of a baby.

In the western world, we have no idea of what our fellow women physically suffer to perpetuate the human race. Those who feel that they cannot have any more babies try to secure abortions, which are equally dangerous and place them at equal risk of infection and haemorrhage. We heard about a hospital in Nigeria where 77 per cent. of admissions related to complications from abortion.

I have professional experience of female genital mutilation, a subject raised by the hon. Member for Hampstead and Highgate. I do not think that any of us had any idea until recently of how extensive the practice was. It is forced on 85 million to 115 million women and girls each year, despite contravening the convention on the elimination of all forms of discrimination against women and a United Nations General Assembly resolution passed in 1997. It goes on in this country, albeit under anaesthetic and in hygiene and aseptic conditions which do not prevail in the developing world. It is carried out forcibly and against girls' will.

I have seen the effects of the practice and discussed them with my colleagues. I cannot say how appalling it is. Besides making sexual intercourse extremely painful and difficult, it doubles the risk of maternal death. It makes the death of a baby three or four times more likely. Without an episiotomy—surgical cutting to allow the baby to come out—there is splitting, tearing, haemorrhaging and infections. Horrible fistulae form, causing a woman to be incontinent of urine and faeces for the rest of her life. The death of the mother is almost preferable to that. If she is incontinent and unable to have sexual intercourse any more, she will not be accepted in the family or the villiage because, frankly, she smells. She will not be nice to have around, so she will be outcast as a result of the practice.

Mrs. Gillan: The hon. Lady renders the horrors perpetrated on women dramatically. I strongly feel that all hon. Members abhor the practice. Does she agree that it is even more horrifying because, in many cases, especially in our country, women procure the female circumcision of other women? The cultural side of the problem needs to be attacked, as well as the medical side which she is graphically outlining.

Dr. Tonge: What the hon. Lady says about the cultural side is right. Many women want to have the practice carried out on their daughters in developing countries because it makes them more marriageable and desirable. It is the custom and the culture. For that reason, the problem needs an extremely sensitive approach. It is no good western women muscling in over there and saying that the practice must stop because it is against human rights. We must also point in those countries the danger, complication, death and destruction that the practice causes. Economically, it will be a drag on the country and will affect the men's prosperity.

I want to take the opportunity on behalf of the International Development Committee to reply to a savage attack on it by Germaine Greer. In a book she has written, and in an article in *The Daily Telegraph* some months ago, she equated body piercing by consenting young women in the west with female genital mutilation. I must remind this Chamber that female genital mutilation is the forcible removal of the clitoris

[Dr. Tonge]

or the entire female genitalia, and the suturing up afterwards, with antiseptic, antibiotics or anaesthetic, leaving a tiny hole to allow blood and urine to escape. That is what we are talking about; we are not talking about a silver ring in an umbilicus.

Female genital mutilation is thought to have originated because men wanted to make sexual intercourse undesirable for the women, thereby making them faithful. Germaine Greer argues that we should not interfere with cultural practices. However, as Joan French remarked to the International Development Committee, if we did not want to interfere with cultural practices, we would still be burning witches in Europe. Germaine Greer has also accused members of the International Development Committee as knowing, in her words, "bugger all" about the subject. I object to that strongly. The Select Committee members were an interested and knowledgeable group, including a qualified nurse who had worked in Africa for a considerable period. As a doctor, I worked in reproductive and sexual health for 25 years. I therefore take exception to Ms Germaine Greer accusing the Committee of ignorance. I have got that off my chest. Female genital mutilation has been made illegal in most countries where it is practised, and we should encourage, as sensitively as possible, its abolition. I am sure that all hon. Members would agree with that.

On targeting young women, the hon. Member for Hertford and Stortford said that the Select Committee was not mentioned in the "Poverty Eradication and the Empowerment of Women" report, which the Department has just published. I endorse his remarks on that subject. I also felt that that strategy paper did not put enough emphasis on young women. In the developing world, women become sexually active and have babies at a very young age. That should be recognised and emphasised. Often, women in developing countries are married because their fathers see them as a liability and want to get them off their hands and into someone else's house. The younger they are, the more likely it is that they will suffer ill health or death from pregnancy.

It is essential to increase the emphasis on information and services to prevent pregnancy and infection, including HIV-AIDS, as the hon. Gentleman mentioned. Around the world, 7,000 people are infected with HIV every day, and 7.6 million people were newly infected last year. That is a terrible statistic, which is causing great damage to the developing world. Until a vaccine is available, about which the Minister knows I feel strongly, our only weapon is to provide sexual health clinics, condoms and education. That must start at a very young age.

Young women are more vulnerable to infections, because of bleeding and injury from sexual intercourse. That is, of course, more likely after genital mutilation. A catalogue of minor genital infections—thrush, trichomoniasis, gonorrhoea, tropical sores, chlamydia and so on—make it more like that a young girl will be infected with HIV-AIDS. That is why more women than men in the developing world have the disease. Any breakdown of the tissues, which causes bleeding or soreness, makes women more prone to infection. Family planning services and reproductive health services are therefore crucial. Indeed, we saw many excellent projects, among them the Gap factory, which has been mentioned, whoever was paying for it.

In the west Calcutta brothel and in Bogra we saw some good work being done. Marie Stopes International is doing brilliant work. I just wish that Marie Stopes were still alive and could see how, following her lifetime of persecution by male gynaecologists, her work has spread round the world and is so appreciated.

Ms Oona King: Going around that clinic, and particularly after we had met one woman, did the hon. Lady share my feeling that we had finally understood the need to change our language and should, from that moment forth, call prostitutes commercial sex workers? We must remain aware of the importance of language.

Dr. Tonge: I thank the hon. Lady for that intervention. It is important to remember that, wherever we are in the world, those people are sex workers. Did I use the word "prostitute"? I hope that I did not.

Mr. Wells: No, the hon. Lady did not.

Dr. Tonge: I was slightly worried that the hon. Lady intervened because I had. If I did not, that means that I am learning. We all learn.

I welcome the statement by the Department for International Development that it will continue to subsidise these projects, but there must be many more of them. More effort should be put into making multinational companies take on responsibility for the workers in whatever country they operate. Migrant labour is a particular problem in Africa: men are away from their wives and families for months and months, and are not given any help, education or advice, which is crucial in preventing the spread of disease.

I have covered a few aspects of women's health. I do not want to continue, because other hon. Members wish to speak. I simply remind hon. Members that educated women are healthier, have larger, healthier babies, are less likely to succumb to dangerous cultural traditions and practices and will see that their children are educated. Therefore, although health care and other factors are crucial, the education of women is a fundamental right and the single most effective way of tackling poverty.

When the hon. Member for Bethnal Green and Bow (Ms King) and I visited the Calcutta brothel, we met a young girl called Bobby, who was working there as a sex worker. She spoke perfect English because her mother and her grandmother had been sex workers in the same brothel. Her mother had worked extremely hard, because she had decided that, whatever happened, her daughter would have an education and a life, and she had worked hard to educate Bobby. Unfortunately, before Bobby was 14 or 15, her mother became very ill, lost her looks and did not get any more clients. What happened? Her precious daughter had to go into the brothel and work as a sex worker, the third generation of her family to do so. That affected us deeply, and we were all upset about the girl. Indeed, people have been trying to do something about the workers in that brothel since we came back to England.

I hope that the report and the Government's response will try to ensure that future Bobbies stay out of brothels and have a different sort of life.

3.43 pm

Mr. Tony Worthington (Clydebank and Milngavie): I apologise to the hon. Member for Hertford and Stortford (Mr. Wells) for not hearing his speech. As he probably knows, I attended a meeting in another part of the building that was closely connected to the theme of this debate, at which President Museveni of Uganda and the Secretary of State for International Development were talking about education for all and particularly about education for girls.

The key issue is empowerment. It sounds like jargon, but it is a useful word, because it spans many dimensions. I want to talk about some of those dimensions.

The first dimension is education. My reason for attending the meeting this afternoon was that the World Education Forum will meet in Dakar, Senegal, at the end of April. We must redouble our efforts to get the donor community and the developing countries to achieve the UN targets relating to ending the disparity between male and female enrolment in schools by 2005. That is a huge task.

We must also embrace the challenge of achieving universal primary education by 2015. At present, about 90 million girls in the world receive no primary education. If that is the official figure, the real figure must be much higher. In my early days as a lecturer, I learned that there are all sorts of lies: there are lies, damned lies, statistics, and teachers' registers. The fact that a student enrols at school in the morning does not mean that they are still there at lunchtime. The drop-out rate in schools is considerable.

During our visit to the subcontinent, I and other members of the Committee came across one of the most appalling expressions that I have ever heard. It has stuck with me ever since; I think that the hon. Member for Bethnal Green and Bow (Ms King) knows what I am going to say. It is the old attitude that educating a girl is like watering another man's garden. That is a staggering statement. Its implication is that it is not worth using any of one's resources on a visitor to the family who will be leaving shortly to go and work in another one.

Ms Oona King: My honourable Friend is right. That was a truly appalling expression. Another one that we heard on the trip springs to mind: a lucky man is one whose wife dies; an unlucky man is one whose ox dies.

Mr. Worthington: We should get away from these horrific statements. Such attitudes are shattering. The truth is that educating a girl is like watering a country's garden. Statistics tell us that educating women leads to better health and higher incomes in families, and to higher levels of education among the children of those families. The countries involved then go into an upward spiral rather than a downward spiral.

Those appalling attitudes towards girls' education are linked to the fact that up to 100 million girls are missing from the world today. The report refers to that fact. Those girls ought to be alive, but are missing due to sex-selective abortions, infanticide or neglect. That is about undervaluing girls—those girls would live if they were valued. The education of girls is a way of challenging this appalling story. South Asia has the lowest rates of female literacy in the world and it is also where the majority of the world's poor live.

I hope that the World Education Forum in Dakar will re-focus attention on these problems. However, we must not only increase the resources to education, but address the proper use of those resources. As members of the Select Committee know, the standards of governance in some education departments are appalling. Resources go into education but do not come out. In Bangladesh, we saw the difficulties for donors in relation to investment in the NGO schools. There is an enormous organisation there—the Bangladesh Rural Advancement Committee—which can educate a person and achieve literacy for the price of a night's stay at the Safeway motel in Bogra. It is tremendous value to become literate for that price, and I would recommend that establishment to my hon. Friend the Under-Secretary. He has enjoyed most experiences in life, but I do not believe that he has had that one yet.

It must be difficult for the Department for International Development to decide how much of its resources it provides to Governments with education departments that are not working well because teachers do not turn up to teach and thousands of schools exist only on paper. There is inequality between towns and the country. How can teachers be persuaded to stay in the country when the towns are like magnets? Empowerment is necessary for education.

The hon. Member for Richmond Park (Dr. Tonge) referred to reproductive health. It is impossible to achieve development unless women are given the opportunity to take responsibility for their own fertility. There has been enormous progress and we saw that in Bangladesh. It is the most overcrowded country in the world and there is almost no opposition to family planning there and in other countries. Opposition has gone and the issue now is resources. Many countries in sub-Saharan Africa are still doubling in size every 25 years, not through choice, but because of lack of access to cheap, basic reproductive health services.

The hon. Member for Hertford and Stortford was with me when we visited Malawi. It is a desperately poor country, which has run out of land and has virtually no industrial base. The land cannot support families because, under the inheritance system, it is divided into smaller and smaller parcels.

Mr. Wells: Among the men.

Mr. Worthington: Yes, the land is divided among the men.

I visited Sierra Leone nine years ago when it had an embryonic reproductive health service, but it was destroyed by the war there. The hon. Member for Richmond Park used one of the favourite statistics in her support earlier and it is worth lingering on. More than 500,000 women a year die in childbirth, which is equivalent to a fully laden jumbo jet falling out of the sky every six hours, every day of the year. Those deaths are avoidable. I am pro-life, but I am also pro-women living and not being killed by lack of access to basic services. We must give people the right to choose and

[Mr. Worthington]

they can have the right only if resources are made available. There is no right to choose if there is nothing to choose from.

It is offensive that, when first-world countries such as Italy and Spain have static or falling populations, third-world countries are denied the right to choose. Imagine the uproar in our constituencies if we tried to deny our constituents the right to decide the size and spacing of their families. That would not be an election winner. Not one hon. Member, whatever his or her religion, would dare to campaign for withdrawal of family planning services, but that is effectively what happens in third-world countries.

Mrs. Ann Cryer (Keighley): I have spent only one week in Pakistan, but my constituency is a microcosm of that country and, to some extent, Bangladesh. My hon. Friend said that there is no ban on contraception, but there is a ban for women who persist in having female babies. We must get the matter straight. It is not only husbands who force their wives to produce babies. Dragon-like mothers-in-law in Keighley force their daughters-in-law to go on and on producing babies until that wonderful son is produced.

Mr. Worthington: I appreciate that point. As has been said, we must tackle head-on cultures that deny basic human rights. We in mainland Britain have invented the concept of the innocence of children, denying them information on sex education and social matters. It is absurd to advocate education, education, education, while taking the view that, in terms of sex, ignorance is best. That is an extraordinary cultural hang-up.

The enormous impact of the plague of AIDS became apparent during our visit to southern Africa. The impossible has happened: as a result of AIDS, which is hitting women hardest, life expectancy in countries such as Botswana, Zambia and Malawi is plummeting. In Britain, the number of AIDS cases related to heterosexual activity has for the first time become the majority, but such cases have always formed the majority in Africa and Asia. Women are the principal victims. Some become HIV-positive as a result of their husbands' activities; others witness their infant children dying of AIDS.

I find it unacceptable that women are denied access to condoms on moral grounds. That women should be denied access to the only known protection against AIDS is an appalling cruelty. We must remember that most women and men have no idea that they are HIV-positive until AIDS develops, and may not know even then, because other explanations of ill health may be sought. If women and men continue to have unprotected sex in Africa, AIDS will continue to surge through that continent. There are fears that the same will happen in Asia. As the report shows, the number of AIDS sufferers in Asia is huge: there are 3 million in India. However, incidence is low. Only 1 per cent. of people in the subcontinent are thought to be HIV-positive, compared with 20 or 30 per cent. in parts of sub-Saharan Africa. If the Asian rate moves towards the African rate, deaths will run to tens of millions.

The third and final source of empowerment about which I want to speak is economic and political. As has been said, during our visits to India, and particularly to Bangladesh, we were impressed by the difference that micro-credit schemes made to women's sense of independence and self-esteem. We should remember the marginal status of widows in India and Bangladesh. Unless one can be found, widows in those countries have no economic role.

We were enormously impressed by the resilience of Bangladeshis in making the maximum use of scarce land that constantly floods. I have never seen anything like it. When we were told that we would see a rice paddy that had been turned into a fish farm, I thought that it was April fool's day. I love gardening, but I have never seen such ingenuity in making the maximum possible use of banks in the fields. Any part that could be cultivated was cultivated. To witness the use to which women, in particular, put micro-credit schemes was amazing. We could see their independence growing. Wherever we went, we saw the consequences of women's lack of empowerment. In India, Bangladesh and Pakistan, people might respond, "We have had women presidents." Phooey. That is simply tokenism. Empires—baronies—of families have simply thrown a woman to the top.

Everywhere we went there were no women in positions of power or influence. When I was in Sierra Leone last week, someone confessed to me that, although women had been elected from list systems, not one woman had been elected by the men in a constituency to be a Member of Parliament.

Empowerment can involve education, reproductive health or economic independence, and all forms of empowerment should take place in the context of comprehensive community development. There appears to be a tendency to say, "We shall support a reproductive health scheme, a micro-credit scheme or an education scheme." However, the right approach involves allowing a reproductive health scheme to grow into a micro-credit scheme or vice versa—that would get comprehensive community development under way.

The Department and I think that this is a first-rate report, although I am biased—I helped to produce it. It will help to develop women's empowerment. If we can put more resources and ideas behind it, it will have an impact.

4.1 pm

Ms Oona King (Bethnal Green and Bow): It is truly a great pleasure to participate in this debate. I have heard some exceptional speeches, not least from the hon. Member for Hertford and Stortford (Mr. Wells), the Chairman of the International Development Committee, and from three of my hon. Friends, whose contributions I shall discuss presently.

I want to concentrate on the links that the report finds between women and their lack of access to various services and rights. As has been emphasised time and again this afternoon, the majority of the world's abjectly poor—70 per cent.—are women. My hon. Friend the Member for Hampstead and Highgate (Ms Jackson) rightly said that we should look to our own house and keep that in order. In Britain, 60 per cent. of those who rely on income support to top up their income to subsistence level are women.

Women's limited access revolves around a series of issues, including health, income, education and credit and finance. Interestingly, in this country we have concentrated on institutional discrimination of various kinds, but there is greater institutional discrimination than that which is based on gender.

Gender genocide—the declining ratio of men to women in some of the world's poorest countries—has been mentioned. Anyone who has not read at least the first page of the Select Committee's report, which contains the executive summary, should do so. It lists several astonishing facts, and states that

> up to 100 million girls are thought to be missing as a result of sex-selective abortion, infanticide or neglect.

When we went to Rwanda, we saw the dreadful carnage that led to the murder of betwen 500,000 and 1 million people. I was so horrified and moved that I felt that I had no option but to set up an all-party group on Rwanda and the prevention of genocide. In view of the fact that 100 million young girls, women or foetuses are not on this planet because of targeted aggression as a result of their sex, it is strange that Parliament does not have an all-party group that deals in general terms with women.

Perhaps that is not a bad thing, and what is needed is an all-party group on humanity. As we have heard, the issue is equally important to men, and changing their attitudes is as important as changing women's attitudes. Where men hold the balance of power—which is virtually everywhere—it is even more important to change their attitudes, Oxfam gave an example of that in the report. It said of Pakistan:

> Family planning programmes have been targeting women for years, neglecting the fact that it is men who usually make decisions regarding fertility.

That fact was brought home to me when I was in Uganda. I went to a chemist that was distributing free condoms and contraceptive pills. It was all very progressive—men were allowing their women to make use of contraceptives. However, as the women were not allowed out of their home to carry out such errands, the men went to the chemist to collect the contraceptives and, because 70 per cent. of illiterate people in the world are women, many could not read the instructions when they were taken home to them.

That put in stark focus the fact that we must think in clear terms about the nitty-gritty of what happens once great policy issues have been resolved. For example, we get a Government to make contraception available, but do not take into account the factors that prevent women from taking up that access. Until we do that, women will remain in the dire situations that hon. Members have described.

My hon. Friend the Member for Hampstead and Highgate referred to the fact that all the problems that we have heard about in other countries apply—albeit usually to a lesser extent—in this country. I am reminded of a comment by the United Kingdom Men's Movement, which describes feminism as

> the greatest social evil of our time.

In some respects, we are in the middle ages of gender equality. In America, Pat Robertson has warned his fellow Americans that feminism—I must quote this, as it always brings a smile to my face—

> encourages women to leave their husbands, kill their children, practise witchcraft, destroy capitalism and become lesbians.

I am glad that in this country, in theory, we do not have to argue the merits of feminism. I hope that anyone who reads the report will not fail to recognise the need for it. However, there has been a huge backlash against the word "feminism" and what is termed as feminism. The report hinges on people accepting that women should have equality with men. We take that as a given, but, even in this country, it is not.

I labour the point because feminism does more than simply posit the moral case for equality—at its root is an attempt to address the skewed division of labour that disadvantages women from the cradle to the grave. The report reveals the degree to which discrimination and disadvantage afflict women not only in developing countries but in this country. That skewed division of labour, in simplistic terms, gives women total responsibility for caring and domestic duties. Three important elements are involved in that: first, it is unpaid; secondly, it keeps women at home, and therefore marginalized; and, thirdly, it does not require education and militates against women being thought of as humans who deserve the right to education.

From all that stem further problems that hinge around a lack of access and a lack of independence. We have heard from many colleagues about the ways in which women are denied access to various things, so I shall not repeat that argument. We have not heard much, however, about women's lack of access to the legal system. When preparing for the conference at which I was to speak on domestic violence, I read some appalling British case law. I shall, however, cite an example of what happened in Bangladesh when a 14-year-old girl was gang raped in a fairly remote village. The village elders decided to hold a traditional trial. It was established that a gang rape had taken place—I believe that 12 young men were involved—and the elders decided that the 14-year-old girl would receive 200 lashes for what had happened. She died. Nothing happened to the boys. That is an extreme example, but it demonstrates the lack of access that is prevalent throughout the world.

Women, many of whom are widows, have also drawn the short straw when it comes to justice following conflicts, when their entire position in society is undermined. I will never forget visiting a group of widows in Rwanda at a genocide site. I asked one of them whether she felt that justice would be done. The United Nations had attempted to solve the problem in Rwanda, but one woman looked at me and laughed. She said: "Justice? The people who murdered my entire family are now living in my house and sending me letters telling me that if I speak to people like you they will hack me to death." There was nothing that we could do.

The Department for International Development has spent an inordinate amount of time considering how to speed up justice and make it worthy of its name to 52 per cent. of the population. The Rwandan Government have received help for capacity building in their civil service. We must ensure that such measures are more mainstream than they have been to date. Although many conferences are held on protecting women's rights, they are simply words on paper and do not mean anything to a woman such as the one to whom I spoke in Rwanda.

[Ms Oona King]

We visited a private factory in Bangladesh, which is a success story in many respects. The hon. Member for Hertford and Stortford said that positive steps can be taken and I echo those comments. It is not a case of our having to hang our heads and give up, even though the sheer scale of the oppression is so overwhelming. The factory in Bangladesh is an excellent example of the way in which women are being helped. I have mentioned three issues—women in unpaid employment, women being kept at home and women being marginalised. All those issues were being addressed in that factory and those women were in paid work, out of the home and had access to services that they had not had before.

Much of the debate about the World Trade Organisation has hinged on whether it helps the poorest of the poor. There are many huge problems with the negotiations at Seattle, but we must recognise the fact that trade in textiles has increased from approximately £3 million to £3 billion in Bangledesh, and that 90 per cent. of those workers are women who are now paid but who were previously excluded. That generates much social change, so there are swings and roundabouts and pros and cons, but, as the Chairman of the Select Committee said, why should British taxpayers subsidise an American multinational corporation?

I agree with the Department for International Development that it is more important for those women to have access to health services than it is for us to argue about who pays for them, but I ask Gap's chief executives in Britain, Europe and America, who will receive copies of the report of this debate and of our report, to make a personal commitment to review such matters and to report to the House on whether they believe that our taxpayers should subsidise an excellent project in their factory that, none the less, enhances their profits? I do not believe that they would be so short-sighted as to refuse.

A consensus has emerged in international development over the past two or three decades but especially in the past decade. The consensus, which has been reached by organisations as diverse as the International Monetary Fund and Oxfam, is that discrimination against women is the single most important factor that inhibits the development of society, global society and the poorest countries. As we heard, if a woman is educated, her family is educated. That is no less true in Britain, where 90 per cent. of lone parents are women and 2 million children live in poverty as a result. As we enter the new millennium, it is worth taking stock. Women today make up half the world's population, yet do two thirds of its work, receive only one tenth of its income and own less than 1 per cent. of world property. To say that women have achieved equality, even on paper, is to dabble in fiction.

I commend the report and the work of the Department for International Development. I hope that, in future, we shall be joined by a larger number of Members who recognise the central importance of this issue to a sustainable and equal future.

4.18 pm

Fiona Mactaggart (Slough): I should like to add my small mite to this debate from the point of view of someone whose job before being elected to the House was teaching people to read. The human right to read is more acknowledged in the breach than the observance. Many of the speeches that we have heard today and the work of the Select Committee make it obvious that an absolute priority in enabling women to be part of the development and civilisation of their communities is giving them the right to read. That is at the heart of this debate.

It is interesting that education in Britain is still dependent on gender in many ways. I am the first woman in my family to have completed a university degree. When I left school, my mum assumed that I would go to a finishing school and learn to type. That was what people like me did, and that is what my sisters did. At the school that I attended, many girls—one of whom will shortly contribute to the debate—did not face those expectations in their families. My school expected women to succeed, but the view in my family was that the guys, not the girls, should be educated. That remains the case in many societies throughout the world.

However, we now have the opportunity to change that view. The world has long recognised the importance of primary education and the right to read. In Thailand 10 years ago, the countries of the world met and said, "We need universal primary education and we'll get it by the millennium." We did not achieve that. Next month, those countries will meet again, in Dakar, Senegal. There, they will set a more generous target of 2015. We cannot afford the same slippage in the next 15 years as we have had in the past 10 years. The world cannot afford that, and neither can women. It is a recipe for poverty and underdevelopment.

Two thirds of those who are out of primary education are girls, and in some countries, the situation is worsening. In the past 10 years, the number of girls in primary education in Pakistan has declined by 10 per cent. Nevertheless, I met the new Education Minister for Pakistan recently. The first thing that she said was, "I'm not related to anybody," which was not reassuring, because it said a lot about the history of politics in Pakistan; but next she said that she had gone to see the schools that her Government were funding, but that she could not find them all. It was clear that education money in Pakistan had ended up in the pockets of the wrong people, and had not helped to teach one person to read one book or to add up. I hope that Pakistan's new Government will challenge that situation and that they will quickly obtain a mandate from the people.

The problem is not a phenomenon of Islam. In many Islamic countries, the number of girls in education has increased significantly. We have heard about the achievements of Bangladesh, for which it should be praised. Education is a key. It allows women to look after their own health by reading the instructions on tablets or on baby formula, if they must resort to that, and it is the key to taking control of their own lives. We must ensure that we take the opportunity offered by the summit in Dakar next month to change the current situation.

In Zambia last year, more teachers died of AIDS than entered teaching. We must invest in the educational infrastructure of developing countries. Some very poor countries have clear educational strategies that allow them to outperform their level of income. For example, Vietnam and Cuba have made wonderful achievements through their education systems. If we educated 1,000 girls in Pakistan, we would save 60 babies. The sums are simple and straightforward.

I hope that when the Secretary of State for International Development goes to Dakar, she will pledge the United Kingdom to the campaign for universal primary education, and offer practical strategies in our aid programme, with special emphasis on achieving universal primary education. We must make reading a human right in the poorest countries. I was pleased to learn, from the Secretary of State's response to a question that I asked yesterday, that the Prime Minister has already launched a teacher education programme, using a British information technology company that gives packages to developing countries.

The Prime Minister has made education his passion. I ask him to focus that passion globally. He could galvanise international attention on the issue. The Secretary of State is great at achieving focus and passion among her colleagues, but, because of the way the world works, it is still the big boys who shift things. We have talked about the emancipation of women and about how we might begin to achieve that. If Bill Clinton and my right hon. Friend the Prime Minister focus their attention on that, it is more likely to make a difference.

Britain should find ways of taking the lead internationally on the universal right to primary education. The resources for that exist: it would take something like a quarter of the money that Africa currently spends on debt servicing to deal with the deficit in its education spending. The ideas exist: there are models in many countries that we could follow. However, that right is not yet being delivered, partly because of a lack of international leadership and partly because of a lack of resources. I detect the willingness in regard to resources and I see the beginnings of Britain offering to take a lead internationally. We should go further down both those roads because this country can help to make a difference.

I would like to thank Oxfam for making the issue of universal primary education a campaigning priority. One of the achievements of that campaign is having ensured that the debate takes place not just behind closed doors at global summits that get reported in the pages of newspapers that many of us do not bother to read, but in staff rooms, church congregations, and even pubs. If we made sure that women up and down Britain, over cups of tea, learned some of the stories and facts in the report and which have been raised today, they too would feel the passion that we have heard expressed to ensure that there is investment in women. One gets a good return from investing in women. Women all over the world should have the human right to read.

4.28 pm

Mrs. Cheryl Gillan (Chesham and Amersham): We have had an uncharacteristically unanimous debate, even for Westminster Hall. I shall not strike a note of discord; there has been something in the contribution of every speaker with which I could wholeheartedly agree. I am grateful to my hon. Friend the Member for Hertford and Stortford (Mr. Wells) for initiating the debate and for presenting what is, by any standards, an exceptionally good report.

Nothing can more graphically have brought home to people the plight of women and children than the recent story of the woman in the Mozambique floods who gave birth in a tree. The pictures that we saw in the United Kingdom were moving, but also brought home the deprivation and agony faced by women and mothers. I am sure that we all wish that mother and child well.

Empowering women is doubtless the key to dealing with poverty, sickness and all the other issues tackled by the Department for International Development. That has been reflected in our debate.

Having been lucky enough to come from what I consider to be a privileged background, I did not fully realise the meaning of poverty or the privations that we hear about in the media until I had the privilege of travelling to Beijing in the last year of the previous Government, where we signed the women's platform for action. I met women whose very presence in Beijing put their lives at risk. They had to walk for two or three hours a day carrying water, not only for themselves but for their family. Until one meets such people face to face, one cannot begin to understand the stress and the strain that is put on the female part of the human race. It was an eye-opener and something that will stay with me for the rest of my life.

I was also pleased that our inadequacies in the United Kingdom have been touched on in the debate. Fortunately, in the main, they are not the ones of starvation or of having to walk for three hours to collect water, but the inequalities must be addressed. I want no special treatment for women, but I want equality of opportunity—hopes that I am sure are shared by everyone in the Chamber. I was pleased that we did not debate such matters from a smug and self-satisfied perspective but are willing to recognise their own failings.

Sadly, my hon. Friend the Member for Hertford and Stortford announced at the weekend that he will be standing down as a Member of Parliament. He will be much missed because his contribution has been phenomenal, not least in his work as Chairman of the Select Committee on International Development, which is responsible for the report. His graphic introduction to the debate was an example of the effort and the humanity that he puts into his role as a parliamentarian. He has also served the Commonwealth Parliamentary Association in sterling fashion as its treasurer. He agrees with me that, although we have developed a women's organisation within the CPA, it is essential that we do not split from the men and that men and women discuss women's issues, because it is not only the women who need convincing. Indeed, in many instances, men need to be carried along to achieve success. In all instances, it is easy for women to talk to women, but it is much harder to engage men in the political process for which my hon. Friend has pushed hard in the CPA.

The hon. Member for Hampstead and Highgate (Ms Jackson) made a powerful speech but, unless we misunderstood one another, I disagree with what she

[Mrs. Cheryl Gillan]

said. I hope that she was not being dismissive of prostate cancer. I do not want to diminish the work done on breast cancer, which is so important in terms of health awareness, but an even-handed approach has not been taken with regard to prostate cancer. For example, as women parliamentarians we all contributed to a picture book in aid of breast cancer awareness. I wish that there were a book in support of doing something for men and prostate cancer. In our desperation to ensure that women's voices are heard, we must not forget men's.

Ms Glenda Jackson: I should be happy to participate in such a book, either verbally or visually, urging how important it is for men to examine themselves to discover whether they are suffering from prostate cancer as we, as women, are encouraged to examine ourselves to ensure that we are not suffering from breast cancer. I shall not, however, be deflected from my inability to see that the rights of women can be advanced only if the rights of men are advanced, too. I would not wish any man to suffer from prostate cancer. Indeed, more money should be put into the work on that illness. However, if a woman dies from breast cancer, the whole family suffers that that is not exactly the same in the case of a young man. If we have to prioritise, we must acknowledge what is most important for the whole family and—

Mr. Deputy Speaker: Order, I have already warned hon. Members about the length of interventions.

Mrs. Gillan: I do not mind the length of the intervention, but I am still not enlightened—

Mr. Deputy Speaker: Order. It is I who mind the length of interventions.

Fiona Mactaggart: Perhaps the hon. Lady is not aware that the chairman of the all-party group on breast cancer is a woman, as is the chairman of the all-party group on male cancers.

Mrs. Gillan: I am grateful to the hon. Lady—my old school friend—for that intervention. I was aware of that, but I still do not agree with the hon. Member for Hamstead and Highgate. We should not focus solely on women's issues and forget or fail to emphasise those that concern men, especially violence against men, which is a taboo subject. We are much readier to discuss domestic violence against women than against men. Much domestic violence against men is swept under the carpet, and it should be brought into the open and dealt with.

I have great respect for the medical background of the hon. Member for Richmond Park (Dr. Tonge). Her description of what we all abhor—female circumcision—made one squirm. We should not underestimate the courage that it takes for a woman in her own country and village to say no, whether on her own behalf or on that of her female child. It is exceedingly difficult to stamp out a practice that is heavily rooted in culture and religion, but I agree with her that the practice must be stamped out. I hope that her graphic description of the horrors of female circumcision will strike a chord, and be spread further than this Chamber, so that others can read about what a barbaric practice it is. Any comment from the Minister on what progress is being made to eradicate female circumcision will be welcomed.

The hon. Member for Clydebank and Milngavie (Mr. Worthington) spoke, from great experience, about education, AIDS and the denial of condoms. Again, I found myself in agreement—I do not want to attract a bad reputation for agreeing with members of other parties. His descriptions of micro-credit schemes are a great encouragement to that form of financing, which should spread further. Such empowerment of women is proving extremely successful. I join him in his call for more resources. The Minister may be able to say more about what the Department for International Development can do in that regard.

The hon. Member for Bethnal Green and Bow (Ms King) spoke with her usual eloquence, especially about gender genocide and sex-selective abortions. I would go further and conjure up a horror that is not yet with us, but that I can see coming. In the previous Parliament, I did some early work on the human genome project. When science advances so that prospective parents can find out whether their child will have fair hair and blue eyes, or whether it will be intelligent or suffer from various diseases, there may be even more selective abortions because of lack of perfection in children. I am especially worried about that. It could affect not only unborn children but mothers who may be forced to make a decision because of the attitude of those around them. I agree with her that if one educates a woman, one educates a family; there is no doubt about that.

The hon. Member for Slough (Fiona Mactaggart)—she and I have known one another for many years—taught people to read and believes that people have a right to read. I do not disagree with that, but it will be hard to explain the right to read to people who still do not have access to fresh water and food. Although reading is important, there are still people who do not have access to the basics necessary to sustain existence, let alone the ability to take that jump forward. I hope that she will not forget that, when we are considering women and development, there is a stage before reading; but I join her in hoping that that will be the next stage.

When I worked for Ernst and Young, we used to hold a cocktail party once a year and raise money from the partners, the managers and the staff, who were all accountants. The money was sent to a school in Kathmandu, courtesy of one of our great partners, John Brown. That cocktail party would pay the teachers in the school for a year and provide books for the children. It gave us a great deal of pleasure to be able to do something directly for a school that Ernst and Young's indirect taxation department had adopted. I hope that that practice continues. The money was well received and very necessary. Both boys and girls were educated in that school: they were of equal importance in that community.

Mr. Wells: In the debate on the right to education and the right to read, is it not fundamental that a great programme should be launched by the Department

for International Development and international organisations to make good-quality teacher training a reality?

Mrs. Gillan: I do not disagree with my hon. Friend. I hope that we will hear the Minister's views on that issue.

Education has been the common theme of almost every contribution to the debate and is undoubtedly the key to improving the lot of women worldwide. However, getting more girls into school is not a straightforward process, as has been illustrated in this debate. To educate more girls, developing countries must overcome social and religious barriers to the increased role of women in society, and the work must be done with sensitivity. Western countries must be careful, when they promote the schooling and education of both sexes in the developing world, in line with our established traditions, to do so in a sensitive way that takes the whole community along with them. I share some of the views expressed in the debate about that. We must ensure that we encourage only sustainable development, not unsustainable development, so that we carry with us the whole culture, the whole area, the whole village and the whole town.

One of this country's great assets is the British Council and the role that it plays in education throughout the world. As I have done in other debates, I want to draw the Minister's attention to its remarkable work on women and development. Around the developing world, the major barrier for women is lack of education, as has been said time and again. The British Council works with education ministries and local communities to help to meet that need. In addition, it works to empower women in developing countries by promoting their access to political involvement. Through its seminars and conferences and on-the-ground training, women are encouraged to play their part in politics and equipped with the necessary skills. Without that work, many developing countries would be deprived of the good sense that women can bring to politics.

Like all other aspects of the British Council's work, its involvement in educating women is threatened and limited by the Government's serious underfunding. The Select Committee on Foreign Affairs found that the funding would be lower than in any year of the previous Government. Therefore, I hope that, in a debate in which we have highlighted education, the Minister will give me a constructive answer and tell me if and when he proposes to increase funding to the British Council, in view of its important role in development.

I want to give the Minister the chance to reply at length to this debate, because the report is highly significant. However, I should like to mention a couple of matters arising from the Government's response to the report, in the hope that he will deal with them in his reply. In response to paragraphs 2 and 3, the Government said:

> Further details of how we intend to implement . . . commitments—

to a rights-based development policy agenda—

> are to be set out in a series of strategy papers to be published during the course of the coming year. The series of strategy papers will include specific papers addressing women's equality, and human rights for poor people.

I know that the Minister has kindly made available a report, which he has left with his officials. What further strategy papers can we expect, and when will they be delivered?

Following their visit to Pakistan, Committee members rightly expressed great concern in paragraph 8 about the situation in that country. The Government's response states:

> We take every opportunity to ensure that the Pakistani authorities are aware of our concerns.

I am sure that those concerns have been expressed to the Pakistani authorities, but I hope that the Minister will say where, how and on what occasions they were expressed, and outline his plans for monitoring the situation. The Pakistani authorities should be actively reminded that the UK Government are paying attention to events in that region.

Paragraph 16 says:

> DFID India will be actively considering support to a second volume of the Atlas—

the "Atlas of Women and Men in India"—

> following the completion of the 2001 census in India.

Has a decision been taken on that? When can we expect a definite yes or no?

In paragraph 22 of the report, the Committee recommends

> that DFID conduct an assessment of the impact of radio gender training projects such as those run by Trish Williams, and provide an analysis of the value of the radio as a mechanism for distributing information to women and men about, for example, education and health.

I think that the hon. Member for Slough will admit that, for those who cannot read, the radio is a valuable medium for transmitting advice. Indeed, the BBC World Service, whose educational activities are targeted to providing learning opportunities and enabling informed choices, has first-class radio programmes. If the Minister is unaware of programmes such as "Everywoman" and "New Parents", he should familiarise himself with them immediately.

What is happening in the DFID's social development department? Apparently, it has recently strengthened its professional capacity in relation to media and development, and will shortly begin work on developing approved approaches to assessing the impact of radio programmes, including the benefits to women as well as men. I am pleased to hear that, but I wonder what progress has been made since the publication of the response.

Female genital mutilation has been mentioned by several hon. Members in this debate. Paragraph 46, in which Ms Greer, the well-known feminist, is condemned, meets with a singularly brief response:

> The Government agrees with the Committee that culture can not be used as an excuse for the violation of human rights.

I hope that the Minister will tell us exactly what additional action he proposes to take to eradicate this barbaric practice as soon as possible.

I would not want to deny that progress has been made on the plight of women, thanks to the tireless efforts of campaigners and contributors around the world, both male and female, who have helped to raise the status of women. However, we must face the fact that when it comes to poverty and oppression, women undoubtedly

[Mrs. Gillan]

remain at the bottom of the heap in many of the world's poorest countries. They not only deserve better but are so obviously the key to raising living standards and conditions for all that we must ensure an increasing focus on women in all our development programmes.

The hon. Member for Bethnal Green and Bow said that if any part of the report should be read, it was the first page. I disagree with her. I believe that if any part of the report should be looked at and read, it is page 170. The caption below the photograph reads:

> Having been told she had only enough milk for one child, and in keeping with cultural biases in favour of the male, this Pakistani mother opted to breast feed her son and bottle feed her daughter. Receiving a fraction of the essential nutrients as her twin brother, the daughter died the next day.

It is a shocking picture, and a vivid example of what is happening to women and men in many parts of the world. No life is worth more or less than another. A woman is not of less value than a man. Our policies must reflect that, and I hope that the Minister will give us that assurance today.

4.51 pm

The Parliamentary Under-Secretary of State for International Development (Mr. George Foulkes): I am replying to this debate partly in my capacity as the Department for International Development Minister responsible for gender issues. Perhaps it will please the hon. Member for Chesham and Amersham (Mrs. Gillan) that, although a man has that responsibility, it was given by a woman—our Secretary of State. Perhaps the hon. Lady will also be pleased that, bearing in mind the presence of Baroness Amos—our spokesperson in the House of Lords—our ministerial team contains two very powerful and effective women. The addition of the Parliamentary Private Secretary provides the perfect balance in the Department. As far as the DFID is concerned, we take account of the importance of women.

Mrs. Gillan: I am pleased that the Under-Secretary is pointing out how good his Department is. However, women are making a good contribution in all areas. When one looks at the educational results in this country, one finds that girls are out-performing boys at GCSE and A-level right across the board. Furthermore, I am glad that his Department has been wise enough to appoint such a large number of women.

Mr. Foulkes: I am grateful to the hon. Lady for paying such a generous tribute to the Government's education policies. I am impressed by her generosity. Madam Speaker once referred to Westminster Hall as a parallel Chamber, although not quite a parallel universe. However, if there were a parallel universe in which the gender roles were reversed, imagine the anger that my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington), the hon. Member for Hertford and Stortford (Mr. Wells) and I would feel—you, as well, Mr. Deputy Speaker, my old friend. If we imagine ourselves in that position, we might not fully understand, but we might begin to understand how our female colleagues feel.

I say, without condescension, that we have had a really excellent debate. It is one of the best, most informed and most interesting debates that I have participated in for a long time. It was initiated in excellent fashion by the hon. Member for Hertford and Stortford. I am not going to enter into valedictories because the hon. Gentleman has a long time to go before he leaves us thankfully. We entered the House at the same time, but I hasten to add—in case anyone suggests that I should follow his example—that he is a little older than me—

Mr. Deputy Speaker: Order. Perhaps the Minister should revisit his earlier sentence. He put the word "thankfully" in the wrong place.

Mr. Foulkes: I always accept your corrections, Mr. Deputy Speaker—I have done so for a long time.

The hon. Member for Hertford and Stortford has my support. We are colleagues and good friends. I also know his wife very well, and I understand the basis of his knowledge on this subject.

We have had an excellent debate. I shall mention particular speeches as I proceed. I hope that hon. Members will forgive me if I pick out that of the hon. Member for Richmond Park (Dr. Tonge), whose graphic and moving speech made me think. Other hon. Members elaborated on matters about which we have heard previously, but her speech gave me a new perspective.

A phrase that was used by my hon. Friend the Member for Clydebank and Milngavie, and by others, suggests that we could retitle our debate. It should be not "Women and Development" but "The empowerment of women".

I shall do my best to reply to all of the points that have been raised, but if I miss out anything, I shall try to follow it up in correspondence. When the International Development Committee said that it would carry out a study of women and development, my Department and I, like my hon. Friend the Member for Hampstead and Highgate (Ms Jackson), were overjoyed. We were more encouraged when that Committee decided to inform its study with an extensive field visit to programmes in south Asia. It also took account of its earlier visit to east Africa. If anyone criticises the expenditure of Select Committees on travel, they should read the Select Committee's report and the *Official Report* of this debate. We have had a better, and better informed, debate as a result of the experiences of hon. Members on those visits.

A central plank of the programme of the Department of International Development is, as several hon. Members said, to work for greater equality for women. Our work cannot be fully understood if that is not taken into account. It is only when we see the work on the ground that we truly begin to understand the complexities of the issues surrounding women's equality. I hope that the sincerity of our aims is appreciated. When the Committee published its report last November, we were pleased that it presented a positive view of our efforts, but we accept its statement that much remains to be done.

Before I pick out some of the report's findings and some of the points that were raised in the debate, I want to reiterate our policy and the thinking that lies behind

it. Our position is clear: world poverty will not be eliminated without the empowerment of women. That simple and clear statement is supported by compelling evidence. As several hon. Members said, women make up the majority of the world's poor and—this is the crucial point—they hold the key to their escape from poverty.

Several hon. Members have reported that the United Nations has said that poverty has a woman's face, and the facts suggest that that is right. The hon. Member for Hertford and Stortford and other hon. Members reminded us that 70 per cent. of the world's poor are female. The simple statement hides a complex reality. Poverty involves a lack of income, a lack of access to public services, the denial of the opportunity for human development, the lack of a voice in political life and decision making—to which many hon. Members referred—social exclusion and subordination. All poor people suffer those deficits but, almost without exception, women suffer them more than men.

My hon. Friend the Member for Bethnal Green and Bow (Ms King) explained that she had another engagement and that she would read the response to her comments in *Hansard*. She said that most women's work was unpaid and taken for granted, although it was vital to economic and social development.

The hon. Member for Hertford and Stortford said that in many countries women had little or no control over land and other vital assets. They also receive a lesser share of household income, but consistently give priority to other family members, especially their children, when using the limited resources over which they have control.

Two out of every three children in the world who do not go to school are girls—I shall return to the matter of education in Dakar later. Every year, 500,000 women die as a result of pregnancy. Women in Africa have a one in 12 lifetime risk of dying in childbirth compared with one in 4,000 in western Europe. Millions of women every year are subjected to violence and abuse in the home, as well as in the ever-increasing conflicts.

The hon. Member for Richmond Park asked about women who held a parliamentary seat. For every such women in the world, there are almost nine men who hold a seat. The problem is widespread and there is a long way to go. South Africa is a good example, with almost 30 per cent. of seats being held by women, which is almost twice the proportion here, despite the great efforts of the Labour party to increase female representation in the House. We do not have all the answers and we can learn from experience elsewhere. I could go on, but it would be wrong to paint an unmitigated picture of gloom. When women are given a proper chance, the whole world benefits. Women should be seen not as victims but as active agents of change.

My hon. Friend the Member for Clydebank and Milngavie and many other hon. Members, including my hon. Friend the Member for Slough (Fiona Mactaggart), said that education was the key. Getting more girls through school brings a huge development dividend. Research shows that women with even a few years of basic education are economically more productive. They have, as the hon. Member for Richmond Park said, smaller, healthier familes and are more likely to send their own children to school.

The facts and figures speak for themselves. Let us not forget that we are talking about basic human rights, as well as the common good, when we argue for women's equality. Our policy is not merely an instrument to achieve a higher goal; it is a fundamental goal in its own right.

Let me now turn to the report. I shall not go through the findings one by one, but I shall deal with those that have been raised today. The Government's response to the Committee's 68 findings and recommendations has been published, and I shall draw attention to a few themes.

First, the continued spread of HIV is one of the most alarming threats to world development. It has already estabished a firm grip in Africa, where it is one of the biggest direct obstacles to be overcome in the struggle for sustained poverty reduction. As the Committee noted, the impact of the pandemic has not yet been felt to the same extent in Asia, although the absolute number is higher. We must quickly learn the lessons from Africa and prevent the further spread of the deadly virus.

The Department for International Development recognises the concern expressed by the Committee and I assure the Chamber that we share that concern. We are working closely with Governments, civil society and other donors through the United Nations AIDS consortium to increase the impact of our efforts to slow the spread of HIV in Asia, as well as making a major contribution to international funding to combat HIV and AIDS in Africa.

I attended the Commonwealth Heads of Government meeting at which the Prime Minister announced £100 million to tackle AIDS worldwide. That is a huge amount from our budget. I visited Umlazi township, which is just outside Durban, and spoke to youngsters about the problem of AIDS. I also visited a clinic and spoke to a doctor who told me that he had visited a school on the previous day, and had explained to a teacher that 25 per cent. of his class would die of AIDS. That is a frightening prospect.

We are also putting much effort and resources into the search for an AIDS vaccine, although such a vaccine is unlikely to become available for some years. As the Select Committee knows, openness about the challenge of HIV and AIDS is an essential first step. That is a clear lesson of the African experience, as the true extent of the spread of the virus was hidden for too long, especially in certain countries. HIV affects all layers of society, but the poor are hit especially hard. The rate of infection among women is starting to overtake that among men. Women are more susceptible to the virus than men, and appear to develop full-blown AIDS more quickly. HIV-AIDS is more than a health problem; it is strongly related to the way in which sexual and other relationships are negotiated between men and women.

I want to deal with one or two of the points made by Select Committee members. The hon. Member for Richmond Park raised reproductive health. Better sexual health is a priority for the Department. Women are especially vulnerable to infection, which often goes unnoticed until serious damage has been done. We are giving great support to programmes that improve access to quality basic services and community-based campaigns to promote safer sex and help empower

[Mr. Foulkes]

women and girls to reject unwanted sexual attention. Our strategy is to support initiatives to improve young people's access to information about sex and sexuality, and to help develop social skills and gender awareness, especially among young men. We want to improve access to gender-sensitive and user-friendly services, including making condoms more readily available to young people when they commence sexual relations, which is at a much earlier age than when we were young, and is much earlier in certain countries than in the United Kingdom. We also want to provide information to young people in a language and style that they understand. On reproductive health, we are taking account of what is being said.

The hon. Member for Hertford and Stortford and my hon. Friend the Member for Bethnal Green and Bow spoke about the Gap clinic. Paragraph 29 of our response to the Select Committee states:

> The Government remains convinced that short to medium term subsidies for reproductive health care services for women in garment factories in Bangladesh are justified . . . DFID agrees that in many circumstances employers could—

and should—

> do more to protect and improve the health of their workers.

Like my hon. Friend the Member for Bethnal Green and Bow, I hope that if Gap reads the report it, along with other employers, will take note. Hon. Members—especially Select Committee members—would be concerned if advice and help were not available to Gap workers because we had pulled out of the project. We have made short-term provision, but I hope that we have put pressure on multinational companies to make provision in the longer term.

The hon. Member for Chesham and Amersham asked what the Government were doing to help combat malaria, especially in Mozambique. We are providing huge financial assistance to the World Health Organisation's roll back malaria campaign. We are aware of the potential for a sharp increase in disease in Mozambique, and we are channelling resources to the United Nations and the Red Cross to cope with any increase in malaria and cholera.

While I am talking about health issues, I want to deal with maternal mortality, which was raised by the hon. Member for Richmond Park. She described it graphically, as well as other issues affecting women in childbirth. A reduction in maternal mortality is one of the key international development targets. That shows the importance that the United Nations and the Government attach to it. We aim to play our part in dramatically reducing the present unacceptably high rate. It is a big challenge and may be the hardest of all the targets that we have agreed to achieve. However, we do not shrink from it. I give hon. Members the assurance that our work will not be complete until that target is achieved.

My hon. Friend the Member for Hampstead and Highgate apologised for the fact that she would have to leave the Chamber before the end. However, she and other hon. Members raised questions of violence against women. The Select Committee expressed deep concern about violence against women in all its forms and about the limits placed on women's freedom by appeals to the sanctity of culture and tradition. We share those concerns. We have considerably broadened our support of initiatives aimed at stopping gender-based violence in all its forms—in the home, during times of conflict and in the chaos and confusion caused by human disasters and emergencies, particularly in relation to culture and tradition.

As my hon. Friend the Member for Clydebank and Milngavie rightly said, the Committee expressed its alarm at the problem of missing women that it noted during its visit to south Asia. Demographic data show that there are far fewer women in the population there than one would expect. In some places, being conceived or born as female can literally be a sentence of death. Governments are taking steps to stamp that out, but we share the Committee's view that greater urgency is required.

My hon. Friend the Member for Hampstead and Highgate asked for an assurance in relation to paragraph 147 of the Select Committee's report. We strongly reject arguments that seek to legitimise women's oppression on the grounds of culture or tradition. People have the right to their own culture, but not at the expense of fundamental human rights. Human rights are universal and take precedence over all other considerations. We will continue to support women who challenge oppressive traditions and to play our part in promoting public dialogue in the developing world, aimed at changing attitudes in favour of women's equality. I hope that that reassures hon. Members who raised the issue.

The hon. Member for Hertford and Stortford raised the issue of infanticide and the neglect of girls. It is hard to explain the neglect and abuse of children, but no doubt poverty is both a cause and a consequence. Governments must work to meet that challenge, and we shall support them in our work.

My hon. Friend the Member for Bethnal Green and Bow asked about access to justice, which we accept is a key concern. We are developing a new approach to security and accessible justice that seeks to match the best parts of traditional systems—there are some good parts; they are not all bad—with better access to modern systems. Women's access and the upholding of women's rights are central in our thinking.

Before I go on to some of the lessons that we have learned from the Select Committee's report and our own work, I want to deal with some of the other points raised. The hon. Member for Chesham and Amersham referred to the British Council's role in education and claimed that it was seriously underfunded. That is wrong. The British Council's core funding is increasing. The Foreign and Commonwealth Office has responsibility for that. She is alluding to the contracts for which it bids, and for which DFID is responsible. It now bids along with many other bodies, but does not always gain the contracts that it might have gained in the past, because we are trying to get the best value for money.

The hon. Lady asked about radios. I assure her that we have a specialist in post who is developing a programme of work, which includes the question of gender impact.

Several hon. Members referred to the importance of micro-credit, and we agree with that. I shall not repeat what has been said, but I will say that we are increasing

our activities and resources in that respect. The hon. Member for Chesham and Amersham will be especially pleased to hear that.

Mrs. Gillan: I am delighted that the Minister is increasing the resources. Can he tell us when, and by how much?

Mr. Foulkes: Not immediately off the top of my head. I shall write to the hon. Lady giving chapter and verse.

The international community is continually learning more about the pursuit of women's equality, both from successes and failures. The Committee's inquiry has helped us to focus on lessons from its experience and our own.

Three key lessons stand out. First, good policy is not enough—it must be followed through in practice. That requires good planning, technical experience, good follow up, high levels of management support and, above all, adequate resources. Many countries, including those visited by the Committee, claim to guarantee women's equality in their constitutions. However, one does not have to look hard to see that it is yet to be delivered in practice.

Secondly, good statistics and other data, broken down by sex, are necessary to inform policy making and to monitor progress. The lack of good data has been a major obstacle to good development work for far too long.

Thirdly, a major lesson is that little can be achieved in the long term by focusing on small-scale initiatives alone. While those bring direct benefits to many people, they rarely bring about lasting, strategic change. Their greatest value is a knowledge-generating, learning experiences, and as ways of hearing the voices of women. Lasting change is best brought about through interventions that focus on major policy reforms, changes to laws and regulations, the reallocation of financial and other resources, and the promotion of changes in attitude through public debate.

That brings me to DFID's new strategy. Those three lessons are reflected in a new global strategy paper—"Poverty Elimination and the Empowerment of Women"—which the Department has recently published for consultation. It has been sent to members of the Committee, and we would welcome their views—and, indeed, those of all hon. Members. The paper is one of a series that explains in detail what is required to deliver the international development targets to which we are committed.

The hon. Member for Chesham and Amersham asked what other strategy papers we have issued and how they are available. Papers have been published on: income, poverty and economic well being; health; education; women; human rights; the environment; water supply; better government; and urban development. They are all available on our website or from our information department, and I hope that hon. Members will take the opportunity to comment on them. We are producing reports, seeking views on them and evaluating how far we are progressing, year by year, in achieving the targets. That indicates how seriously we take those targets.

Mr. Wells: I hope that the Minister will agree that the Committee's report should form a base resource document to be discussed at the panel session of the meeting of the annual conference of the Commonwealth Parliamentary Association, which is to be held in London and Edinburgh.

Mr. Foulkes: That is a good suggestion, which I shall take on board. An indication of how much the hon. Gentleman and I have in common is the fact that we are both wearing the tie of the UK Committee of the Commonwealth Parliamentary Association. He and I are both trustees of the CPA's international fund, but perhaps I ought not to say too much about that. We would like views on our report to be expressed by the end of April, so that is an Easter task for hon. Members.

The international community has pledged to remove gender disparities in access to primary and secondary schooling in the next five years. That is a major priority. As my hon. Friend the Member for Slough rightly said, education provides an excellent starting point, but it is the beginning, not the end. Our strategy recognises that greater gender equality is required in all development areas. The goal of gender equality must be pursued in respect of all the internationally agreed development targets to which I have referred, and in the wider process of governance and the pursuit of human rights. Our strategy paper sets out the steps that our Department proposes to take in contributing to achieve those goals.

We see many opportunities for accelerated progress. A solid global policy framework is in place that is based on numerous international agreements. The knowledge and evidence base that links greater women's equality with material gains in economic and social development is well established and, thankfully, is growing fast. There is also much greater understanding of remaining obstacles to the achievement of international gender equality goals.

As the Secretary of State and I have said on a number of occasions, targets have been agreed at successive UN conferences. Immediate opportunities to reaffirm and further strengthen the international policy framework and consolidate lessons learned are presenting themselves as, at the turn of the millennium, the UN takes stock of progress made in implementing agreemets reached at the major UN conferences of the 1990s.

Progress towards women's equality will be reviewed in June at the highest international level—a special session of the General Assembly of the UN in New York. That is a clear sign of the growing importance of this issue on the world stage. Of course, we will play our part in ensuring that the event is a signpost to further progress for women. However, we shall also work hard to protect gains made for women in respect of education, at Jomtien, in 1990; the environment, at Rio, in 1992; human rights, at Vienna, in 1993; health, at Cairo, in 1994; and social development, at Copenhagen, in 1995.

Several hon. Members have raised the issue of education. My right hon. Friend the Secretary of State is at the forefront of international work in this area. In April, she will travel to Dakar, Senegal, to attend the "Education for All" conference, and will enjoy the full authority and support of the Prime Minister. In debating the empowerment of women today, we should be pleased that the United Kingdom will be represented at that conference by a woman, with all the power,

[Mr. Foulkes]

authority and strength that the office of Secretary of State possesses. I guarantee my hon. Friend the Member for Slough that the Secretary of State will join forces with others in the international community in arguing for universal primary education and equal opportunity for girls in the completion of schooling.

The remaining major constraints on women's equality relate to the underlying issue of political will and the need to develop a much greater capacity to translate good policy intentions into real actions on the ground. Although partnerships are strengthening around a greater sense of common purpose, much remains to be done to close gaps in understanding and increase co-operation between Governments, and between the state and civil society. The heart of the matter is social change, and we must recognise that a strong women's movement has been a key driving force in the United Kingdom and internationally.

The Department for International Development and the Government as a whole are strongly committed to supporting the world's women in setting the agenda on their own behalf. Donors, including the Department for International Development, have an important strategic role to play, but we must recognise our limitations and deficiencies, including problems relating to co-ordination and capacity, and the way in which we prioritise the use of our resources. The richer countries must also pay their part in addressing issues involving global regulation and equity. We must work actively with the private sector to improve labour and trading standards and strengthen social responsibility and business practice in ways that promote and support greater equality. The private sector needs to be targeted.

My hon. Friend the Member for Hampstead and Highgate discussed labour standards. We are working with the International Labour Organisation to promote more widespread adoption of core labour standards and to guarantee better terms and conditions for workers, including, in particular, women, who make up a large proportion of the lowest-paid workers.

We have a huge agenda, to which we are firmly committed. Unless development is for all of us, it means nothing. If development is not working for women, it is not working at all.

This excellent report is a great contribution to our thinking on this subject. I hope that the Chairman of the International Development Committee and its members will not feel belittled if I say that the report is not the beginning of our consideration of the issue, and it is certainly not the end of it. The report and this debate have improved our thinking and informed us.

The next stage is our consultative document, to which I hope many hon. Members will contribute, including, in particular, members of the International Development Committee. Beyond that, the challenge is to translate our words into actions. We can talk in the House, in this Chamber and in Committee, but unless we go out into Africa, Asia and other parts of the developing world we shall not have taken up the challenge. I give an assurance that the Department for International Development and, more generally, the Government will take up that challenge.

Question put and agreed to.

Adjourned accordingly at twenty-six minutes past Five o'clock.

Westminster Hall

Tuesday 4 April 2000

[SIR ALAN HASELHURST *in the Chair*]

Shipbuilding (River Tyne)

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Clelland.*]

10 am

Mr. Alan Campbell (Tynemouth): I am grateful for the opportunity to raise this important subject, and I do so at a time of considerable difficulty for shipbuilding, ship repair and the offshore fabrication yards on Tyneside. Fifteen years ago, as many as 30,000 people were employed in the maritime industries in the north-east, but that figure has been halved. Current estimates suggest that many of those jobs, as well as about 7,000 jobs in related industries, may be under threat. The sector has been dealt a double blow by the maturity of the oil and gas industry in the North sea and generally diminishing defence budgets. Although most people welcome the peace dividend, it nevertheless makes life more difficult for the yards that compete for defence contracts.

Let me make it clear from the outset that we are proud of our maritime heritage in the north-east. Some of the world's greatest ships were built in the north-east. Shipbuilding is part of the great triumvirate, with coal mining and iron and steel, which dominated the region for so long. More recently, it has been estimated that as much as 80 per cent. of the North sea oil platforms involved companies in the north-east as either a prime contractor or supplier. That means that the north-east has a significant concentration of people with the skills and expertise to compete on the world stage.

The north-east is perhaps unique as a region in that it still has all the people, companies and components to design, build and fit out a ship from beginning to end, yet the average age of the work force in those industries on Tyneside is about 49. However, shipyard workers recognise that previous success, the glories of our past and having the skills and expertise to build ships offer no guarantee in a global marketplace. I make it clear, therefore, that this debate is not about recognising shipbuilding as a traditional or sunset industry, but about claiming that shipbuilding and the maritime industries are part of the new economy. Far from being outdated and old-fashioned, the maritime fabrication industries incorporate high technology and world-class skills. We in the United Kingdom are still recognised as being among the best in the world, and we expect the Government to acknowledge that fact.

When the Shearwater platform left AMEC in Wallsend last month, it did so on time and to price. Its owner, Shell, recognises it as a world-class product. Much of the kit on that platform was the result of innovation and creativity that began with the design and grew as the development took place over months and years. That is part of the innovation and creativity of the new economy.

North Tyneside college, which serves my constituency, has just opened a £2 million high-technology engineering centre which will support the development of specialist engineering skills in the shipyards and the maintenance facilities along the River Tyne. The centre gives training up to national vocational qualification level 4. That includes something called mechatronics, which is a new one on me. Mechatronics develops multi-skilled engineers who can turn their hand to any area of engineering; it is part of the new economy. The facility will support any purchaser of the former Siemens factory in my constituency; it is an investment in the new economy. Companies such as Cammell Laird and Swan Hunter have invested in the new economy and have taken on many apprentices. They are training young people—in some cases, in traditional skills that are to be employed in the new economy. They believe that those skills are relevant to the new economy.

The real issue, however, is how the shipyards on the River Tyne can survive and their skills be renewed to allow the sector to take advantage of future opportunities—and there will be such opportunities.

Mr. A. J. Beith (Berwick-upon-Tweed): I support what the hon. Gentleman said about the economic significance of shipbuilding on the Tyne, and I hope that he recognises that its significance extends far into the region. I hope that he recognises that people who work in the yards—including those with particular skills and creativity—and small businesses that subcontract within the industry are found throughout Northumberland, far beyond the radius of Tyneside itself.

Mr. Campbell: I do indeed recognise that. The right hon. Gentleman makes his point well—the matter concerns not only the whole of the north-east, but other regions.

There are clear signs that there will be future opportunities. The Association of European Shipbuilders and Shiprepairers forecasts rising demand in the industry in the early part of this decade. Some forecasters predict the need for more than 2,000 new ships each year until 2010. Four out of five of those will be needed to replace ships in ageing fleets. An upturn is forecast in offshore oil and gas extraction, which will create demand for floating production and storage offshore vessels, which will replace platforms in some respects. A growing consensus suggests that between 25 and 30 FPSOs will be needed, but forecasts suggest that as many as 120 new vessels will be needed worldwide—some, perhaps, in the North sea. The movement of goods in the European Union favours a rise in the number of ships. The number of people in this country who take cruises doubled in the 1990s, so there will inevitably be demand for cruise liners of all sizes. I do not suggest that all those ships could be built on Tyneside. However, there will be demand, and it is important that Tyneside's shipbuilding capacity survives so that the sector can make use of its skills and take advantage of the opportunities that I have described.

I accept that many of the answers to the problems that the shipyards and offshore yards face lie outside the Government's remit. However, I raise these issues as a

[Mr. Campbell]

constituency Member of Parliament. I no longer have shipyards in my constituency, but, many of my constituents and their families rely on the work provided by the yards along the Tyne. It is fair to ask what the Government can do and to get them to do it.

Let me give some examples. The Government can place Ministry of Defence contracts with UK yards. The commitment in the strategic defence review to develop and rebuild our ageing fleet is welcome, but it is also important to ensure that we bring that work forward so that it is on stream. In that way, we will ensure as far as we can that there is continuity of work in our shipyards while they look for other opportunities and alternative contracts. I urge the Government to bring forward the two alternative landing ship logistic vessel contracts, which have the capacity to generate 4,000 jobs; 2,000 directly and 2,000 in the wider community.

Companies in the north-east ask for nothing more than the opportunity to bid for the order. Like us, they are confident that Tyneside yards can deliver quality work, reliability and value. In relation to MOD contracts, I shall refer to roll on/roll off ferries, which have caused controversy in the past few days. My right hon. Friend the Secretary of State for Defence has recognised that United Kingdom yards have the expertise and capability to build such ferries, and I welcome that. Even at this late hour, the three British yards with an interest are doing unprecedented work on a proposal involving co-operation and sharing work between yards. They are confident that they can compete commercially with foreign yards.

The MOD rightly requested that bids for such ferries include proposals for building them in UK yards. Will the MOD actively consider any further proposals and do all that it can within the rules, guidelines and the law to bring the work to British yards? Such news would be welcome in the north-east of England, Northern Ireland and Scotland. All our companies ask is that they be allowed to compete on a level playing field.

There is concern that overseas yards subsidise work to win orders. A leading offshore company in the north-east told me that it is currently bidding for a major overseas order for FPSO vessels and is in direct competition with Korean yards, which may receive a subsidy of more than 20 per cent. Ironically, there are strong suspicions that International Monetary Fund money—which originates, in part, from the pockets of European taxpayers—is used to subsidise Korean yards. Pressure is being put on the Korean Government in relation to that. However, in the circumstances, I would press my right hon. Friend the Secretary of State for Trade and Industry to ensure that the shipbuilding intervention fund remains available for British shipyards beyond the end of the year.

Furthermore, we have been told repeatedly that the real work of the contract is not on the hull of the vessel but on the kit that goes inside. Therefore, British offshore yards could be helped to compete in world markets by imaginative application of the shipbuilding fund—perhaps to the top side of FPSOs, demand for which is expected to grow.

The Government could also announce a review of the moratorium on gas-fired power stations. I share concern about the future of UK pits, and welcome my right hon. Friend the Secretary of State's efforts to secure that future, not least for the last deep-mined pit in the north-east. However, once that decision has been taken, I hope that there will be a review of the moratorium on gas-fired power stations. That would be welcomed in shipyards and offshore yards along the Tyne, as it would act as a spur to the development of gas fields in the UK sector and generate activity in offshore yards.

I would also urge a review of how licences are awarded. It is frustrating that companies may be awarded a licence, only to sit on it until the price of gas or oil is right for it. New licences should be awarded only after companies offer a clear schedule for extraction. I do not seek or expect answers to my questions today, but I want my hon. Friend the Minister to consider them.

I shall speak plainly on another matter, which challenges the Government as much as the companies involved in shipbuilding and offshore on the Tyne. Some companies live for the next contract and do not plan for difficult periods. We are in one of those periods now.

One of the workers on the Shearwater platform, which I visited recently before it left the Tyne, said to me, "Platforms are like relatives at Christmas. You like to see them come, but you like to see them go." The assumption is that another visit will inevitably follow, yet in challenging circumstances we cannot be sure that that will happen. The yards on Tyneside need a sustainable future, which means establishing a long-term vision in a time of short-term pressure. Never has there been a stronger case for the stakeholders on Tyneside—employers, employees, trade unions, higher and further education and the regional development agency—to work together, a development that I urge the Department of Trade and Industry to encourage and support.

The first step might be to commission a study of future opportunities to discover how Tyneside can best position itself to exploit them. The issue of employment and training could be addressed, perhaps leading to continuous employment for some of the shipyard workers for the first time. What a difference that would make to their pensions and mortgages. It would also allow overheads to be cut and training to take place in the quiet periods, which would make the yards on Tyneside more competitive. Such a forum could also explore the possibilities of diversification, through decommissioning or recommissioning, alternative energy supply such as offshore wind farms, and the servicing of offshore platforms.

The centre of gravity in the North sea is shifting southwards; it costs as much as £30 million a year to service a single platform offshore, and in the Great Yarmouth area a partnership of the kind that I mentioned is being created in response to the opportunities presented by decommissioning and recommissioning. Tyneside should learn from that lesson.

The Government have already made an important contribution by helping individual companies to identify potential markets and by helping with export orders. A major offshore fabrication company told me that the Secretary of State is extremely supportive of its efforts to win orders and it is grateful for the Department of Trade and Industry's initiatives. We

must ensure that that support continues and grows, for the benefit of all the yards, so that Tyneside can develop as a centre of excellence for the maritime industries.

There is great anxiety about the current situation, but also confidence that there will be future opportunities in the maritime sector, provided that the yards get through their present difficulty. I urge the Government to do all that they can to help the companies and the work force in their efforts to ensure that there is a future for the industry, and for its work force and their families.

10.18 am

Dr. David Clark (South Shields): I congratulate my hon. Friend from across the River Tyne in North Shields, the Member for Tynemouth (Mr. Campbell), on his perspicacity in securing the debate, which could not be more timely, in the general and the particular sense. There is great dismay in the north-east on the Tyne, the Wear and the Tees, about remarks emanating through persons unknown at the Ministry of Defence that United Kingdom shipyards no longer have the skills to build a roll on/roll off ferry. That sort of ignorant comment, based as it is on falsehood, demoralises the work force. I am delighted that my right hon. Friend the Secretary of State for Defence has made it clear that that is not the Government's view and that the Government still believe that the UK retains the capacity to build merchant and naval ships in UK yards. I emphasise that because there are people based not a quarter of a mile from the Palace of Westminster who simply do not understand the regions. It is therefore apposite that we, as representatives from the regions, are able to redress the balance here; that adds to the value of the timing of the debate.

I continue on a consensual note by stating a fact: Britain is an island. As such, 90 per cent. if our trade is conducted by sea. The basic logic, therefore, is that it would be crazy of us to throw away our capability to build ships to transport some of that trade. Equally, in the North sea, the Irish sea and elsewhere, there are oil and gas fields within our sovereign area. It would seem crazy not to retain the capacity to build and decommission those oil rigs—but I will come back to that.

There has been a dramatic change in the River Tyne. All of us who know anything about the river know that the trade fluctuates—like a relative at Christmas, as my hon. Friend the Member for Tynemouth said. I support my hon. Friend's call for a long-term strategy for the maritime capabilities on the Tyne and other rivers. He was right also to cite the fact that other rivers and estuarial areas in the UK have faced up to long-termism better than we on Tyneside have done. Mea culpa. I accept that. We must do better.

However, I doubt that anyone could have foreseen the dramatic downturn that has occurred in the River Tyne work force. In 1997, an estimated 14,000 people worked in the various yards on the River Tyne; now there are 800. The Aker McNulty yard is in my constituency. Three years ago, 5,500 were employed there; now there are 300. What applies to that yard applies to AMEC, Austin and Pickersgill, Cammell Laird, Swan Hunter and so on. The "so on" is so important because, as the right hon. Member for Berwick-upon-Tweed (Mr. Beith) said, this debate is about not only the river and the people who work in the yards but the wider region and the other skills that service direct work on the river. I make this point on behalf of my constituents: there has been a massive reduction in employment opportunities in our region. The latest Government figures show that male unemployment in South Shields, where industry is largely male-dominated, is 19.8 per cent. My hon. Friend the Minister will therefore appreciate our concern at the plight of our industry.

My hon. Friend the Member for Tynemouth said that it is not easy to put that right. We know that no one can simply wave a magic wand. We know that the Government are constrained by European Union rules and regulations. I hesitate to say this, but it would not be understood on Tyneside if the British Government awarded a contract to build roll on/roll off ferries to a German company at a time when another German company had dealt such a devastating blow to another part of our manufacturing base in the west midlands. I appreciate the difficulties in the EU, but other countries find ways around this problem.

Ms Dari Taylor (Stockton, South): Will my right hon. Friend acknowledge, Mr Heseltine, that the Tees would find it—

Mr. Deputy Speaker: Order. I am not sure what form of address the hon. Lady used, but it was not the right one.

Ms Taylor: I accept your correction, Mr. Deputy Speaker.

Does my right hon. Friend acknowledge that people on the Tees would find it extremely undermining if contracts were awarded elsewhere? They, too, have a skilled work force and unemployment problems. Over 13 per cent. of the men in my constituency are unemployed and seeking employment, so I ask my right hon. Friend to include the Tees in his comments.

Dr. Clark: I will gladly do so. I welcome the support of my neighbour from Teesside. Although we are talking about the Tyne today, clearly we are also talking about the whole of the British shipbuilding industry. We know that there are problems on Teesside, Clydeside, Merseyside and elsewhere. This is a national problem and we need a national policy to tackle it. I want to focus on Tyneside today because that is where my constituency is.

What has so annoyed people on Tyneside about the MOD's comment is that we manage to retain, albeit only just, that critical mass of expertise, capability and companies to build ships. We are still in the process of doing so. Indeed, we have the design staff. We have the skilled personnel, although it is ageing. The average age of the men in the yards is 49, which is far too old. We have just got going again, trying to retain and retrain apprentices. There is a lot of ground to make up to start moving from the short-termism of the past. The past should not be the guide to the long-termism of our future. We still have that critical mass, yet, if orders are not forthcoming soon, we fear that we will shall lose it.

One of the complaints of the Tyneside workers it that they are forced out of the region. I guarantee that, whenever I catch a plane from Heathrow, Gatwick,

[Dr. Clark]

Amsterdam, Brussels or wherever, I will meet Tynesiders or Teesiders flying home for a month's break after a period working in Norway, Holland, the middle east or elsewhere. They constantly ask me why they have to go abroad to ply their trade. The skills exist on the Tyne and Tees, and many of these workers would come back and work there if they could.

I cannot add much to the general points made by my hon. Friend the Member for Tynemouth, but I can make a few more points about decommissioning. We are talking about interchangeable skills. They can be used in shipbuilding and in the fabrication of oil and gas rigs. Equally, they can be used in the decommissioning or the recommissioning of oil and gas rigs. The longer term must dominate our thinking at the moment, but to retain our capacity in the long term we are looking for answers in the short term. After about five years there will be a glut of decommissioning or, ideally, recommissioning work from the North sea oil rigs when they are forced to close down, as they must under international law. Some of that work should come to the British yards.

Experts advise that, although most oil and gas rigs are in the British sector, very little decommissioning or recommissioning will be carried out in British yards—unless something dramatic happens—because of the complexities relating to ownership of the facilities. The experts say that all the work will go to Norway or Holland. That is unacceptable. We built most of the rigs and we can take them apart. My hon. Friend the Minister should consider that.

I wrote to my right hon. Friend the Secretary of State for Trade and Industry about whether Aker McNulty, a company operating in my constituency, had applied to the Government for assistance to allow it to carry out research into the task of decommissioning. The company applied for a research grant of £2.5 million in the belief that thousands of jobs on the River Tyne could be retained in the long term. I understand the difficulties faced by my right hon. Friend, who was not able to offer such a grant. I understand, however, that the application may not yet be completely dead.

Just two weeks ago, I wrote to my right hon. Friend the Secretary of State asking about the prospects for success for a grant application from the parent company of Aker McNulty—a Norwegian company—on the basis that the benefits of any research funded by such a grant would be applied only to British yards. I can see that the Government might be worried about using British taxpayers' money to create a centre of excellence in research on the River Tyne, only to find that the parent company takes the benefit from that research across to Norway, and that most of the physical work of decommissioning or recommissioning is done there. I am not asking for an answer on that issue today, but my hon. Friend the Minister might consider it.

I associate myself completely with what my hon. Friend the Member for Tynemouth said, and I reiterate the point that he made. I have been speaking about Tyneside, because that is the subject of the debate, but we all know that what I have said applies also to Teesside, Wearside, Clydeside, Merseyside and other places. It is very important that the alternative landing ship logistic order is brought forward. I understand that it has already been delayed. We might not win the order on the Tyne, although I hope that we do, but it would help us to retain that critical mass. My hon. Friend mentioned the roll on/roll off contract. I have made my views known about German companies—that is especially relevant at present.

The DTI is carrying out a review of the operation of the Export Credits Guarantee Department and is considering ways of making it more flexible. The difference between the rate for borrowing money in the United Kingdom and that for the euro makes that all the more important. We can be rather smug about how we have a better rate of exchange against the euro and about how its value has fallen, but the bottom line for industrialists is that the base rate in Europe is considerably lower than in this country, and it is easier for industrialists there to borrow money. That is a problem, and I hope that the Government will take it into account.

My key point is that all the stakeholders in the north-east of England—employers, trade unionists, local authorities, Members of Parliament—accept that there must be a long-term future for our river-related industries and that, perhaps, in the past we have not worked together as we should have. If there is to be a long-term future—and there can be a future in shipbuilding and in the oil and gas defabrication industry—we need to plug the gap in the short term. We look to the Government to help us to work with industry in producing innovative ideas that will ensure that the industry will be retained, so that, when there is an upturn in the shipping industry and the decommissioning work starts, we are in a position to win some of that work, and to provide work for our constituents, who feel rather let down at the moment.

Mr. Deputy Speaker (Mr. Nicholas Winterton): Order. We have about 55 minutes left and five hon. Members, including the Minister, have indicated that they wish to speak. I hope that the Minister will be allowed sufficient time to wind up this important debate. Moreover, one hon. Member arrived a little late today and I hope that he will bear in mind my request when he contributes.

10.35 am

Mr. Doug Henderson (Newcastle upon Tyne, North): I congratulate my hon. Friend the Member for Tynemouth (Mr. Campbell) on securing this debate on a crucial issue for the Tyneside region. I echo the points that he has made, and also those raised by my right hon. Friend the Member for South Shields (Dr. Clark): Both made an excellent case for shipbuilding on the River Tyne.

My constituency would not traditionally be described as a shipbuilding constituency; one has to go back about 100 years to find ship assembly taking place there. However, it contains many companies that feed into the shipbuilding industry, and many of my constituents work either on the assembly side of the industry, further down river, or for subcontractors in my constituency. Shipbuilding on the River Tyne is therefore a crucial issue for the people of Newcastle upon Tyne, North.

It would be an omission if I did not pay tribute to the workpeople in the existing shipbuilding and oil rig industry on the Tyne. I felt a great sense of warmth when

several of my hon. Friends joined the unions on Tyneside in a demonstration of their support for the shipbuilding industry. Tribute must be paid to those unions, including my own union, the GMB.

We were told by the previous Government that the future of the British economy was dependent on the service industries. That might have been true for parts of central London, but I can assure you, Mr. Winterton—

Mr. Deputy Speaker: Order. I know that the hon. Gentleman has been a distinguished Minister, but he may not be au fait with the way in which to address the Chair in Westminster Hall. It is either Mr. Deputy Speaker or Madam Deputy Speaker.

Mr. Henderson: I apologise, Mr. Deputy Speaker. I asked for guidance on that matter from my colleagues, and I am afraid that I was misguided. Although I was always happy with "Mr. Winterton" in other parts of the House, Mr. Deputy Speaker is a most appropriate form of address in this Chamber.

We were told of the importance of the service industries. I know that the hon. Member for South-West Hertfordshire (Mr. Page), who might contribute to this debate on behalf of the Opposition, took a different view on that issue. Others in the Conservative party also disagreed with their Government's view that we could all work in the service industries. That was good, as it strengthens the alliance of those who believe that manufacturing, in its broadest definition, is the key to the success of our economy if we are to be an exporting and trading nation.

The Government believe that manufacturing is a key sector in our economy, and they instinctively believe that shipbuilding should play a crucial role in building and rebuilding the base of our manufacturing economy. However, they need to consider further the advice that they are given. I am not convinced that that advice identifies shipbuilding as a crucial part of the British economy for areas such as Tyneside. I believe that it is an industry with a future. My hon. Friend the Member for Tynemouth said that predictions suggest that there will be a growth in the demand for ships to move goods and people around the world in the years ahead.

The issue that we must face as a nation is whether we are to be a shipbuilding nation. The decision will be crucial for Tyneside. If we are to be a shipbuilding nation, what must we do to make sure that we are in game? The answer is simple. First, we must have the capacity and the investment in future technologies, including e-commerce and other major developments. Without that, we are in difficulty. Secondly, we must have a pool of people with the skills, the application and the commitment to the industry.

As my right hon. Friend the Member for South Shields said, the average age of skilled work people in the industry is 49. I do not think that 49 is particularly old, but I am sure that we all recognise that it would be better for the future of the industry if that average could be reduced and more young people learnt the skills of tomorrow to give the industry a future.

That is where the emphasis must lie. The Government must ensure that we have that capacity, if they believe, as we do, that shipbuilding has a future and is crucial for the economic prosperity of areas such as Tyneside, and they must take action to ensure that the skills are retained.

I agree with you, Mr. Deputy Speaker, that all hon. Members who wish to speak should have an opportunity to do so and I do not want to take up too much time. The Government may wish to consider two additional points, which have been partly covered. First, there must be close liaison between Departments on Ministry of Defence orders so that the Government's aims are carried out, rather than the aims of one Department. There must be close liaison between the Treasury, the DTI and the MOD on the way in which orders will emerge, the time scale and the investigations that have taken place to ensure that there is a level playing field and that all bidders for the orders operate on the same terms. It is incumbent on the DTI to demonstrate at the end of the process that the playing field was level. I am confident that, if it does, those who bid for the orders in the British sector will be extremely competitive, including bidders from our own river.

Secondly, I want to reinforce the point made by my hon. Friend the Member for Tynemouth about the international context. There is often reluctance in international agreements such as the trade association agreements between the European Union and Korea to give manufacturing industry a place in discussions as a priority. I am not saying that discussions should not focus on what is important for Frankfurt or for the City of London, but the trade association agreements must also pay more attention to the implications for important industries such as shipbuilding. They are not dead, burnt-out, old industries: they are new and vital industries which are capable of adopting all the new technologies to deliver what we want.

That is why the terms of the agreement between the South Koreans and the European Union are not acceptable. They need to be reviewed and, when they are renewed, a far tougher line must be taken on the subsidy that the Koreans give sectors of their manufacturing industry compared with the subsidies given in the European Union. If the Koreans are not prepared to enter into agreements on that basis, the International Monetary Fund should not take a relaxed a view as it has done on the support that it gives to countries such as Korea. I am not anti-Korean, but any country that competes with us in a manufacturing sector should compete on the same terms.

I know that my hon. Friend the Minister will bear those points in mind, as I suspect that he has sympathy with many of them. He has a difficult task, especially in liaising with other Departments, but I am confident that he will fight hard for our cause on Tyneside and I look forward to his response.

10.44 am

Mr. Jim Cousins (Newcastle upon Tyne, Central): Taking your advice, Mr. Deputy Speaker, I shall be extremely brief.

I support my right hon. Friend the Member for South Shields (Dr. Clark) and my hon. Friends the Members for Tynemouth (Mr. Campbell) and for Newcastle upon Tyne, North (Mr. Henderson). This is an important moment for us, and we should remind ourselves that the

[Mr. Jim Cousins]

shipbuilding industry, associated industries and even universities—my constituency is one of the largest centres of education and higher education in maritime industries in the country—all depend on the existence of significant industry on Tyneside. We are not talking about an industry of the past; it has to change, but it will be an important industry in the future. The impact of economic and environmental change means that, in future, ships and all the structures in the sea will have to be of a different order, with different capabilities, and be able to work with different technologies. Maintaining access to the opportunities that arise from that is crucial and provides the real subject matter of the debate.

I wish to make two further points to underline the comments of my hon. Friends the Members for Tynemouth and for Newcastle upon Tyne, North. First, the age of the work force is important. Gone are the days when a man with a hammer typified employment in these industries. Secondly, the Government must increase their support for training to higher levels—up to NVQ3—so that young men and women have access to employment opportunities. My hon. Friend the Member for Newcastle upon Tyne, North drew on his own experience when he spoke about that.

The Ministry of Defence does well—in terms of product and people—from the north-east, which provides one of the great recruiting grounds for the British armed forces, yet the region contains almost no significant MOD employment, either uniformed or civilian. In view of the region's current difficulties, our people will not expect us to put up with that for much longer. They will expect us to put pressure on the Government to ensure that in future the MOD has a significant presence in our region. It cannot be right that so much of our defence industry—now very sophisticated and based on modern electronic technology—is concentrated in the south-east of England. As I said, that will not be acceptable to us in the future.

10.47 am

Dr. Vincent Cable (Twickenham): I apologise to you, Mr. Deputy Speaker, and to the hon. Member for Tynemouth (Mr. Campbell) for my late arrival.

Following the closing remarks of the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins), I approach the subject with some humility. I represent a prosperous area of the south of England, which has relatively low unemployment. I doubt whether many hon. Members will have heard of the Twickenham shipbuilding industry, but it came as a shock to discover that it now employs more people than some of the great names of the past, such as Swan Hunter. It has become a niche industry and Twickenham has a working boat yard that produces river passenger boats. More important—and reinforcing the point made by the hon. Member for Newcastle upon Tyne, Central—a large and growing consultancy is doing much of the research and development, design and software work for the industry. The industry is developing there, but not on Tyneside.

I wish to focus on the major public policy issues. The right hon. Member for South Shields (Dr. Clark) raised the key issue of subsidy competition, which is important for two reasons. First, it is damaging to industries on the receiving end of unfair competition. Secondly, it is damaging to all Governments, who are reaching into a potentially bottomless pit to sustain their respective industries in a world of overcapacity.

I emphasise the importance of the potential Organisation for Economic Co-operation and Development agreement, which brings together not just the European countries, but Japan and now Korea. It is not Korea but the United States that is blocking the OECD agreement. Congressional obstruction is preventing us from reaching an agreement to stop this damaging process. I hope that the British Government will emphasise that in trade negotiations with the United States.

Although Korea has replaced Japan as a major player in the shipbuilding industry, the growing force is China, which is rapidly increasing its role. It has an enormous reservoir of labour, much of which is highly skilled, and an opaque system of Government support. It is crucial that China is quickly brought within the World Trade Organisation so that the WTO's disciplines are applied to its shipbuilding industry. If it is not, another industry will founder on what is often unfair, non-market-based competition.

The right hon. Member for South Shields briefly touched on the economic fundamentals. The appreciating exchange rate—15 per cent. overall since the Government took office and 33 per cent. since the trough in 1966—has caused a loss of competitiveness that swamps any benefit that the industry might gain from the subsidy in the intervention fund, which is 4.5 per cent. for big vessels and 9 per cent, for smaller vessels. The over-valued exchange rate and high base rates put the industry, including manufacturers who are not on the Tyne, such as Harland and Wolff a few years ago, at an enormous disadvantage, as they do to much of our manufacturing industry. That problem will continue until the exchange rate is stable and competitive.

My concluding point is a personal one. Although Twickenham is far removed from the industrial problems of the Tyne, my first venture into public life was as a representative of a ward on Glasgow city council. Most of my constituents worked in the upper Clyde shipbuilding industry before it collapsed. I saw at first hand the effect of a contracting shipbuilding industry on a population of highly skilled mainly male workers, many of whom were middle aged and would never work again.

The lessons of the Clydeside experience—the importance of self-help—should be borne in mind for the Tyne. The Scottish Development Agency did a great deal to turn around the Clydeside economy by encouraging regeneration and pulling together the region's stakeholders. Retraining was crucial. The Government should be generous about retraining. If people might never work again, it pays to invest in trying to get them back to work by providing them with lifetime skills. I urge the Government to be broadminded about intervening in the industry. They should look to the future rathere than the past, and not walk by on the other side.

10.52 am

Mr. Richard Page (South-West Hertfordshire): I, too, congratulate the hon. Member for Tynemouth (Mr. Campbell) on his luck in getting chosen in the ballot and on choosing this important subject for debate. We should all be grateful to him for raising concerns that are felt on both sides of the House. Although I am now a soft southerner, I was the Member of Parliament for Workington. I am only too well aware of how deep rooted shipbuilding is in the psyche of the north for economic reasons and of the mental well-being of the people who work and live there. We fully recognise the fears of the Tyne's shipyard workers and the problems that affect the whole shipbuilding industry.

Since 1997, the Tyne's order books have collapsed. If reports are correct, employment has decreased from nearly 14,000 to about 800. I say that with some diffidence because we know that there has been a move to temporary working, so it is difficult to pinpoint those figures. Nevertheless, there has been a savage reduction in employment. Having built four fifths of the installations in the North sea, the Tyne has been reduced to pleading for the development of marginal oil fields and the award of an MOD contract for the landing ships to save what is left of that construction capacity.

The bidding results for the two major orders are now eagerly awaited. The first contract is for up to five alternative landing ship logistic vessels worth £350 million. Both the Swan Hunter shipyard at Wallsend and Cammell Laird at Hebburn have made a bid for them. Cammell Laird is also bidding for a £240 million contract to build the six MOD ro-ro vessels. However, hon. Members have been remarkably tactful in referring to controversy about an MOD official's statement that Tyneside, Glasgow and Belfast lacked the expertise to undertake that ro-ro contract. If those remarks were made, they were unwise and prejudicial to the chances of the Tyne yards in the competition with respect to that order. As a wider issue, how will it look when British shipbuilding companies try to bid in the marketplace if MOD officials say that the skills and abilities are lacking? How will it affect Cammell Laird when it bids for orders in the Philippines? It is highly damaging and the Minister should firmly deny that the official had the authority or knowledge to make that comment.

Hon. Members have asked about fairness of competition, particularly from Korea. The Minister will know that Members of Parliament who are concerned about shipbuilding have signed an early-day motion about the fairness of Korean contracts and bids. The figure of 20 per cent. has been mentioned. In 1994 an agreement was negotiated under the auspices of the OECD to eliminate subsidies in world shipbuilding, including the elimination of contract aid in the EU, the lifting of the Jones Act in the United States and, perhaps most important, the acceptance by Korea of an unfair pricing clause. Although that was signed in December 1994, the failure of the US Congress to ratify it so far has meant that it has not come into force. What are the Government doing—including any action that they are taking with the European Commission—to get the agreement ratified and speedily implemented?

Matters have been made worse by the weak euro vis-à-vis the pound. The latter's strength against the euro and the far eastern currencies will make it that much more difficult for our shipbuilding companies to obtain orders. This morning, for the first time, the euro's value dipped below 60p. That trend cannot be helpful to our shipbuilding industry.

The fact that we are having this debate—particularly with respect to fabrication—reflects badly on the Government's managerial skills. Their clumsy and ill-thought-out review of taxation on North sea exploration inevitably led to oil extraction companies, which perceived the impact of advance corporation tax and the windfall tax, reviewing their whole programmes. I know from my previous incarnation how marginal some of those programmes were in many respects. The number of orders for fabrication has decreased. Fewer wells have been drilled in the North sea between 1997 and 1998.

Therefore, I ask the Minister whether the financial regime for the North sea has been examined to determine whether help can be given to those fabrication yards involved in making floating rigs for use to the west of Shetland. Platforms are not the right technological solution for extracting oil in the deep sea. What is being done to ensure that those oil extraction companies have the confidence to explore around the west of Shetland and Rockall? Licences have been granted to explore the deep water around Rockall and such exploration needs the new technology.

The right hon. Member for South Shields (Dr. Clark) mentioned decommissioning and the hon. Member for Tynemouth mentioned the loss of fabrication, but the Minister must realise that we will not be able to take advantage of any decommissioning if the ability to fabricate is lost. A huge amount of potentially profitable work could be lost if we do not ensure that our fabrication and shipbuilding capacity is in place.

The hon. Member for Tynemouth rightly mentioned training the young. I am one of the few Members who did not go to university; I did an industrial apprenticeship in mechanical engineering. I would not have swapped that training for all the universities under the sun. Newcastle university has a large engineering department, but without a career path or employment opportunities, the young will not take the first steps to learn about engineering. If skills are not constantly refreshed, we shall have no shipbuilding and fabrication industry.

The Secretary of State for Trade and Industry said:

> Tyneside does not want ministerial day-trippers; it wants positive action from the Government.—[*Official Report*, 12 May 1993; Vol. 224, c. 804.]

He also said:

> Tyneside is not using special pleading, but asking for fair play. Shipbuilding is vital to the manufacturing and industrial base of Teesside. If the Government thought that the people of Teesside would sit back and let shipbuilding die, they have made a grave error.—[*Official Report*, 19 May 1993; Vol. 225, c. 331.]

The Minister of Agriculture, Fisheries and Food said:

> It is with enormous sorrow that I take part in the debate on Britain's manufacturing base to plead with the Government that they do something to save what is left of the shipbuilding manufacturing base on Teesside. No community deserves better from the Government.—[*Official Report*, 24 November 1993; Vol. 233, c. 533.]

I hope that the Minister will answer those questions; I look to him for a response. Several hon. Members have said, very generously, that they do not expect answers

[Mr. Richard Page]

today; they have asked him to think about the problems. However, the problems are not new; they have grown during the past few years, so there is no reason why he should not answer the questions today. He should give the people of Tyneside some confidence for the future, not knock the problems into the long grass. The hon. Member for Tynemouth asked several very pertinent questions, but he did so delicately. I appreciate his position, but no such restrictions have been placed on me and I hope that I have added to those questions. On behalf of the workers on Tyneside and those in shipbuilding throughout the country, I ask the Minister for some answers.

11.3 am

The Minister for Competitiveness (Mr. Alan Johnson): I congratulate my hon. Friend the Member for Tynemouth (Mr. Campbell) on securing this debate. I am pleased that so many hon. Friends and hon. Members from Teesside are present for what, until the previous speech, has been a fascinating and constructive debate. Debates in Westminster Hall are meant to be less confrontational and it is vital that this issue, more than any other, should not be turned into a Punch and Judy show. I shall respond to the important matters raised by my hon. Friends in the debate, and to the Opposition's petty political point scoring.

The issue is critical to people who live and work on the Tyne. My hon. Friend the Member for Tynemouth referred to two important matters on which I shall respond: the prospects for shipbuilding on the Tyne and the prospects for the Tyne's offshore industry.

I reiterate the comments about the excellence of Tyneside shipyards and their importance to the local economy. As hon. Members have said, the debate is about the United Kingdom shipbuilding industry, although we are referring specifically to the Tyne. I am acutely aware however that all shipyards in the United Kingdom face difficult challenges. There is fierce international competition for orders and global overcapacity of about 30 per cent. The United Kingdom's primary competition is from other European Union countries; I shall refer later to Korea. The contract for Queen Mary II was lost to a French shipyard, which, until the end of the year, has the same subsidy arrangements as are enjoyed throughout the European Union. The challenge is not just from Korea.

It is encouraging that, despite those challenges, the industry has not lost confidence in its future, as was shown recently when my right hon. Friend the Secretary of State opened Cammell Laird's new dry dock and began the process of building a second. My right hon. Friend probably did more for shipbuilding and ship repairing in a week than the hon. Member for South-West Hertfordshire (Mr. Page) and his hon. Friends combined in their lifetime.

There have been several important developments in the past couple of years. Shipbuilding, ship repair and conversion on Merseyside are reviving. Late last year, Cammell Laird won the contract for the conversion of the Costa Classica cruiser, the biggest cruise conversion ever, which is worth £60 million. Conversion is more labour intensive and therefore creates more jobs than shipbuilding. Appledore in Devon recently rescinded 300 redundancy notices after receiving a letter of intent for the second Irish navy fisheries protection vessel.

The United Kingdom remains among the market leaders in Europe, especially for ship conversions. I cannot emphasise strongly enough the fact that the British shipbuilding and ship repair industry has a future, and the key to its future success is its competitive performance. The Government are committed to working closely with the industry to help it to face the challenges and to achieve the improvements necessary to win the contracts that it needs.

I pay tribute to my predecessor, my hon. Friend the Member for Leeds, West (Mr. Battle), who in 1998 set up the first shipbuilding forum, which met around the table in the Department of Trade and Industry. It is remarkable that that had never happened before. We asked the shipbuilding forum, which includes Cammell Laird and A & P Tyne, and representatives of suppliers, customers, trade unions and Government, to tell us what the industry needs. It made 40 recommendations, including a recommendation to enhance Government financial support for the shipbuilding industry.

Much progress has been made. Cammell Laird won the contract on Merseyside because we extended the shipbuilding intervention fund to include conversion, something that the previous Government had never done and without which Cammell Laird would not have won the contract. We have enhanced the home shipbuilding credit guarantee scheme in direct response to a recommendation from the shipbuilding forum. We have also funded a suggestion from the forum that there should be an industry-led study tour of the Netherlands, where the shipbuilding industry has done things differently over the past 20 years. Shipbuilders there collaborate in order to compete, and their investment in skills and training started many years ago. They have carefully examined how they involve the supply chain, which is more crucial to shipbuilding and ship repair than to any other industry. To give due credit to those in the UK industry, they came back from that study tour with many ideas and with a positive approach to the changes that could be implemented in this country—that is benchmarking at its best.

We continue to work closely with the industry through the Shipbuilders and Shiprepairers Association on competitiveness and productivity issues. As hon. Friends have mentioned, we offer the industry significant financial support. We continue to pay the maximum rate of shipbuilding intervention fund for new ships. We have agreed to allow an element of up to 9 per cent. profit in the fund calculations—the third recommendation from the shipbuilding forum's first meeting in 1998 to have been implemented by the end of 1999.

We have brought the DTI scheme into line with our European competitors' practice in several other ways. If there is evidence of any European Union country winning a contract by bending the rules on the shipbuilding intervention fund, we need to know about it, as the DTI has often said. No evidence has been produced to suggest that that is happening.

We have extended the scope of the fund to conversion contracts. We have extended access to several previously excluded yards. Military yards were excluded from SIF

assistance, and we have changed that in response to an industry recommendation. We have enhanced the home shipbuilding credit guarantee scheme by providing support for loans in US dollars and euros in response to an industry recommendation.

We recognise the industry's concerns about unfair trade practices, in particular, in Korea—and we should be clear that such practices exist. At least a couple of yards in Korea would, on any impartial analysis, have been declared bankrupt years ago, but they continue to operate. In response to the hon. Member for South-West Hertfordshire, I should mention that we continue to make vigorous efforts to address the industry's concerns. However, we must acknowledge, as the industry does, that Asian shipyards—in particular, those in South Korea—are more competitive than European yards and possess several strengths, such as a highly efficient equipment supplier base. Even without the distortions caused by what are definitely unfair trade practices, European yards would still face a gap in their competitiveness with Asian builders. It is important to say that, because the industry must ensure that it does not fall into the trap of believing that there is only one problem in the British shipbuilding and ship repair industry and that there would be no others if it were resolved. The industry should not delude itself on that issue.

Nevertheless, unfair trade practices are unacceptable and remain a real concern. We continue to strive for a remedy. Thanks to pressure from the Government, the Commission has engaged for the first time in bilateral talks with Korea, with a view to reaching an agreement on the EU industry's concerns. There are positive indications that Korea will accept an agreement, including a consultation mechanism on unfair trade practices.

In the longer term, the only viable solution to anti-competitive practices is to establish effective international trade disciplines, as embodied in the OECD shipbuilding agreement, as my hon. Friend the Member for Tynemouth and the hon. Member for Twickenham (Dr. Cable) said. I reiterate that our efforts on that have been frustrated by the failure of the United States—which, for obvious reasons, has a great deal of influence over South Korea—to ratify the 1994 agreement. Nevertheless, we continue to pursue our objectives.

I am determined to work closely with the industry on Tyneside and throughout the UK to help it to equip itself to meet the tough challenges of the market, boost its competitiveness and improve its success. The Shipbuilders and Shiprepairers Association shares the industry forum's objective of doubling output and building 50 to 60 ships a year within five years. It also aims to improve the annual turnover derived from repair and conversion by at least 30 per cent. Those are realistic targets. As my hon. Friend the Member for Tynemouth said, it has been forecast that more than 2,000 ships will have to be built every year for the next 10 years, excluding tankers and bulk carriers, which are not built in Britain. The industry is taking a positive approach to that market.

We agreed with all other European Union countries—with the support of the industry and the trade unions—to abolish the shipbuilding intervention fund from 31 December 2000. We made that agreement on the basis that the SIF has been in existence for 30 years and has had little effect on helping the industry in this country or the rest of Europe.

The SIF provides up to 9 per cent. assistance; by contrast, the gap in the Asian yards is about 20 per cent. It was thought that, rather than carrying on with the SIF, focusing on research and development, building the skills base and improving training would be a step forward for the industry. That has been approved and the EU directive was changed accordingly by a new regulation in 1998. However, only two weeks ago, I met industry representatives who are anxious that the SIF should remain at least until concerns about Asia—and especially South Korea—have been met. Representatives of the Confederation of Shipbuilding and Engineering Unions made the same point when I met them last week.

We shall give those issues serious consideration. The rest of Europe has agreed to abolish the SIF, so hon. Members will accept that we should lead the charge or support it. It may be difficult to change tack now and overturn the position on the SIF, as that would require a recommendation from the Commission. More important, we have told the industry that we must have clear examples of how maintaining the SIF will help us, particularly to get contracts in the face of competition from Asia and especially South Korea. We are still listening to arguments about changing tack on SIF.

I turn to the prospects for the offshore industry. If I have time, I shall address individual points raised by hon. Members, but first I must put on record our ideas and concerns about the offshore sector. As with shipbuilding, it is important to acknowledge the high levels of skills and experience on the Tyne available to the offshore sector. There is a strong tradition of providing complex engineered structures for oil and gas fields in the North sea and abroad. About 80 per cent. of the top sides for more than 70 offshore oil and gas fields in the UK sector of the North sea were fabricated in north-east yards.

However, it is clear that the days of large fabrication orders for the UK continental shelf are over. The offshore discoveries available for development now are only a fraction of the size of earlier fields such as Brent, Forties. It is unlikely that there will be many more huge orders like that for the Shearwater platform, which recently left the Tyne. There is widespread recognition in the industry that there is overcapacity and a need to rationalise; yet there are still orders to be won, even if those for the United Kingdom continental shelf are smaller. The majority of orders are likely to be for smaller platforms and facility work associated with sub-sea development or floating systems, but there is no doubt that the Tyne, and indeed the whole of the north-east, has the capability of producing the quality products required.

A point was raised about the commissioning and decommissioning of oil rigs, which the local industry is considering. We are at a competitive disadvantage with countries such as Norway and Holland, which have the heavy lift barges, but, as we have the necessary skills, the idea now is to work in partnership with the Norwegians or the Dutch so that there is work for Tyneside. That important development is being pursued by the Northern Offshore Federation.

[Mr. Alan Johnson]

The work of the oil and gas industry task force last year led to improvements to the offshore licensing regime, actions to improve the UK industry's competitiveness and additional relief from capital gains tax. All those actions were designed to stimulate activity on the UK continental shelf. The task force initiatives are being monitored through its successor, known as PILOT. The task force requested that an oil and gas fabrication support group be set up. A meeting took place last month which was attended by more than 40 representatives of fabricators, the unions, enterprise agencies, training organisations and central and local government. A number of the representatives were from the north-east.

The group examined the opportunities for work from the UK contintental shelf and from export markets, particularly for FPSOs. It also considered prospects in other sectors, including decommissioning, offshore wind power generation and shipbuilding. Regrettably, it was clear that the alternative markets will not produce the volume of work necessary to sustain fabrication activity in the UK at anything like the level of previous years, but it identified major areas of work.

We are also working with the leading agencies in each area. One North-east, the regional development agency in the north-east, has already created an action group for the region, which is chaired by Kevin Curran of the GMB. The national fabrication support group will work with the action group to ensure that any options for maximising employment are considered and pursued.

Two more specific points have been raised recently in the north-east. The first concerns offshore licensing procedures. The licences are awarded on the basis of an agreed programme of work to explore thoroughly the petroleum potential of specified areas on the UK continental shelf. The ability to retain the licence beyond specified points depends on a commitment to future work.

The Government are well aware of the importance to the UK economy of continued exploration and development work on the UK continental shelf. That is why officials have written to the managing directors of companies holding licences on the UK continental shelf that have fallow blocks and fallow discoveries in their portfolios, asking them to review their plans for the licences and to report back by Easter. That is another major initiative that addresses the concerns raised in the debate.

The second specific point relates to gas-fired power stations. Suggestions have been made to have a moratorium on power stations. No moratorium is in place, but there is a stricter consents policy for the oil and gas sector. That is a short-term measure to protect energy diversity and security of supply while the electricity market is reformed. We were aware of concerns that a large-scale switch to gas was taking place in a distorted market, with gas-fired plant coming in even though it was more expensive than the coal that it displaced. Hon. Members will be well aware of those issues.

We must level out the market so that it can function effectively, balancing supply and demand in economically sensible ways. To avoid making things worse, we have temporarily restricted consents for new power stations until the market is sorted out. I cannot say how long the stricter consents policy will last, as relaxation is tied in to the programme to reform the market, but the Government are determined that it will last no longer than necessary.

My hon. Friend the Member for Tynemouth made a number of important points, one of which was about the age profile, which was repeated by others in the debate. I agree that 49 is a young age, but it is older than I thought it was 20 years ago. The industry is addressing the problems, almost for the first time, and recognises a serious skill shortage. Modern apprenticeships have begun only recently and it will be some time before they address that problem, but everywhere I go the people in the industry to whom I talk single it out as a major difficulty.

My hon. Friend also said that the maritime industry was a classic example of the way in which high technology and new technology were married to traditional industries and said that the knowledge-driven economy was as much about manufacturing as about mobile telephones: there is no difference in its effect on industry. He also recognised the problems that were outside the Government's remit.

Perhaps I can quickly answer the points made by the hon. Members for Twickenham and for South-West Hertfordshire about the strong currency. In 1997–98, even before there was any reason to consider the strong pound as a factor in these matters, UK yards won just two contracts of a total of 342 won in the rest of the European Union. The shipbuilders and ship repairers do not constantly refer to the strong pound as a problem, but recognise that there are many things that they must do to be more competitive. For the past 50 years, Germany has prospered with a strong currency. Strong currencies do not lead to failure, they are a symptom of long-term economic improvement, as the right hon. Member for Kensington and Chelsea (Mr. Portillo) said on 23rd March 2000 in *The Birmingham Post*.

The crucial points that were made by my hon. Friend the Member for Tynemouth and others were about the Ministry of Defence contracts. It does not need me to say this, because my right hon. Friend the Secretary of State for Defence, who is bigger and uglier than I am—certainly big enough and ugly enough to look after himself—has made it clear that nobody from the Government said that we did not have the skills in the UK. Not only do we have the skills, but we have skills, talent and commitment in abundance. Therefore, I am happy to set the record straight.

My hon. Friend the Member for Tynemouth also made the important point about the DTI working closely with the MOD and other Departments on these issues. We do that exhaustively, not just on shipbuilding but on aerospace, where the DTI needs to feed in industry's views. Smart procurement means that the contracts will be awarded fairly and on a competitive basis, although the ALSL order will definitely go to a UK yard because it involves a warship. As far as I am aware, although it is a matter for the MOD, invitations to tender for the ALSL went out in March and close in mid-May. It is difficult to see how we can bring that time scale forward, but I shall raise the matter with the MOD.

As regards the SIF and the suggestion that a forum should be set up on Tyneside to bring all the industry players together, that is an interesting idea. I am attending a meeting of the industry forum tomorrow and I shall float that idea—"float" being the operative word—to obtain its view on whether it thinks that that might dilute or detract from the national industry forum.

My right hon. Friend the Member for South Shields (Dr. Clark) made a number of important points. I agree that the skills and abilities undoubtedly exist in the UK, and his point about Aker McNulty will be carefully considered.

This has been an important debate. I have not mentioned other enterprises on Tyneside. Youth unemployment has fallen by 60 per cent.; tourism in Newcastle has now taken off, and is among a number of developments happening in the city. Shipbuilding may not be the life blood of the Tyne, but it is certainly still the heart beat, and the Government very much appreciate the need to support the industry.

Mobility Benefits (Northern Ireland)

11.30 am

Rev. Martin Smyth (Belfast, South): I express my appreciation through you, Mr. Deputy Speaker, to Madam Speaker for having given me the opportunity to initiate this debate. It concerns a subject of great importance to many people in Northern Ireland, namely the recent claims that the Motability scheme in Northern Ireland is subject to widespread abuse. However, I do not believe that the Motability issue can be taken in isolation. It must be examined as part of the wider duties of Members of Parliament who are elected to represent constituents and their interests. They are also elected to vote supply and to protect the public purse, especially from fraud.

Northern Ireland has faced a 30-year terrorist campaign in which economic warfare played a significant part, through the destruction of the business districts of our towns and cities. There has also been the growth of a mentality among those who opposed the Government that they should take as much as they could from the state. This, coupled with the various terrorist groups' protection rackets and other illegal money-raising activities, led to the establishment of a Mafia state in many parts of the Province, despite the best efforts of the Royal Ulster Constabulary. To make matters worse, the black economy has grown as more and more people have sought to defraud the taxpayer by doing the double and claiming benefit to which they are not entitled.

The central service agency has 1,805,812 people registered with it, yet Northern Ireland's population is only a little more than 1,700,000. Who are the extra 100,000 people? Where are they? What is being done to discover the reason for the imbalance and to root out the fraud that doubtless accounts for much of the discrepancy? It is against that wider background that we must examine the circumstances in which the Motability scheme in Northern Ireland finds itself.

The scheme benefits 22,000 people in Northern Ireland who receive disability living allowance. It therefore provides some of the most vulnerable people in society with the means to get about and lead a semblance of a normal life. In early March, Motability wrote to all the people in Northern Ireland who benefit under the scheme to inform them that the future of the scheme in the Province was in doubt due to suspicion of widespread fraud and abuse, including claims that some of its cars have been used as taxis and for drug smuggling. I was told in a letter from Motability that

> some people anecdotally refer to our cars as "DSS taxis".

That is the world in which we live and I am trying to find out more about it.

Some of the statistics that I received from Motability are quite staggering. For example, the vehicle accident rate for the scheme in Northern Ireland is more than double that for the rest of the United Kingdom. Settled claims awards in Northern Ireland are almost treble the amount elsewhere in the UK, and 72 per cent. of the scheme's personal injury claims in Northern Ireland involve seven or more people, compared to 28 per cent. in the rest of the UK. As a result, insurance losses alone amount to some £650 per lease, effectively costing disabled people using the scheme in the remainder of the

[Rev. Martin Smyth]

United Kingdom some £70 per lease and raising serious questions about the scheme's long-term viability in Northern Ireland.

After I heard from constituents and others in the Province who were concerned about the letter that they had received, I wrote to Motability, to the Department of Social Security and to the Minister responsible in Northern Ireland. The DSS said that it was the responsibility of the Northern Ireland Department. On the other hand, Motability is a charity. Does it receive any public money, or is everything that it does done through the disability living allowance? I happen to believe that when a fraud is being perpetrated on our community, even if it is a stand-alone charity that depends on public funds, there must be some accountability to the House. These allegations have caused a great deal of distress to many people throughout Northern Ireland, including my constituents.

On 21 March, after I received a letter that had been delayed in the post, I saw an edition of "Spotlight" on BBC Northern Ireland that raised the issue of a suspected widespread fraud and abuse in the operation of the Motability scheme in Northern Ireland. It made for interesting viewing. It even included footage of a car belonging to a Sinn Fein Member of the now suspended Northern Ireland Assembly, Mr. Alex Maskey, parked outside Castle buildings, Stormont. Anyone who has seen Mr. Maskey will wonder just how he qualifies as disabled. I understand that he had an injury in the past, but certainly there are folk who would love to be disabled if that constitutes disability. His mobility seems to be unimpaired. He does not appear to have any difficulty in getting around. He also refused to answer questions unless he could see them in advance and consult his solicitor.

I accept that there may be problems in the way that the Motability scheme operates in some parts of Northern Ireland. However, I cannot accept that the only course of action is to abandon the whole system and punish the innocent along with the guilty. Surely someone, whether in the insurance world or in Motability itself, could carry out some checks. Why are insurance claims made for cars with annual mileages of over 30,000 that suddenly are burnt? In the normal run, that would be a high mileage for a Motability car. Is it just anecdotal that two Motability cars with five passengers in each managed to bump into each other with resulting claims for whiplash and so on? Such claims should be investigated much more carefully. That is preferable to paying out and then challenging innocent people that, if these things do not stop, the Motability scheme in Northern Ireland will have to be stopped.

I know some of the dodges that have gone on in the past. By now, the people who work in insurance and in Motability and, for that matter, those who administer disability living allowance should also have an idea of what is going on. Such abuse and misuse must be rooted out and reported to the lawful authorities, so that a proper investigation can be carried out and the guilty brought to justice. In Great Britain there have been successful prosecutions of people who have defrauded Motability. Why has this not happened in Northern Ireland? I understand from Motability that a major investigation is under way but surely these offences should have been drawn to the attention of the police much earlier. The innocent should have nothing to fear and should not be caused alarm and distress. Let us not forget that these people are some of society's most vulnerable.

I have alluded to one of the main problems, which is that no one seems prepared to accept responsibility for the Motability scheme in Northern Ireland except Motability itself. I raised the matter with the Department of Social Security and was told to refer it to the—erstwhile—Northern Ireland Department of Health, Social Services and Public Safety. I have no difficulty with the introduction of better controls and eligibility checks to ensure that only those who are genuinely entitled to benefit from the Motability scheme do so. However, I object to the tone and the manner in which the issue has been raised. The suggestion that they be deprived of an asset that enables them to live a reasonably mobile life has created an atmosphere of fear and alarm among many totally innocent people.

I should like to know who has responsibility for rooting out fraud and corruption in the operation of the Motability scheme particularly and in the public sector generally. I urge those in charge of the Motability scheme in the Province, and anyone else who has information about or evidence of fraud or abuse, to present it to the police. The bad apples can be then weeded out and dealt with in the courts instead of every person in receipt of Motability benefit being stigmatised by unproven allegations and living in fear of the scheme being withdrawn. I have had anonymous letters from people living in difficult areas who support tightening up but are concerned that they and others will suffer if, as rumour has it, the scheme is withdrawn. Where there is a pattern of abuse, the people who administer the compensation and the insurance should be cautioned to take care rather than pay out the easy way. Mr. Deputy Speaker, you will be aware of cases in the past 30 years of people who had jobs awaiting them who simultaneously obtained social security benefits for their families. We were told that families were not receiving social security benefits when they were, and we were later told that to have admitted it would have endangered the life of some official. Surely such a decision should have been taken at ministerial level, not by an official.

11.43 am

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. George Howarth): I congratulate the hon. Member for Belfast, South (Rev. Martin Smyth) on raising this important issue. His comments show that he agrees that Motability plays an important part in some disabled people's lives and in some instances provides a vital service by giving them greater mobility. He has said that we should be careful to ensure that the scheme remains available to all disabled people in Northern Ireland and elsewhere who have a genuine need. Currently 21,700 people benefit from it.

The hon. Gentleman will appreciate that the Department for Social Development did not have direct responsibility for Motability, which is a voluntary, non-profit-making organisations. However, as he asked a question, I should tell him that Motability received for

1999–2000 a grant of £4.7 million from the Exchequer towards administration costs which included a contribution from the North Ireland Office.

As the hon. Member for Belfast, South rightly said, we pay the mobility component of the disability living allowance to Motability at the customer's request. I accept that, because we do so, we have a responsibility to ensure that payments are not fraudulently misused. It is important to put the situation in Northern Ireland into context. It has been alleged that fraud and abuse is higher in Northern Ireland than it is in the rest of the United Kingdom. The hon. Gentleman referred to a recent television programme and a letter sent to all customers by the director of Motability. However, disability living allowance fraud in Northern Ireland is about 2.4 per cent., which is lower than in the United Kingdom as a whole. The hon. Gentleman was worried about the statistics relative to the size of the population. I wrote to him on that complex matter yesterday, and I do not have time to go into it in detail now. However, I hope that my letter will enlighten him on the source of the discrepancies between the two sets of statistics that he quoted.

It is wrong to portray Northern Ireland as more involved in social security fraud than other parts of the United Kingdom, but having said that, it is important not to take that statement as a sign of complacency. In the past two years, there has been considerable investment in tackling benefit fraud, resulting in savings of about £72 million, which should rightly be spent on vital public services.

In the financial year that has just ended, 341 people were prosecuted for benefit fraud, although not in respect of the benefits that we are discussing. However, it shows how seriously the Government take the issue. The emphasis must be on preventing fraud. As a result of our efforts to reduce DLA fraud in Northern Ireland, the number of rejected claims has increased and the number of applications has fallen. That shows that a message has gone out; people realise that fraud is unacceptable and that, if they make fraudulent applications, they are likely to be caught. There is no other explanation for the fall in applications and the increase in applications rejected.

I want briefly to return to the letter dated March 2000, mentioned by the hon. Gentleman, from Mr. Noel Muddiman, the director of Motability, to all customers. The letter threatened to review the scheme's operation in the Province and stated:

> If we are unable to drastically reduce the level of fraud and abuse in Northern Ireland...this could include the option of Motability totally closing down the scheme in the Province.

As I said, benefit fraud in Northern Ireland is lower than it is in the United Kingdom, partly as a result of the action taken to detect fraud. Twenty-one cases of suspected fraud were referred to Motability in the year that has just ended. Three of those concerned received written warnings, one person's car was removed completely, one person's lease was not renewed and three cases were unproven. The remainder of the cases are still under investigation. It is clear that action is taken and that the strongest possible action is taken in proven cases as regards the use of the car.

It was unfortunate that Motability singled out Northern Ireland—in particular because our officials had advised it that doing so would be inaccurate and misleading. Of course, no circumstances justify fraud, and I would not seek to do so. However, we should not lose sight of the fact that the overwhelming majority of Motability customers are, as the hon. Gentleman rightly said, genuine and deserving cases.

I want to respond directly to the allegations made in the recent television programme to which the hon. Gentleman referred. In common with all right-thinking people, I deplore any abuse in the Motability scheme. Our officials work closely with Motability, and we are determined that that will continue. Motability is investigating the cases highlighted in the programme, and it will pass its findings to the RUC if it feels that it is appropriate to do so.

I had not intended to refer directly to any of the allegations, and I am sure that you understand that it would be inappropriate for me to do so, Mr. Deputy Speaker, because some of those matters are under investigation. However, I should slightly correct one point that the hon. Gentleman made about Assembly Member Alex Maskey. As I understand it, there was no suggestion that Alex Maskey was disabled; the programme suggested that he was a nominated driver for a disabled person. I do not say that to undermine any investigation into the use of the car, and it would be inappropriate for me to comment. However, it is important that we get the specific nature of the allegation right. I know that the hon. Gentleman was not seeking maliciously to misinform anyone, but he might inadvertently have done so.

Rev. Martin Smyth: Did I understand the Minister to say that Mr. Maskey was the nominated driver for a disabled person? I want to be clear about the arrangement because it is part of the problem. Nominated drivers are using cars for their own purposes, rather than to drive people who have the right to use them.

Mr. Howarth: The hon. Gentleman is right—I did use the phrase "nominated driver". I did so to make it absolutely clear that Alex Maskey is a nominated driver for a disabled person. I do not want to go into the complexities of why he was using the car when the programme was filmed, because I do not have the information to hand. That would be inappropriate, given that the issue might be the subject of an investigation.

The hon. Gentleman referred to the fact that no one in Northern Ireland is prepared to take responsibility for investigating abuses. I have given him some statistics to demonstrate that that responsibility has been taken on and that it is being taken seriously. The Social Security Agency is not directly responsible, but it works directly with Motability to improve co-operation on the scheme through an arrangement to which I shall refer in a moment. It is important to urge them to continue to work together.

Rev. Martin Smyth: I welcome those assurances. My concern is on two levels. First, did Motability refer any of the issues to the police? No prosecutions were undertaken. I could understand it if people were not found guilty in court, because the case would have to be proved, but I cannot understand why no prosecutions

[Rev. Martin Smyth]

have been undertaken. Secondly, I am worried that some folk in the public service are not taking care in carrying out their work. I asked the Minister how many people were on the central service agency's registers and a clever person gave me a list of doctors, for which I had not asked.

Mr. Howarth: On the latter point, that response was a genuine mistake. It was an inaccurate answer to a parliamentary written question. Although officials provided the information, I take responsibility for the answer. I would not blacken the name of officials. My experience of working with civil servants in Departments in Northern Ireland and the Northern Ireland Office is positive. I am grateful for the help and support that I receive.

As for the lack of prosecutions, Motability and the Social Security Agency work closely with the Royal Ulster Constabulary. The hon. Gentleman will understand that such cases are notoriously difficult to prove. Nevertheless, appropriately drastic action was taken in some of the 21 cases to which I referred. The matter is taken seriously, but getting enough evidence to remove an individual from the scheme requires a level of proof different from that required for a court case. However, I am sure that that option has not been ruled out when appropriate evidence is available, and I would want it to be kept as an option in such cases.

I am mindful of concerns about the operation of the scheme and of my responsibilities. I have established a task force of departmental officials and Motability representatives to consider ways in which co-operation, which is already good, can be improved and the scheme can be made even less open to fraud and abuse. I shall keep a close eye on that work; I hope that that will improve matters. Although that step is necessary, we should not take a disproportionate view of the problem. The hon. Gentleman rightly conceded that the overwhelming majority of people who receive vehicles through Motability are in genuine need. They are proper and deserving cases. It would be wrong to start a campaign against people who are legitimately in receipt of help. I am sure that that is not the hon. Gentleman's intention. However, by the same token, it is important that evidence of systematic abuse or abuse by individuals is properly investigated and, if proven, appropriate action taken. I hope that the hon. Gentleman is reassured that we take such matters seriously and, where sensible or necessary, act appropriately.

Western Sahara

11.59 am

Mr. Jeremy Corbyn (Islington, North): I welcome the opportunity to have this debate. It comes at a crucial time in the history of Western Sahara. I am sorry that my hon. Friend the Member for Gloucester (Ms Kingham) cannot be here, because of child care commitments for young children. She has done much to raise in the House of Commons the issue of Western Sahara and the Saharawi people, as did Lord Redesdale before he fell victim to the cull of hereditary peers.

Today's debate is important because of the serious danger of war breaking out again in Western Sahara. *Jane's Intelligence Review* has discussed current problems there and the danger of war if a referendum is not held in the near future, within the timetable established by the United Nations to bring about a peaceful solution. A heartfelt editorial in *Africa Commentary* states:

> It is obvious that the Saharawis have lost confidence in the UN because of its inability to organise the referendum. But at the same time, the Saharawis are not prepared to accept anything that does not respect their right as an independent people.
>
> What will happen after May 31 is anybody's guess. The feeling is that the UN is abandoning the territory. In his latest report on Western Sahara the UN Secretary-General, Kofi Annan, expressed "doubts about the possibility of achieving a smooth and consensual implementation of the settlement plan".

It is for those reasons that I have been keen to raise the issue today. Hon. Members will be aware that an early-day motion that I tabled last week expressed concern at the continued occupation of Western Sahara by Moroccan forces and for the safety of Saharawi citizens fleeing violent clashes in towns across Western Sahara in March. A case of great concern, also, is the issue of British military export licences for items including CS gas grenades and rubber bullets for Morocco, in contravention of criteria 2 and 4 of the European Union code of conduct on arms exports.

Dr. Jenny Tonge (Richmond Park): I apologise for my breathlessness. I am not very fit. The hon. Gentleman has touched on something about which I am particularly concerned. He must know that several agencies believe that there is a substantial risk of armed conflict in Western Sahara in the near future, especially if the referendum does not go ahead. Does he think that the Government have contravened criterion 4 of the European code of conduct in selling the arms to Morocco?

Mr. Corbyn: The evidence that has been given to me is that we have—perhaps the Minister will deal with this when he replies—because it could be considered that they are being used for internal repression or to control the situation in Western Sahara ahead of a possible UN referendum.

Mr. George Galloway (Glasgow, Kelvin): There are few occasions on which I would disagree with my hon. and good Friend, but I am genuinely puzzled about this part of his speech. I shall have something to say about the broader issue, if I may be allowed, but Morocco has one of the best human rights records in the Arab world and beyond. That is recognised by Amnesty

International. Also, it happens to have—though one would detect no hint of it in my hon. Friend's discourse—the only socialist Government in the middle east, as well as a new king, who is trying to use a new broom to solve some of the problems from the past. It is rather strange for a progressive Member of Parliament to mount such an attack on Morocco at this, of all times.

Mr. Deputy Speaker (Mr. Nicholas Winterton): Order. Before the hon. Member for Islington, North (Mr. Corbyn) replies, I remind the hon. Member for Glasgow, Kelvin (Mr. Galloway) that it is normal for hon. Members who want to participate in a straightforward half-hour Adjournment debate to clear it with the hon. Member who initiated the debate, the occupant of the Chair and the Minister. I am not sure if that convention has been honoured in this case.

Mr. Corbyn: I am surprised and disappointed at my hon. Friend's intervention. My examination of what has happened in Western Sahara and Morocco's behaviour since 1974 is not an attack on Morocco as a state, or a blanket criticism of everything that happens in Morocco. It is specific to the right of the people of Western Sahara to determine their future in accordance with United Nations policy and the mandate of the United Nations Mission for the Referendum in Western Sahara, or MINURSO.

In 1974, Western Sahara ceased to be a colony of Spain—Spain withdrew. In 1975, the then king of Morocco personally led 350,000 people to occupy Western Sahara. The People of Western Sahara did not wish to be occupied; they wished to be independent, and they made that very clear. There followed a brutal war, in which many people died. Eventually, a large number of people from Western Sahara escaped to refugee camps in Algeria; they still live there.

In the 1980s, the United Nations became involved, because it was, quite rightly, concerned about the loss of life. MINURSO was established in 1988, and managed to obtain a ceasefire in 1991. The proposal—then, as now—was that there should be a referendum on the future of Western Sahara. Thus, the Saharawi people would have the right to determine their future.

Dr. Alan Whitehead (Southampton, Test): Does my hon. Friend accept that the issue of who may vote in the referendum—crucial to the outcome—may not be one of human rights? The possible attempt by people who, clearly, have no right to vote in the referendum to add their names to the roll is crucial in the context of plans to ensure that a referendum can be carried out in a way that is fair to the Saharawi people.

Mr. Corbyn: The question of who votes in the referendum is, obviously, central to the long-term objective and to the result of the referendum. The agreement made through MINURSO was that the 1974 Spanish census should be used as the basis for deciding who would be eligible to vote in a referendum on the future of Western Sahara. Names were put forward, and the Moroccans also put forward the names of large numbers of settlers whom they had moved into Western Sahara.

For the past nine years, there has been a great deal of dispute about who would be on the electoral roll and, thus, eligible to vote in the referendum. MINURSO has sent people in, registration has taken place, appeals and objections have been heard and dealt with. One gains the impression at every stage, that Morocco has been desperate to prevent the referendum. That is depressing, because holding a referendum in the near future represents the best hope for preventing another armed conflict in Western Sahara.

Morocco should, at least, understand that many people around the world are looking carefully at its behaviour and would challenge the assertion that Western Sahara is an integral part of Morocco. Indeed, I received a letter only yesterday from the Moroccan ambassador making that claim, to which I replied that, as far as I was aware, Western Sahara was not an integral part of Morocco. History will bear me out on that. The area was not an integral part of Morocco before colonialism, and has been an integral part since the end of colonialism in 1974 only because of the military occupation.

I ask the Government to say what role they are prepared to play in promoting a peaceful settlement. The EU Africa summit is taking place in Cairo. I do not know what discussions are going on between Morocco and other states, but I know that the Organisation of African Unity—peculiarly and uniquely—has supported the case for independence of Western Sahara, and has never supported any kind of border change or any independence movement in any other part of Africa, other than those seeking to break away from European colonial powers. It is significant that the Organisation of African Unity has supported the right of the Saharawi people to determine their own independence in a referendum.

James Baker has been appointed to look into the situation, has undertaken some discussions, is due to visit Morocco again in the near future and will be in touch with all parties. However, circumstances are becoming more desperate. Many refugees live in camps in Algeria. The Polisario have toured the world trying to gain diplomatic support for their efforts to bring about a peaceful solution. They have gained considerable support in many European capitals and among legislators in the United States and other parts of the world. They argued that MINURSO must be allowed to bring about a settlement.

Morocco now has a new King and a new Government. Now is the ideal time to turn back from the policies of 1975—invasion, landmines, massive walls around Western Sahara—and to encourage a UN-supervised settlement to bring about a peaceful solution to the region's problems.

Last year, I was privileged to attend the UN referendum on the future of East Timor. Many lessons can be learnt from that experience. The Indonesians did not want the referendum to take place. There were continual delays and the UN made great efforts to bring about a peaceful solution. Registration was continually delayed, so it was not clear who would be eligible to vote, whether the occupied military forces could vote and so forth. The circumstances are similar, as Portugal withdrew from East Timor at about the same time as Spain withdrew from Western Sahara.

[Mr. Corbyn]

Kofi Annan played an important role. He recognised that unless the UN took action and insisted that the referendum took place on a particular day, the delays and the killing would continue—a disaster waiting to happen would happen. The referendum did take place and the people of East Timor voted overwhelmingly for independence. Partly due to a lack of support and the lack of an effective policing presence on the ground, a humanitarian disaster took place immediately after the referendum. East Timor is now trying to recover through a reconstruction programme but, sadly, nothing can bring back the people who died.

I do not want to see a similar outcome in Western Sahara, but the alternatives are stark. If we continue to delay holding a referendum and allowing the people of Western Sahara to decide their own future, what will happen? No entreaties from the leadership will stop the people being fed up with living in refugee camps in Algeria; with living on food parcels from western agencies, welcome though they are; or with having to bring up their children in refugee camps. Their pressure may lead back to war.

I hope that the British Government and Morocco fully understand the dangers. What are the alternatives: to continue to delay and prevaricate, spending huge resources on the military occupation of Western Sahara; to continue to be criticised heavily throughout the world for what goes on specifically in Western Sahara; or to come to the table and bring about a peaceful solution? I hope that the British Government will ensure that MINURSO has sufficient resources to carry out its duties and that a date is set for the referendum, which should be before 31 July this year, even though it is one of the hottest periods of the year; and ensure that it actually takes place.

It is essential to learn the lessons of the referendum in East Timor to ensure that registration is accurate. I believe that it is—or at least, after enough years of discussion, debate, challenge and counter-challenge about the names, there is reason to believe that it is. We must see to it that there are sufficient staff on the ground to ensure that the campaign and the voting are fair and open and, crucially, that there is sufficient international policing to ensure that whatever the result, it is accepted and respected by all sides and that there are no militia activities of the tragic kind seen in East Timor last September and October. I make no apology for raising this issue, which I have raised many times since being elected to the House in 1983. I raised it for the first time at about three o'clock in the morning some time in 1984; the Chamber was not packed at the time any more than this Chamber is today.

I believe that we have an opportunity to bring about a peaceful settlement to the situation facing the last colony in Africa. The possibility exists for the United Nations to establish itself firmly as a facilitator of a peaceful transition for the people of Western Sahara as they decide their own future. I hope that the Moroccan Government will recognise that if they continue their delaying tactics, they will not do themselves much good in the court of public opinion around the world because doing so will lead to greater isolation. The best way forward is to allow the UN to settle the problem. I hope that when the Minister replies he will respond satisfactorily to the concerns that the hon. Member for Richmond Park (Dr. Tonge) and I and many others have about the supply of arms to Morocco. I hope above all that the hon. Gentleman will be able to assure me and others—most importantly, others—that sufficient police and resources will be available to ensure that the referendum takes place in the time frame that has been suggested, and with sufficient security to allow a fair voting system for all and, above all, respect for the result of the referendum. The alternative, tragically, will be that many more people will lose their lives, many more arms will be exported and there will be no peace.

12.16 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Keith Vaz): I am grateful to my hon. Friend the Member for Islington, North (Mr. Corbyn) for securing the debate. I know of his great interest in these matters, and he spoke with enormous passion. I am glad to see my hon. Friends the Members for St. Albans (Mr. Pollard) and for Southampton Test (Dr. Whitehead) and the hon. Member for Richmond Park (Dr. Tonge) here for the debate. It is fairly unusual to see my hon. Friends the Members for Islington, North and for Glasgow, Kelvin (Mr. Galloway) on different sides of the Chamber, but I suppose it shows the intense rivalry that exists among various groups and the strong passions that the issue arouses.

The war in Western Sahara has been called the forgotten war. With this debate we are doing our bit to ensure that the issue is kept on the international and domestic agendas. My hon. Friend the Member for Islington, North raised a number of points about this long-standing dispute. I shall come back to some of them at the completion of my speech.

I shall begin by explaining the Government's policy on Western Sahara. Even by African and middle eastern standards, Western Sahara is one of the more intractable problems. Time does not allow me to dwell too long on its history. I have not been exposed to all shades of opinion in the region, nor have many hon. Members, so it is worth looking at some of the background.

When Spain withdrew from Western Sahara in the mid-1970s, there followed a bitter and protracted conflict between the two main claimants to the Western Sahara, Morocco and the Polisario Front. The conflict drew in other countries in the region, as my hon. Friend the Member for Islington, North said. Suspicions became entrenched and the economic potential of the whole region was put in the deep freeze.

The conflict in Western Sahara benefited no one citizen and no one country in north Africa. It merely held back its people's aspirations for a more stable and prosperous future. After 15 years of conflict in Western Sahara, the United Nations took on the role of making peace and finding a just and durable solution. We should recognise the contribution that the UN has made to the peace process in the region. The UN remains the one organisation with an unchallengeable reputation for objectivity in this difficult dispute. The British Government do not take sides in the Western Sahara dispute. We have consistently supported the UN mission in Western Sahara. We have provided civilian administrators, peacekeeping contingents and substantial funds to underpin them.

We continue to believe that a just solution to the problem depends on the people of Western Sahara having the right to express their will at the ballot box. We also believe that a durable solution requires all parties to be constructive, flexible and committed to peaceful means. Any violence from whatever quarter harms the search for peace, and those who provoke violence only weaken their own cause.

I share my hon. Friend's desire to see a just solution for the Saharawi people, including those in the refugee camps in Algeria. At the same time, a solution must be workable and durable. It cannot ignore the regional political environment. We share the widespread international concern that, after 10 years, a UN-sponsored referendum to resolve this problem is still a long way off. To make clear what Britain stands for, I can do no better than quote the UN Secretary-General. He said that the implementation of the UN plan

> has been impeded by fundamental differences between the parties over the interpretation of its main provisions. Of these, the issue of the establishment of the electorate has been, and may remain, a core problem which could eventually prevent the holding of a referendum as provided by the plan. The . . . two parties seem to share the belief that the composition of the electoral body will predetermine the outcome of the referendum. At different times, therefore, one or the other party has withheld cooperation from the identification procedures, in the belief that they may eventually skew the composition of the electorate.

Neither we nor the UN believe that Morocco alone has undermined the settlement plan. The Secretary-General made that clear in a report on 17 February, and the UN, which is active on the ground, is better placed to assess those issues than part-time observers sitting in western capitals.

Despite the various obstacles that both sides have at times put in the way of a solution, the UN has remained impartial throughout. We continue to have every confidence in the UN staff. British officials regularly visit their offices in the region and admire the work that is being done there in very difficult circumstances. There are those who complain that the UN mission in Western Sahara and the Secretary-General's statements are partisan. Those people usually want the UN to be partisan in their favour.

A number of commentators on Western Sahara, including some in the House, have questioned the UN's handling of voter registration for the proposed referendum. We believe that the registration criteria for the referendum are a matter for the UN. To date, the UN has investigated 198,469 applications to vote in the referendum. It found that 86,386 were eligible. A substantial proportion of those who were rejected have appealed, as they are entitled to do under the settlement plan. The UN has now begun the task of investigating the legitimacy of these appeals, as it must if we are to ensure that the process is free and fair.

My hon. Friend mentioned the United Nations criteria for appeals, and I do not want a long, legalistic debate on the matter. The UN is best placed to decide what is allowed within the letter and spirit of the plan.

At its latest extension of the United Nations mandate in Western Sahara, the Security Council called on James Baker, the Secretary-General's personal envoy, to engage the parties to find a way through the problem. We expect him to visit the region soon. We urge all sides to listen to what he has to say and to respond positively to him.

It has been suggested that the United Kingdom has been selling arms to Morocco, which enables it to suppress human rights and to assert a territorial claim, thus breaching the European Union code of conduct. I assure hon. Members that we examine all export licences for Morocco carefully and adhere to the EU code of conduct. Yes, we have approved exports of some riot control equipment; hon. Members will know that the quadripartite commission on arms exports is currently examining some of the licences. I also assure hon. Members that we have no evidence that the Moroccan police have used such equipment to suppress human rights and/or to assert a territorial claim. It is an on-going process; we monitored recent incidents in Laayoune and Smara and found no evidence that such crowd control equipment was used. No non-governmental or other organisations have produced verifiable evidence to support such claims.

I want to say a few words about recent reports of incidents in Western Sahara. There was an incident in Laayoune, Western Sahara last September, when protesting students were joined by a group of local workers with separate grievances. Regrettably, local police response was heavy handed and we clearly registered our concern at the time. The Moroccan king responded swiftly to news of the incident by setting up a royal commission on Western Sahara. That was a decisive, mature and laudable response; the Interior Minister responsible was removed shortly afterwards.

The initial press reporting of the incident was partisan and designed to raise tension in the region. For example, it alleged that there were several deaths, but no evidence supporting that claim was provided. There were also incidents in Laayoune and Smara in March. One incident began when youths stoned UN vehicles and the Moroccan police intervened to protect UN staff. British officials were in the area soon afterwards and spoke to several contacts on the ground. Their assessment was that press reporting of the incidents had exaggerated the true picture.

Mr. Corbyn: Like my hon. Friend the Minister, I deplore the incidents that took place and hope that peace will continue to be maintained in the region. When does my hon. Friend expect that it will be possible to hold a referendum on the future of Morocco? When does he expect James Baker to report to the Secretary-General?

Mr. Vaz: We fully support James Baker's mission and ask others to do so too. We shall have more information when he is in the country; he shares the British Government's view that there should be a referendum as soon as possible.

My hon. Friend mentioned Morocco's record on human rights, which has improved dramatically recently, as has the professionalism of its police. Morocco's record on both counts is probably the best in Africa and the middle east. My hon. Friend should not just take my word for it but listen to what Amnesty International and other NGOs say on the subject. Yes, some problems remain, but the Moroccans are openly tackling them. We must give credit where it is due. We should also take seriously allegations of human rights abuses by the Polisario Front.

[Mr. Vaz]

I conclude by restating the key elements of our policy: we remain committed to a just and durable solution to the problem, which is acceptable to the Saharawi people. We do not take sides; we will not support one side's claim over the other. We will continue to back the UN Secretary-General in his efforts to find a way around the current impasse in the UN settlement plan. We have assured him that James Baker has our full support on his visit. We urge all sides to respond positively to Mr. Baker's mission.

Education (Developing World)

12.30 pm

Mr. Mark Oaten (Winchester): I am pleased to have a chance to raise the issue of education in the developing world. The debate comes at an appropriate time, as those who have followed *The Guardian* campaign over the past couple of days will know. It also comes on the second day of an action week that has been organised by the Global Campaign for Education. That is a joint initiative, which involves Oxfam, ActionAid, Save the Children and the National Union of Teachers. Activities will be staged in 76 countries to raise awareness about the scale of the education crisis which is developing.

I acknowledge the hard work that is being done and the campaign research that is being carried out. Oxfam, in particular, has done a lot of work to bring the most recent concerns to light. I thank its representatives in my constituency, who have regularly attended my surgery to raise this and other issues.

It is perhaps grossly inappropriate to talk about bringing the issue to light, because the concept of achieving universal primary education is not new. Ten years ago, at the Jomtien world conference, 155 countries pledged to ensure that all the world's children would have access to basic education by 2000. It is now 2000, and it is clear that those countries have been unable to keep that pledge. The current figures suggest that 125 million primary school age children across the world are not in school; that is double Britain's entire population. Those children are denied their right to education, which is one of the fundamental rights enshrined in the 1948 universal declaration of human rights. It is unacceptable that, 50 years after that declaration was established, many of the world's children are missing out on basic education.

At the end of the month, there will be an opportunity to pay more than lip service to solving the problem. In a little more than three weeks' time, a United Nations conference on primary education will take place in Dakar. It will, I hope, deliver a strategy to meet the new target of achieving universal primary education by 2015. It also represents an opportunity for the Government to take an important leadership role, and I welcome the Prime Minister's article in *The Guardian* this morning, which set out clearly some of his personal objectives on the issue. Achieving those will, however, involve mobilising the resources of the international community and promoting the will among Governments to provide primary education for all their children.

The Government are well known in this country for their catchphrase "Education, education, education". The Prime Minister and the Government now have a good opportunity to take that message on to the world stage.

Dr. Jenny Tonge (Richmond Park): Does my hon. Friend agree that the wars and civil wars that are raging all over the world, and in Africa in particular, are one of the factors that militate against children receiving primary education? I am thinking of southern Sudan, where the most recent wave of the war has already lasted for 12 years and where children have received hardly any education. We often hear about education being carried on in the refugee camps, but does my hon. Friend not

think that the Government should pay more attention to the education of children at a time of war? Otherwise, whole generations will go without any education.

Mr. Oaten: My hon. Friend makes an important point. Clearly, a lot of evidence links military conflict to the lack of education. Let us hope that increased access to education will lead to a decrease in conflicts as individuals consider ways other than conflict to deal with their difficulties.

Achieving primary education for all by 2015 is one of the United Nation's major goals for the 21st century. Other organisations and agencies are also committed to that. I was at the United Nations in New York last November and also met representatives from the World bank. I was taken by their commitment to use their resources to tackle education issues. However, the problems are enormously difficult ones for Governments throughout the world to tackle.

In much of sub-Saharan Africa and south Asia, classes are taught in dilapidated buildings without roofs, toilets or access to clean water. Millions of children are taught in classrooms that do not even have basic equipment such as a blackboard or chalk. The fact that children miss out on education lies at the heart of the poverty cycle, frustrating economic growth and human development. Getting education right is the key to tackling the serious problems gripping the developing world, including poverty, HIV/AIDS and, as my hon. Friend the Member for Richmond Park (Dr. Tonge) said, civil conflicts.

It is significant that girls make up two thirds of the 125 million children currently not in school. The international community has set a target date of 2005 to close the gender gap. That will involve more than simply throwing money at the developing world. Increasing the number of school places will not, on is own, close the gender gap, because important demand-side factors need to be individually addressed. For example, girls in many parts of the developing world are required to work at a young age to help to support their families. Oxfam quote a 1994 study of rural families in northern Ghana, which discovered that girls were often the sole breadwinners in the family.

The role of women in many developing countries is still narrowly defined in terms of marriage and child rearing. Families often view girls as a short-term investment that provides no return, because they marry and move away and someone else benefits from it. Consequently, very little value is placed on girls receiving an education.

Such cultural barriers cannot be removed through primary education programmes alone. However, they must be challenged if the benefits of education are to have a knock-on effect on the other problems in the developing world. In the Indian state of Kerala, for example, where 86 per cent. of women are literate, female life expectancy is 73. That is in stark contrast to Uttar Pradesh, where less than 25 per cent. of women can read and female life expectancy stands at 45. The generational impact of educating girls suggests that they marry later, have fewer children, provide better care and nutrition for their families and seek medical attention more promptly. There are real gains to be made by closing the gender gap.

Where are the examples of this happening in practice? Last week, I met Bill Katenga Kaunda, the secretary general of the United Democratic Front in Malawi, a very charismatic individual. He told me how, when his country became democratic and he took control in the ruling party, its priority was "education, education, education". It has put that into practice by abolishing user fees for primary education, which has had an enormous impact. That has also happened in Uganda, where the development budget should more than double from $60 million in 1997 to $125 million by 2002. That is an inspiring example of what can be achieved when political will is combined with aid and debt relief. Meanwhile, in Sri Lanka, the introduction of flexible school hours to allow girls to do their household tasks before going to school has increased attendance. Dealing with such practical issues can lead to success.

Universal primary education cannot be achieved only by addressing the individual circumstances of each developing country. In Pakistan, for example, the Government spend 27 per cent. of their budget on defence and only 4 per cent. on education. That suggests that the problem there is less a matter of finance than of the national Government's political will. In contrast, Tanzania spends six times more on debt repayment than on education, which shows that debt relief and extra resources would make an impact in helping education in that country.

How much money is needed to achieve education for all, and who would provide it? UNICEF estimates that it would cost about £4.5 billion a year over 10 years to achieve universal primary education. It was reported—rather amusingly, I thought—in the national press yesterday that this figure represents less than Americans spend in a year on cosmetics. The total amount is equivalent to four days' global military spending. Oxfam proposes that half the money should be raised by national Governments and the other half by the international community.

For developing-country Governments, that would involve increased resource mobilisation, the redistribution of wasteful public spending and the reallocation of money in education budgets towards basic education. Meanwhile, the international community would be able to provide more money through a combination of debt relief, increased aid, contributions from private capital and the reallocation of aid from higher to lower levels of education.

Many charities and organisations have been working hard to address the education crisis. I was impressed on a recent visit to the BBC World Service to see the valuable projects that its trust carries out in countries such as Tanzania, Somalia and Zambia on issues such as leprosy, smoking and sexual health. Those are welcome initiatives.

The article in the national press this morning by the Prime Minister was encouraging. I know that Oxfam and other organisations have launched campaigns saying that the Prime Minister himself should go to the conference. I recognise that he has pressing issues to deal with, both domestic and international, and that it is wrong to put pressure on him to go, but it is encouraging that in today's article he says that he wants to prevent Dakar from becoming another international talking shop, and we welcome the commitment that he will raise this issue at the G8 summit later this year. Can the

[Mr. Oaten]

Minister give us more information about the issues that the Secretary of State for International Development will raise at the Dakar conference, now that it has been confirmed that she will attend on behalf of the British Government?

The Prime Minister's article sends a positive message that the Government understand the key issues involved and want to achieve universal primary education and eliminate the gender disparity. However, it is still not clear whether they will use that position to play an international leadership role in this matter, and I hope that the Minister can give us some comfort on that. If they do not, in a debate in 10 years' time we shall look back on the Dakar conference in the same way as we are looking back at the Jomtien conference of 10 years ago. That is not acceptable, and I hope that the Minister will give us more encouragement to build on the good news in the Prime Minister's article this morning.

12.42 pm

The Parliamentary Under-Secretary of State for International Development (Mr. George Foulkes): I pay tribute to the hon. Member for Winchester (Mr. Oaten) for the knowledge and concern expressed in his speech. Having listened carefully to everything that he said, I shall try to respond to all his points and answer his questions.

I also want to congratulate the all-party group on overseas development and the non-governmental organisations that support it on the excellent meeting on "Education for All" which was held in the House of Commons last Thursday, when we were privileged to have President Museveni from Uganda as the main speaker. He made clear his country's commitment to achieving universal primary education by 2003. My right hon. Friend the Secretary of State reiterated at that meeting the Government's determination to provide strong support to developing-country Governments who are fully committed to providing effective primary education for all. I shall expand on that later.

I join the hon. Gentleman in welcoming the spotlight that Oxfam's global action plan for education and the excellent "Read the World" campaign in *The Guardian* have shone on raising our awareness of the plight of about 130 million children who should be and are not receiving education. Education opportunity for all, especially at the primary level, is not just a fundamental human right but a precondition for progress in development and the reduction of poverty. To deny children education puts a massive block on their country's development prospects.

The development case for investing in primary education is, as the hon. Gentleman said, unanswerable. Education helps people to become more productive and to earn more and leads to improvements in health, nutrition and child mortality. People are enabled to transform their own lives and their own society, and acquire the basic skills of literacy and numeracy, as well as the capacity to use that knowledge and information.

As the hon. Gentleman said, those benefits are even more pronounced in the case of girls. Research into girls' education shows that women with as little as four years of education are more likely to have smaller, healthier families, to work their way out of poverty and to send their children to school. World bank research suggests that the education of girls is the single most valuable development intervention that a country can make, but we must overcome ingrained attitudes in some countries towards the education of girls and the perception that it is a waste of resources.

The hon. Members for Richmond Park (Dr. Tonge) and for Hertford and Stortford (Mr. Wells) will remember the expression used by my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) in our debate last Thursday. He said that, on its visit to the sub-continent, the Select Committee on International Development heard the expression

educating a girl is like watering another man's garden.—[*Official Report, Westminster Hall*, 30 March 2000; Vol. 347, c. 133WH.]

We must overcome that attitude if we are to achieve our aim. I thought that last Thursday's discussion was extremely valuable. I do not know whether the hon. Member for Winchester has had an opportunity to read the debate in *Hansard*, but I commend it to him.

All the evidence about the development benefits of investing in primary schooling should help us to forge greater political will behind the goal of universal primary education. That is one of the key targets in our White Paper; it is a goal that is increasingly accepted. The political will is building up, but greater effort must be put into it.

The Government believe that four things need to be done if we are to make gender equality and universal primary education a reality and to achieve the UPE target by 2015.

First, we need a sustained commitment from the Governments of the developing countries to universal primary education.

Secondly, as the hon. Gentleman rightly said, in looking at the balance of developing countries' budgets, we must address the issue of resourcing for education and the need to increase the resources that developing countries commit to primary and basic education. The hon. Gentleman gave a particular example. The developed countries can also play a vital role. Through the Department for International Development budget, the British Government have current commitments to education of about £800 million, a substantial amount, of which 77 per cent. is for basic and primary education. Two thirds of those resources are concentrated in 11 of the poorest countries of sub-Sahara Africa and south Asia.

Thirdly, we must move away from the project-based approach of schools with Union Jacks on them—the gift of the British people—to a sector-wide approach, giving the country resources that enable it to provide all the basic primary education that it needs. We must co-ordinate the work of the different development donors around a focused, agreed strategy drawn up by the Government of the country concerned. They know the country's needs; they can best assess them and draw up a plan. We must drive forward with a new, more collaborative agenda for education and development co-operation generally, which means all the relevant donors working together with developing countries in a much more joined-up way.

As the hon. Gentleman said, Uganda provides an excellent example. In collaboration with key partner agencies and the Government of Uganda, the DFID has

played a key role in establishing this sector-wide approach to education, resulting, in 1998, in its largest ever commitment to a programme in Africa—£67 million towards the education sector support programmes. That will provide flexible budget support to the Government for five years. That is spelled out in more detail in a country study in the briefing document produced by the Department. If hon. Members have not already seen it, I hope that they will take the opportunity to look at it.

The fourth thing that we must do if we are to achieve universal primary education by 2015 is to link education policy with the country's wider development strategy, including policies on health, sanitation, livelihoods and rural transport. Members of the Select Committee know the importance of that. Countries cannot and will not secure universal primary education if they focus simply on education. They must deal with the other aspects.

The hon. Gentleman referred to the Dakar forum. He is to be congratulated on initiating this debate in the run-up to the forum, which is to be held on 26 to 28 April. Governments, development agencies and non-governmental organisations from the north and south will have an opportunity to re-commit themselves to education for all and to achieving the target of universal primary education by 2015 and the gender equality target in primary and secondary education by 2005. As the hon. Gentleman said, my right hon. Friend the Secretary of State for International Development will lead the British delegation. Hon. Members and you, Mr. Deputy Speaker, know of the strength with which she can deploy these arguments. With gender equality being an important issue, it is good that a female Secretary of State is leading our delegation.

We are working closely with the forum convenors to ensure that the process leading up to Dakar and the conference itself focus on a set of key objectives—specific actions that will extend educational opportunity for the millions of children to whom the hon. Gentleman and I have referred. In preparing for the forum, the DFID has drafted a paper entitled "Education for All: The Challenge of Universal Primary Education", which will be published on Friday. I shall send a copy to the hon. Members who are here today, and it will be available to other hon. Members who would like it. We plan to consult widely on the document, and I hope that those hon. Members who are here and others will let us have their views.

The hon. Gentleman asked what the Government believe the Dakar forum should pay particular attention to. We think that it should analyse why some countries, particularly some of the poorest, have managed to achieve considerably more than others since the 1990 world conference in Jomtien. We have set seven priorities for Dakar.

First, there must be collective reaffirmation of the "Education for All" goals, allied to focused strategies for their achievement, and particularly the attainment of the international development targets.

Secondly, it must be reaffirmed and stated in Dakar that developing country Governments must give priority to basic education. As the hon. Gentleman said, in some cases that will involve changing their spending priorities.

Thirdly, Dakar must send a clear signal that the international community will back the developing countries' reforms. The new framework for action should make it clear that funding agencies will allocate significant additional resources to primary and basic education, provided that the developing-country Government are committed to that objective and have put in place appropriate policies. As the hon. Gentleman rightly said, some of those additional resources can and should be made available by debt cancellation, in which Britain is again taking the lead. No Government seriously committed to universal primary education should be thwarted in achieving that ambition by a lack of resources. It would be terrible if countries could not achieve it because they did not have the necessary money, so we in the west must make a commitment to making that money available.

Fourthly, Dakar should focus on gender equality. We must move beyond the language of awareness to the language of action, as we heard last Thursday.

Fifthly, sub-Saharan Africa and south Asia should be accorded international priority.

Sixthly, we need better monitoring of progress towards the goals and targets. That requires investment in developing national capacity for monitoring, allied to efficient international monitoring systems. We must be able to see that we are making progress. We heard on Thursday about phantom schools, so monitoring is vital.

Seventhly, Dakar should seriously consider whether the existing inter-agency "Education for All" structure will be adequate for its future purpose.

The hon. Gentleman mentioned the Prime Minister's article in today's edition of *The Guardian*. That article illustrates my right hon. Friend's commitment to the issue. Of course, it will not be possible for every Prime Minister to attend, and I understand that other European Heads of Government will not be attending. It is right that the key Ministers should attend, and our Secretary of State has the Prime Minister's full backing. However, as my right hon. Friend the Prime Minister said at the Okinawa summit, he will himself be involved in the follow-up to Dakar, and he has already made it clear that we must make the best possible use of new information and communication technologies in education. He wants Britain to take the lead in ensuring that those technologies are used to bring the world together, not to widen existing divisions, and that they are used to deliver real practical improvements in education in the developing world. ICT-based distance learning can be cheaper, better and more accessible than traditional teaching methods, and the internet provides new ways to share information and knowledge and to pool experiences. Wireless technology, which I have seen in operation, can be used in areas with limited—or no—telecommunications infrastructure. Last week, my right hon. Friend the Prime Minister asked DFIID to put together a project team including people from the private sector and the development NGOs to take the work forward. Already, we have had significant support from Cisco Systems, and that is an important element in our overall strategy.

Universal primary education is the fundamental building-block of our support for education in developing countries, but primary education cannot

[Mr. George Foulkes]

stand alone in an education system. We need a balanced view of the whole education sector, including the provision of adult literacy and lifelong learning. In many developing countries, it is not unusual to find that less than five per cent. of the work force has some form of secondary schooling. Such a lack of skills is clearly a drag on the development of the economy, as well as on the individual's earning capacity, but the answer is not that donors should invest large sums in the construction of secondary schools, providing expensive bricks and mortar, but no recurrent funding to pay for teachers and books. We have been down that road before. Along with relevant Governments, we need to look at different ways to provide education at that level that are more efficient and less costly. Distance learning, which uses new technologies to extend access to secondary education and skills training, is one possibility. For many years, we have supported the commonwealth of learning, which provides training, institutional networking and expertise in distance course development for Commonwealth countries. Information technology provides major new opportunities to increase access to such courses.

Trade and investment can have a much greater impact on development than aid, as the Select Committee pointed out. Developing countries must create the conditions to attract investment; that is the only way to achieve the growth necessary to reduce poverty by their own actions. A skilled labour force will facilitate such investment. Too many poor countries suffer from a desperate shortage of skills and of unemployed graduates. Those skills cannot be provided without some kind of policy framework or institutional base, which is why we have committed £25 million over the next two years to a new skills for development initiative. The initiative will facilitate the stimulation of the entrepreneurial skills required by the poorest countries to allow their economies to grow.

I return to the principal subject of our debate—the provision of basic, primary education for all. Although the internet and new technology are hugely significant potential tools for spreading educational opportunities, many people may never learn to read, and millions of children may not have the opportunity to go to school unless we take more effective action. The hon. Gentleman said that, if we look back over the past 10 years, we do not see a huge improvement. Over the next 10 years, there must be a real improvement. In 2000, we have a great opportunity to do that; the start of the new millennium is the moment to turn all the fine words uttered at United Nations conferences and in the Chamber into action, into real deeds. The Government are strongly committed to bringing the benefits of educational opportunity to those millions of children—especially, to the girls—and to helping the spread of skills and knowledge, so that all countries can accelerate their development, reduce poverty and give everyone the chance to realise their potential.

Question put and agreed to.

Adjourned accordingly at one minute to One o'clock.

Westminster Hall

Wednesday 5 April 2000

[MR. MICHAEL J. MARTIN *in the Chair*]

Burma

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Robert Ainsworth.*]

9.30 am

Mr. Edward Leigh (Gainsborough): I am pleased to have the opportunity to draw Parliament's attention to the appalling and systematic genocide taking place against the Karen, Shan and Karenni minority peoples in Burma. As far as I know, this is the first debate in Parliament devoted to that genocide. The atrocities in Burma must rank among the worst in the world; yet, unlike the similar situations in Kosovo and Bosnia, the international community and the media have failed dismally to give the slaughter the coverage that it deserves.

At a recent meeting set up by the British human rights group, the Jubilee campaign, I met representatives of the Karen movement. I talked to the president of the Karen National League and saw Kwe Htoo from the Committee for Internally Displaced Karen People. They both impressed on me the systematic extermination being inflicted on the Karen, Shan and Karenni ethnic minorities. They urgently appealed for the maximum international pressure to be put on Burma's military regime to stop the genocide, and for extensive aid to stem the growing humanitarian disaster among Burma's ethnic minorities.

With an estimated 7 million people, the Karen are Burma's largest ethnic minority. More than 300,000 Karen are internally displaced as a direct result of Burmese military action. Many of them hiding in the jungle, with little or no food or medicine, and they are normally killed on sight when discovered. For example, on 27 July 1999, at least 22 internally displaced Karen people, including a baby and two children aged two and eight, were killed by Burmese troops from Infantry Battalion 101 at Kawei and Hpway Plaw villages in Mergui district. Many of the victims were literally beaten to death with rice pounders, and 19-year-old Naw Nail Naw was gang-raped by the soldiers before she was murdered.

The overall population of internally displaced people in Burma is about 2 million, which means that it has some of the worst internal displacement in the world. There is probably no other nation like Burma; hundreds of thousands of internally displaced people have to hide in the jungle in the most primitive conditions, and they are hunted and slaughtered like animals. Since 1993, more than 30,000 Karen civilians have died as a result of Burmese military action. That is one example of the atrocities routinely inflicted on the Karen by the Burmese military.

These atrocities are regularly reported by organisations such as the Jubilee campaign, the Karen National League, the Karen Human Rights Group and the Committee for Internally Displaced Karen People. They include forced labour, the systematic destruction of villages, forced relocation, widespread and persistent torture and rape, and extrajudicial executions. That regime is the policy of the so-called State Peace and Development Council, which is an Orwellian change of name from what used to be called the State Law and Order Restoration Council—SLORC—which more correctly sums up the regime. The SPDC policy in response to any form of armed resistance by ethnic minorities is what the Burmese call draining the ocean so that the fish cannot swim. In other words, it seeks to undermine the opposition, attacking the civilian population until there is no possibility of their giving any support to opposition rebels.

That is the fundamental idea behind the stated policy of the regime—the four cuts policy—which was initiated by General Ne Win in the 1970s. The idea is to cut off supplies of food, funds, recruits and intelligence to ethnic resistance groups. The direct attacks on the civilian population, characterised by forced mass relocations, destruction of villages and the village economy, extrajudicial executions and completely unsustainable levels of forced labour, have become even more prevalent in the Burmese regime's policy since the 1990s.

In their acts of violence, Burmese troops make no distinction between adults and children. For example, Burmese soldiers killed two Karen children of five and eight in Ko Reh Hta, Karen state. On seeing the children in the forest, the soldiers simply slaughtered them with a knife. Saw Ta Plah Plah and Naw Mi Mu Wah, a little boy and girl aged three and two respectively, were left behind in their village when everyone else fled and it was shelled by Burmese troops from Division 77. The SPDC soldiers found them walking around crying and threw them into their burning house, where they were burnt to death. On 15 October 1998, eight-year-old Naw Mu Lay and two-year-old Naw Dah Dah were killed when Burmese soldiers fired grenades from a rocket launcher at their house.

The widespread rape of minority women by Burmese soldiers also extends to children and youth. On 17 December 1998, Naw Tha Paw, a 17-year-old Karen girl from Maw Kee village, was ambushed by SPDC troops from Light Infantry Battalion 361, raped, then shot or stabbed to death; 14-year-old Saw Maw Dah was with her when they were ambushed, and was shot and killed. On 13 October 1998, 15-year-old Naw Maw Nyunt was raped and killed by soldiers from Infantry Battalion 59.

The Burmese army uses both children and adults for forced labour. The youngest children, who are taken for road and railway building, are usually aged eight or 10, while the others, who are taken for heavy portering duties, carrying supplies for the Burmese army, are usually 12-year-old boys and 14-year-old girls. Conditions for porters are brutal, with female porters being regularly gang-raped at the end of the day. Porters are also used as human minesweepers triggering landmines with their own bodies. In one typical case, Naw Sah Mu, a 15-year-old girl from Papun district in Karen state, stepped on a landmine while portering and had her right leg blown off. Her 16-year-old friend, Zaw Zaw Oo, was hit in the face by the shrapnel and blinded. After they return home, many children die from diseases contracted while portering, combined with exhaustion.

[Mr. Edward Leigh]

The International Labour Organisation has rightly condemned the SPDC's widespread use of slave labour as a "crime against humanity."

The United Nations Special Rapporteur, Mr. Rajsoomer Lallah QC, has acknowledged the systematic nature of the atrocities carried out against Burma's minorities. He submitted a report to the UN General Assembly, dated 10 September 1998, entitled "Situation of Human Rights in Myanmar." Paragraph 59 of the report reads:

> The Special Rapporteur is deeply concerned about the serious human rights violations that continue to be submitted by the armed forces in ethnic minority areas. The violations include extra-judicial and arbitrary executions (not sparing women and children), rape, torture, inhuman treatment, forced labour and denial of freedom of movement. These violations have been so numerous and consistent over the past years as to suggest that they are not simply isolated or the acts or individual misbehaviour by middle and lower-rank officers but are rather the result of policy at the highest level entailing political and legal responsibility.

I emphasise the words "at the highest level". They are not just individual acts of barbarism by soldiers; they are condoned at the highest level of the regime.

The Jubilee campaign, Karen National League and the Committee for Internally Displaced Karen People have told me that what is happening in the Shan and Karenni ethnic minorities in Burma is genocide. What is the international legal definition of genocide? This is where the British Government come into the picture, so it is important to get the definition right. The international legal definition of genocide is found in the 1948 convention on the prevention and punishment of the crime of genocide, which Burma has ratified. The legal definition of the term is contained in article 2. I hope that hon. Members will forgive me for reading it out, as it is important to get the legal position absolutely right so as to understand what the Government can and cannot do.

The convention, which we have all signed, states:

> In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:
>
> (a) Killing members of the group;
>
> (b) Causing serious bodily or mental harm to members of the group;
>
> (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
>
> (d) Imposing measures intended to prevent births within the group;
>
> (e) Forcibly transferring children of the group to another group.

Some points must be noted in relation to the legal definition of genocide. First, genocide need not be an attempt to destroy an entire ethnic group. An attempt to destroy part of an ethnic group suffices. What is happening to the Karen, Karenni and Shan minorities in Burma falls within the scenarios set out in article 2 of the convention. There can be no doubt that it constitutes

> (a) Killing members of the group;
>
> (b) Causing serious bodily or mental harm to members of the group;
>
> (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.

Only one of the five acts set out in article 2 need apply in order for the activities in question to be considered genocide by the international community, but in the case of Burma, at least three of them apply. International law does not require a minimum number of fatalities for a situation to be defined as genocide.

Without any shadow of a doubt, what the Burmese military regime is doing to the Karen, Shan and Karenni minority peoples clearly fits the international legal definition of genocide. Article 3 of the convention on genocide states:

> The following acts shall be punishable:
>
> (a) Genocide;
>
> (b) Conspiracy to commit genocide;
>
> (c) Direct and public incitement to commit genocide;
>
> (d) Attempts to commit genocide;
>
> (e) Complicity in genocide.

That is the international law, under which genocide is a very serious crime that requires an urgent global response. Sadly, such a response has not yet materialised.

I believe that the international community should swiftly and firmly press for prosecution of the Burmese military junta and its subordinates for genocide. An international tribunal should be set up by the United Nations Security Council to try the Burmese regime, just as was done in respect of the atrocities that occurred in Bosnia.

The British Government should use their permanent seat on the UNSC to lobby for the establishment of such a tribunal; that is why I am speaking directly to the Minister—and I am pleased to see him here. The Government should also lobby the UNSC for resolutions calling on the SPDC to end the genocide against the Karen, Shan and Karenni people and for global economic sanctions, including a universal arms embargo against Burma.

Would the action that I am suggesting the British Government should take be supported by democratic forces in Burma? The answer is that it would. Aung San Suu Kyi, the legitimate democratic leader of Burma, who is part of the National League for Democracy and who won the vast majority of votes in the 1990 elections, has repeatedly urged the international community to institute economic sanctions against her country. In a statement dated 6 September 1999, she said:

> Burma is like a huge prison with a military dictatorship holding the keys and locking us away from freedom. Help us open the door of our prison. Economic sanctions are necessary for the fast democratisation of Burma. We would like the European Community, the United States and the rest of the world to be aware that sanctions help the movement for democracy in Burma. Unilateral sanctions are better than on sanctions at all.

That is the verdict of the democratically elected leader of Burma.

Foreign investment, I am sorry to say, has directly caused human rights violations. For example, whatever the intentions of the company may be, the Yetagun gas pipeline operated by the British company Premier Oil has fuelled the forced displacement of many Karen and Mon minority peoples by the Burmese army, because the pipeline runs through their areas. The Burma Campaign UK reports that since oil companies first invested in Burma, with plans for piping gas across the

Tenasserim division into Thailand, the Burmese military have stepped up their activity in the area. In 1990, there were 1,750 armed soldiers in the investment area, but by 1998 this had increased to 11,230 and two artillery units. Villagers have been forcibly relocated, partly to secure the division for foreign investment. There is no compensation for any houses, crops or belongings stolen or burnt by the Burmese army.

The United States Government have already banned all new investment by US companies in Burma because of the country's appalling human rights record. When I refer to the United States, which is a close ally of ours, I look at the Minister and I hope the British Government will do the same. The establishment of an international tribunal on economic sanctions would give teeth to the calls on the Burmese regime to end its genocidal activities and demonstrate the resolve of the global community to end these horrific and systematic atrocities.

I would like to know whether the British Government are willing to lead attempts to end the genocide by taking the measures that I have suggested and encouraging other nations to follow suit. Even starting to talk about this issue in terms of genocide, even holding this debate, may put some small pressure on the regime in Burma, which could well save lives. It would be tragic and irresponsible if Governments continued to wallow in indecision and ignore the plight of the Shan and Karenni peoples as they are systematically treated in this way. If there is one lesson that the world ought to have learned from the tragedies of the 20th century, it is that the only way to deter genocide is to respond to it swiftly and firmly. If we do not, this century may prove to be even bloodier that the previous one.

I want to make one last comment. We owe a debt as a nation to the Karen people. I took Field Marshal Viscount Slim's book "Defeat into Victory" out of the Library. In it, he writes about the fighting in Burma during the Second World War. He says that as the Japanese drew south in their retreat,

> their way led them through the country of the Karens, a race which had remained staunchly loyal to us even in the blackest days of the Japanese occupation, and had suffered accordingly. Over a long period, in preparation for this day, we had organised a secret force, the Karen Guerrillas, based on ex-soldiers of the Burma Army for whom British officers and arms had been parachuted into the hills. It was not at all difficult to get the Karens to rise against the hated Japanese; the problem was to restrain them from rising too soon. But now the time had come, and I gave the word, "Up the Karens!".

Winston Churchill, in a debate in this House on 5 November 1947 said:

> in the infliction of vengeance upon the loyal Burmese—the Burmese who were patriotically fighting with British and Indian troops to defend the soil of Burma from Japanese conquerors—great cruelties were perpetrated on those men, because they had helped us to resist the Japanese.

He said later in his speech:

> Burma is an appendage of India and is likely to reproduce, though, of course, on a far smaller scale, the horrors and disasters which have overspread her great neighbour and which should ever haunt the consciences of the principal actors in this tragedy. All loyalties have been discarded and rebuffed; all faithful service has been forgotten and brushed aside. These is no assurance that the power of the new Government will be sufficient to maintain internal order; or, I might add, national independence ... We stand on the threshold of another scene of misery and ruin ... —[*Official Report*, 5 November 1947; Vol. 443, c.1848-52.]

That was 53 years ago. Nothing has changed. Misery and ruin go on under our noses in that sad country.

I look forward to the Minister giving us some hope. I spent yesterday morning thinking about this debate, after which I dealt with constituency correspondence. It contained the usual flood of small cases about the Child Support Agency and planning. Although those are important matters to our constituents, their problems pale into insignificance when we consider that hundreds of thousands of people on this planet are being moved from their homes and thousands are being murdered. Surely the House of Commons, of all places, has a moral responsibility to lead the court of world opinion and do something about the Burmese regime.

9.50 am

Mr. Andrew Miller (Ellesmere Port and Neston): I endorse every word of the speech made by the hon. Member for Gainsborough (Mr. Leigh). I am delighted that he obtained the debate. It is pleasing to know that hon. Members on both sides of the Chamber will reinforce his points.

I shall start where the hon. Gentleman left off, with a case that relates to Field Marshal Slim's involvement in Burma. My interest in that country began with a small constituency matter. A constituent came to see me soon after I was elected in 1992 and told me his story. He fought for the British Army and had the opportunity after the war to enter Britain as a British citizen. He chose to return to his people, the Karens, to help them build their lives. Sadly, they have not been able to build their lives. Bruce Humphrey Taylor eventually came to this country and spent 50 years working here until his death last year. He came to see me about how to get his great niece out of a United Nations High Commissioner for Refugees camp on the Thai-Burmese border. That is when I learned about the atrocities to which the hon. Member for Gainsborough referred.

The atrocities are well documented. There is no doubt about the credibility of the evidence that will be presented to the House today. It is sad that a nation that is so far away and so remote from our considerations is forgotten. Burma has the most corrupt regime on the planet. We can pluck out examples of problems in other countries, but where else is there such systematic use of forced labour, destruction of villages and killing of people?

I shall refer to the atrocities in the context of the hon. Gentleman's reference to the United Nations convention on human rights to which, ironically, as he said, Burma is a signatory. An independent report published by the Karen Human Rights Group in 1998 entitled "Wholesale Destruction" has been widely circulated around the world, but no one from the Burmese regime has challenged one word of its content. The section on the destruction of villages sets out the activities of the State Law and Order Restoration Council. SLORC launched a campaign in many parts of Burma forcibly to move or wipe out all rural villages that were not under the direct physical control of an army camp.

The issue of forced of labour is also well documented. Groups of people have been forced to build roads and grow food for the army—not for the sake of the nation's infrastructure, but to improve the wretched army's

[Mr. Andrew Miller]

ability to terrorise them. The evidence is overwhelming. One day we shall have the facility to show photographs during our debates. Photographs exist that would make right hon. and hon. Members' blood curdle—of people being burnt alive, shot, maimed and tortured by that wretched regime.

To what degree is the regime responsible? The hon. Member for Gainsborough said that he presumed that the instructions came from the highest authority. I believe that it is now clear that that is so. A book published towards the end of last year, "Voice of a Hungry Nation", has a fascinating appendix 6, which contains facsimiles of military orders. One, requiring paddy cultivation, is an invitation to the head man of a village.

> Regarding the above, we want to discuss the agricultural cultivation situation with you, so everyone must come to the following meeting.
>
> (To: pay back left over loans given for crops)

That refers to crops that people are forced to grow to sell to the regime. If they want to feed themselves they must buy them back at a much higher price. There are documents about provision of food to the army and about porter duty for the army. A minor military instruction to send porters states:

> Regarding the above matter, in relation to the provision of military operations servants, the Village Tract Head must arrange for the sending of four military operations servants as outlined below, without fail.

Those are fairly blunt military instructions. They do not state directly what will happen to the people if they fail to comply, but the truth becomes clear as one reads on. A document about the "matter of voluntary labor contribution to construct a dam" states that

> Ten people must come with tools for voluntary labor

to build the dam. Those people must report to a military camp. Another document is identified as an order to relocate. No one relocates voluntarily. That is clear military evidence of the beginnings of the destruction of villages. The document states:

> An order has been issued to—
>
> a village, the name of which has been deliberately deleted—
>
> to vacate the place and move
>
> to another village
>
> or to any other place where the villagers have relatives . . . After the date of issue of this order, it is warned that the Army will go around clearing the area and should any village or small huts in the paddy fields be found still standing, they will all be dismantled and destroyed.

That is an acknowledgement by the regime that it is engaged in destroying people's homes. This country was up in arms when Ian Smith tried to do the same thing on the borders of what was then Rhodesia. Why are we not up in arms now when the exact same thing is happening in Burma?

The ultimate military order in the selection reads as follows:

> Subject: Notification. As has come to light, tracts, elders and villagers of the Mehpletdoe region have all heard the KNU's notice that it will plant land mines 4 ft 6 in from the edges of roads to be set off by its enemies. While we don't intend to further increase the problems of the villagers—
>
> joke—
>
> we also hereby inform our village parents, brothers and sisters that we will also start to do the same thing. We have great love for you all. We cannot protect you all.
>
> (1) We will start to lay mines and ambush as of 20/2/99.
>
> (2) Whatever place/village we enter, absolutely don't run away.
>
> (3) We won't accept responsibility for anyone who runs.

Those military orders provide unambiguous evidence of the approach that is being adopted and such documents provide evidence that should be submitted to the United Nations Commission on Human Rights.

There is no doubt that genocide is being committed by that regime. The destruction of villages, forced labour and murder is being authorised at the highest level. The problem is that Burma is a long way away. Television cameras go to Rangoon and, quite rightly, give coverage to the bravery of Aung San Suu Kyi, who was elected as the democratic leader of the Burmese nation, but the television cameras do not go into the remote jungles and see what is happening there, where 30,000 people have been killed in a short time, many of them in the most barbaric way.

We have a responsibility to do something, not least because British companies are seeking to invest there. To be fair to British industry, most companies have heeded the Government's warning that further investment is unacceptable. Not only has Premier Oil ignored the advice of the British Government, but its very acts have exacerbated the situation. To be fair, Britain has played a small part in trying to bring about democracy and justice in Burma, but much more needs to be done. We need to raise the matter robustly in the United Nations and the European Union. We have a serious problem with foreign policy issues and the EU. For example, if the French decide not to play ball because they have oil interests in a country, that presents difficulties for Britain as a member of the EU, but we must take a much more robust position. Small countries, such as Norway, are doing more than Britain to re-establish human rights and democracy in Burma.

I know that my hon. Friend the Minister is moved by the issues that have been raised today. I know that our good friend, the late Derek Fatchett, had started to move the debate on, and I know that the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Leeds, West (Mr. Battle), who is in the far east at the moment, is also very keen to see some positive action taken. One thing that the House can do is show unity of purpose and collectively ask the Government to do all that they can to bring this terrible situation to the attention of the world. I hope that the media will take this debate seriously and that the Government will use the unity of purpose in the House at least to begin to put more pressure on the authorities in the United Nations and the European Union. In memory of the thousands of people who have been killed, we must do everything that we can to restore democracy in that country.

10.5 am

Rev. Martin Smyth (Belfast, South): I am happy to follow the hon. Member for Ellesmere Port and Neston (Mr. Miller). Both he and the hon. Member for Gainsborough (Mr. Leigh) have painted a tragic picture of what has been going on in Burma. My own interest,

BEST COPY AVAILABLE

like that of others, stems partly from wartime understanding, because a number of constituents and friends in Belfast served in Burma, and one of my cousins' husband was a Japanese prisoner of war through serving in Burma. More recently, I have had contact with a young Burmese student in the Belfast Bible college. However, most of the information that I have gained has come from the campaigning bodies that seek to remind us all that one of the greatest tragedies in the world continues in Burma.

A recent report reminds me that although, as Christians and because of our British connection with the Karen and Karenni people, we have emphasised their lot, the reality is that different groups throughout Burma are affected, not only the Shan and the Mon, but the Rohingya and others. It is a desperate situation when a so-called Government seeking to govern a country terrorise and persecute their own people.

Lest some think that we are dealing only with Christian people, a report that I received today from a joint Australian–United Kingdom Christian Solidarity mission to Burma and Thailand in October 1999 makes solemn reading. The bulk of the people that the mission met were Buddhists, and the report says that it may have been because most of the Christians have already been displaced. It is an humanitarian issue of the greatest moment. It is not a religious or sectarian conflict, but a Government seeking to force their views on people by terror.

My colleagues painted the picture on the ground; I want to probe some of the issues. Although Governments have signed accords and agreements, quite often, as in Burma, they do not implement them. One problem that permeates the situation today is European Union co-operation. What representations has the Minister made to his European colleagues concerning the EU's participation in Association of South-East Asian Nations meetings at which Burma is present? I understand that the Government have taken a firm line on that, but if the Burmese Government are seeking to make their own citizens outcasts, the world at large should make them outcasts until they return to democratic practices.

There are some who claim that the Karen and Karenni are seeking to be independent. I am not convinced that that is true. They want to be able to live in their own country, perhaps as part of a proper democratic Burmese society. Is the European Union prepared to respond to Aung San Suu Kyi's views that economic sanctions should be imposed on Burma by ending all links—tourism, trade or investment by European companies—between the European Union and Burma? People will say immediately that that will put pressure on the poorest, but the harsh reality is that the State Law and Order Restoration Council, or the State Peace and Development Council—SLORC or the SPDC; it changes its initials to suit different situations—already imposes such sanctions on its own people.

For two years, the people who have been displaced and forced to live in the jungle have managed to survive. However, because of a severe drought in 1998 and the campaign by the San Tha Lone, or SSS—a particularly vicious group of terrorist soldiers, who ravage and burn villages—there is no longer sufficient food, even in the countryside, for people to exist on. It is a question not of our penalising those people, but of our starting to put pressure on those who are doing the levelling. I think that I use that term correctly: the Minister of Education in the Burmese Government has very little education, so he spends his time closing the universities in Burma. That is a form of levelling with which I do not agree, as I would prefer to level upwards, rather than downwards.

The time has come for the international community to put pressure on the Burmese authorities. I appreciate the problems faced by the Government in their dealings with the Burmese authorities. I know that the Burmese authorities can be arrogant and that, at times, they are not prepared even to answer the phone and discuss the issues with our representatives. However, if they take that line, we should mobilise international opinion to keep up the pressure on them. The issue has been given some emphasis in the European Union and in the United States, but there is a case for asking our Japanese allies to start acting effectively. The Japanese—willingly, unwillingly or simply in the natural desire to foster trade in the interests of their own people—are giving support to the Burmese Government that is keeping them going.

The concept of economic sanctions is important, and I urge the Government to maintain pressure not only on British companies, which, by and large, have abided by that concept, but on their European counterparts. What discussions have been held with the International Monetary Fund about financial aid packages, and are they linked with reforms in Burma? There have been suggestions that this nation has moved away from its ethical foreign policy; I would not like to think that that was the case. As well as dealing with financial and material needs, the IMF should consider the ethical issues relating to policies that are impoverishing many people.

The hon. Member for Ellesmere Port and Neston referred to the campaign against landmines. People who have spoken to us about the burning of villages do not mean only the torching of a row of terraced houses; they are talking about people going from one house to another, destroying them deliberately—and destroying many of the people as well. The Burmese authorities will say that they have to take such strong action because the liberation army of the Karen people is fighting them and that it is a war of independence. I would put it in another way: it is a war of protection. In one area of Burma, about 25,000 Burmese soldiers are operating in four districts, where approximately 1,000 members of the liberation army are operating to protect their people against butchery by soldiers on behalf of a disreputable Government. I support my colleagues in bringing the issue before Parliament, the nation and the world, and saying that we stand by a persecuted people. They are persecuted simply because they face a totalitarian regime that is not prepared to play by the rules.

10.15 am

Mr. Mark Oaten (Winchester): First, I congratulate the hon. Member for Gainsborough (Mr. Leigh), not only on securing the debate, but on his presentation of the case. He made an extremely good speech and is right to say that we have been remiss in not having this debate and not bringing the issues to Parliament's attention before.

I also welcome the speech by the hon. Member for Ellesmere Port and Neston (Mr. Miller), who spoke alarmingly about some of the military objectives. I had

[Mr. Mark Oaten]

not heard about those before, and they shocked me greatly. The hon. Member for Belfast, South (Rev. Martin Smyth) asked the Minister some important questions about sanctions, and I hope that he will answer those directly.

I want to place on record the thanks that we all owe to the work of the Burma Campaign UK and the Burma Action Group UK, which consistently raise important issues. I have to confess that, unlike the previous three speakers, I am not an expert on the matter; it is very much new to me. I have spent the past 48 hours preparing for the debate and have been appalled to read about what has been taking place in Burma. Those groups have been extremely helpful in providing information, as have the speeches that we have just heard.

Some of the minorities that we are discussing have been fighting for independence for almost 50 years, mostly against the backdrop of a bloody civil war with a military regime. It is appropriate that we look back at the role of the Karen people, who fought bravely alongside the British in Asia during the second world war. The Karen people assumed that they would get British assistance in the foundation of an independent state in return for their courage and actions. We have heard a number of quotes from Viscount Slim, and I will add to them: he described the Karen people as "far from fair-weather friends". However, instead of getting an independent state, which they might have expected, the Karen people, as well as other ethnic minorities, have been blatantly abused by the Burmese Government ever since.

Sadly, it is an everyday occurrence for the Karen people, as well as many other minorities, to work in forced labour camps, often for little or no pay. Worse than that, as the International Labour Organisation has pointed out, is the fact that a significant proportion of those workers are children, the elderly and disabled people. In addition, the forced labour is often in opium fields, so workers are contributing to the appallingly high heroin production in that part of the world. Such atrocities are deplorable. Quite rightly, the ILO—an agency of the United Nations—passed a virtually unprecedented resolution expelling Burma from that organisation last June.

Unfortunately, the problems do not end with forced labour. As we have heard, the Burmese Government have targeted ethnic minorities as political enemies by birth. They are constantly tortured, imprisoned, murdered and harassed by that Government. Nearly 2,000 people are imprisoned in Burma solely because of their ethnicity. The Government can get away with that, because the shadow of a judicial system that exists is not independent from the executive military junta, and almost no one receives a fair trial—especially not those from ethnic minorities.

The United Nations estimates that between 300,000 and 400,000 Burmese refugees have fled into neighbouring countries, specifically India and Thailand. Because of political affiliations there, Thailand and India find it hard to recognise those individuals as refugees. Will it be possible to make representations to India and Thailand to see what they can do to assist those refugees?

In 1990, the military Government agreed to hold democratic elections, and 82 per cent. of the seats in Parliament were won by the National League for Democracy. The fact that Burma was holding elections was seen as a promising development. However, that elected Parliament was never allowed to convene; worse than that, 78 of its Members were jailed by the Burmese Government, and two of them died during their imprisonment. Six students who took part in that election and supported the National League for Democracy await execution.

There has been a massive build-up of the military arsenal in the area and, as John Jackson of the Burma Campaign UK says, nearly 40 per cent. of Burma's gross domestic product is spent on the military. The country's active military numbers around 400,000, a figure that is double that of 20 years ago, despite the fact that Burma has no real external enemies in that part of Asia. With that spending increase, health, education and social security have all been denied to people there in the past few years. John Jackson says that spending on health and social security has dropped below 5 per cent., and education below 10 per cent., while defence remains at around 40 per cent. of GDP.

It is important to look at some of the conditions to which those policies are leading. As the United States Central Intelligence Agency has said, life expectancy at birth is only 54 years, and infant mortality stands at 76 deaths for every 1,000 born, which is higher than in Vietnam and Thailand combined. Schools have been closed down for years on end and, with the exception of the two universities in Rangoon, no higher education is available.

Mr. Miller: I want to clarify that the statistics that the hon. Gentleman is citing refer to the whole of Burma, and that they include the privileged people who are supported by the regime. The statistics in the ethnic minority areas are substantially worse than the bad statistics that he has quoted.

Mr. Oaten: The hon. Gentleman makes an important point. The picture is much worse if it is narrowed down to the ethnic minorities. The education figures are dramatically reduced when they are considered for the ethnic minorities alone.

According to the 1948 convention on the prevention and punishment of the crime of genocide, in my judgment, the Burmese Government's campaign against minorities falls within the legal guideline for genocide. I agree with the hon. Member for Gainsborough that the evidence for genocide is compelling. To date, the Government have at least acknowledged that, and it is true that the Minister of State, Foreign and Commonwealth Office, the hon. Member for Leeds, West (Mr. Battle) has sent some positive messages on the matter, but the Government have so far merely noted the concerns rather than taken positive action. In opposition, the Labour party urged the Conservative Government to support a Danish-led European sanctions campaign. I want the Minister to acknowledge that the Government have perhaps not been as robust as they could have been in fulfilling their pre-election promises to impose investment sanctions.

Sanctions are never an easy option, and there are many legal issues that need to be addressed. The Government originally claimed that they could not

impose sanctions against Burma because of article 73(g) of the treaty of Rome, which forbids any EU member state to impose unilateral trade sanctions separately from the Union. A number of us are calling for, not trade, but investment sanctions, which are protected under article 60.2 of the treaty of Rome, provided that there are serious political reasons and the situation is urgent. The Government and the European Commission can claim that, because the situation has been going on for such an extended period, the matter is not urgent, but it is my belief that genocide and such extensive human rights violations, no matter how long they have been going on, remain an urgent matter. Investment sanctions could be imposed and would be protected under article 60.2.

It is often argued that such sanctions hurt those most in need. However, only the upper class and the Government benefit directly from investment. It pays for their extravagant life style and for the intense military build-up. As the hon. Member for Gainsborough said, even the leader of the National League for Democracy said that such sanctions would do good. She said that the real profits from investments do not go to the people of Burma. It is all concentrated in the hands of foreign investors or privileged people ... The poor people will not suffer because of a boycott.

Obviously, the evidence points in the direction of the greater use of sanctions. The chronic abuse of human rights of the minorities of Burma, as well as the horrid overall state of affairs, requires action by the Government. Amnesty International, the National League for Democracy, the United States of America and others all endorse investment sanctions on Burma. The United States has imposed such sanctions since 1997. The matter is urgent and I hope that the Minister will set out a plan of action so that we can do more to help the people about whom we have heard this morning.

10.26 am

Mrs. Cheryl Gillan (Chesham and Amersham): We should be grateful to my hon. Friend the Member for Gainsborough (Mr. Leigh) for introducing the debate. This is the first time that the issue has been debated in the House of Commons. I am sure that the Minister will respond aptly to the heart-rending stories and pleas from hon. Members of all parties about a forgotten act of genocide that has continued for more than 52 years. I hope that, like me, he will acknowledge the great role that has been played by Wilfred Wong of the Jubilee campaign and Dirk Patterson of Christian Solidarity, who have been bringing the act of genocide to the attention of Members of Parliament for some time. We are grateful to them for their work.

Burma was a British colony. It was part of British India until 1948, when it became independent from the Commonwealth. From 1964, it was a one-party state ruled by the Burma Socialist Programme party under General Nei Win, which was allied closely to the armed forces. In 1988, an economic collapse provoked popular unrest that threatened the position of the BSPP. Although Nei Win retired officially, he retained influence behind the scenes. At first, the unrest was put down with force, with massacres of opposition demonstrators as the military attempted to maintain its position. Since then, the country has remained in a parlous state.

Since independence, Burma has been in a state of civil war and the Burmese military has indiscriminately abused the human rights of ethnic minorities—whether they be insurgents or civilians—with widespread disappearances, extrajudical killings and torture, as well as forced labour and relocation. The points that were made by the hon. Members for Ellesmere Port and Neston (Mr. Miller), for Belfast, South (Rev. Martin Smyth) and for Winchester (Mr. Oaten) reflect a great consensus among the parties in our attitude towards the regime in Burma and what is happening to the people of that country.

The Karen people are the largest minority group in Burma, with 7 million or more people. In the past fortnight, I have met four of their representatives. They were quietly spoken and brought with them tales of horror, deprivation, murder and rape. No one could fail to have been moved by their testimony. The Karen are facing genocide at the hands of the Burmese army. Since 1993, more than 30,000 Karen civilians have died as a result of Burmese military action. Many have died of starvation and illnesses resulting from being displaced. Since 1995, the slaughter has intensified, as more extensive parts of Karen territory have come under Burmese military control. In fact, since the 1990s, the Burmese military has delilberately targeted civilians during military operations.

There are more than 300,000 internally displaced Karen people in Burma. That figure comes from the Committee for Internally Displaced Karen People, a representative of which has met me and my hon. Frends in the past 10 days. Many of those people are hiding from the Burmese army in the jungles, with little or no food and water. They are shot on sight. One of the representatives who saw me spoke perfect English. I asked him where he learned English and he replied, "I studied in the jungle. I taught myself so I could communicate." The fact that civilians are shot on sight makes Burma almost unique. There is probably no other country in the world where so many civilians are forced to hide in the jungle and are slaughtered like animals when they are found.

Counting other ethnic groups as well as the Karen, the total population of internally displaced people in the region is about 2 million—one of the highest in the world. There are about 120,000 Karen refugees in Thailand. They have been forced to flee by the atrocities of the Burmese army. The Karen, Karenni and Shan minorities are experiencing all the privations that have been described by other hon. Members, such as the systematic destruction of their villages, crops and food stores, and forcible relocation to sites of forced labour without pay or food. Those who flee the relocations are hunted down by the Burmese troops and shot on sight.

Extrajudicial executions are widespread and frequent, and the victims include women, children, babies and pregnant women. The rape of minority women is extensive. We discussed the role of women in development in this Chamber during the debate on the International Development Committee's first-class report. We know that the Serbs used rape against Bosnian Muslims as part of their ethnic cleansing policies. That has received much publicity, but not much has been said in the media about the systematic rape by the Burmese army of the women of ethnic minorities in that region.

[Mrs. Cheryl Gillan]

Those atrocities have been widely documented by human rights organisations, such as the Karen Human Rights Group and EarthRights International, but they have not been extensively reported in the press. I do not believe that the average person in the street would think of Burma if asked to name the regions of the world in which the worst atrocities have been perpetrated. I hope that this debate will raise the profile of what is being done in that part of the world. It gives the Minister the opportunity to make some practical suggestions on how to proceed.

I do not want to shock anyone, but some examples of the atrocities that have been perpetrated should be put on record. The examples were given to EarthRights International by the villagers. One witness said:

> In my village, there were two spinsters . . . The soldiers came to the house . . . and asked the spinsters to show them the way to a military camp. The woman staying in the house saw them talking to the soldiers and saw the spinsters go with the soldiers. The next time the villagers saw them, they were dead and lying face down on the ground. The soldiers raped and killed them. When we found them, they were lying down on the ground without any clothes on below their waists. One of the women's throats had been cut; the other had been shot.

Another witness said:

> In my village, the soldiers did not try to marry with the women, but they went to the houses to sleep with the women. They did not ask. They went to sleep with them. The soldiers would go quietly to sleep with the women without asking the permission of the owner of the houses where the women lived. The girls would scream. It happened every time the soldiers came to the village. When the soldiers were in the village, they cried every night.

The Minister has a difficult task. He has to satisfy all parties in this Chamber that he will take action. There have been developments involving the Government and the European Union. I hope that he will not only answer the questions raised by the hon. Members but tell us, especially in the light of his responsibilities, what is happening at European level. We know that the European Union has observed a package of sanctions against Burma since 1996. That was set out as a common position on 28 October 1996, amended by a Council decision in October 1998 and then extended. What have those sanctions achieved? Does he have evidence that sanctions have worked in any way, shape or form, or does he believe, as I do, that it is time to review what is happening, and consider whether another strategy might be more effective?

Aid has been supplied to Burma through non-governmental organisations. I hope that the Minister will agree that there is no point in supplying aid through a Government organisation in this country. Non-governmental organisations provide the sensible route. It appears that only limited amounts have been given to Burma, or any of the minorities, in the form of emergency assistance, including relief for flood victims—only £272,000 in 1998 and a small additional amount for a health project run by World Vision.

I hope that the Minister will tell us what further aid has been provided. Does he plan to discuss the question of aid for the region with his colleagues in the Department for International Development?

Mr. Miller: I want the hon. Lady to be absolutely clear about sanctions, as it is important to express a unified position. Is she saying that the official Opposition want to strengthen sanctions, as we did against South Africa? Would she support the channelling of aid through bordering countries to ethnic minority groups, which Norway, for example, is doing?

Mrs. Gillan: I believe that there is no consensus on economic sanctions in the EU or the UN Security Council. I am asking the Minister, who has access to the information, to provide an assessment of what those sanctions have achieved. What, in his judgment, would be the next step? Clearly, the sanctions regime is having little effect.

I am especially keen on the delivery of aid through NGOs. In previous debates, I have called for Government aid to Zimbabwe to be stopped and channelled through non-governmental organisations so that it reaches those who are most in need. What aid and resources have been delivered to Burma, and what future plans exist?

I want to link the regime to the international criminal court, on which the Government have hung their hat. We have talked about that a great deal and are looking forward to seeing legislation on it. Will the court's powers cover the Burmese regime? What stage has the legislation reached? What are our plans for that international institution? The perpetrators of genocide in Burma could be prime candidates to be hauled before an international criminal court.

Mr. Leigh: I am grateful to my hon. Friend, but does she agree that it will take time to establish the court? We need not wait for it to be in place. Procedures exist to deal with the problem.

Mrs. Gillan: My hon. Friend is right. I would not want to delay the process of passing judgment on the perpetrators of such crimes, but I want to take this opportunity to press the Minister on legislation to establish the international criminal court. That has been much promised and much vaunted, but so far we have had only hot air and warm words.

There is a common purpose among us. We all want to know what the United Kingdom can do to restore the rule of law and to encourage the development of a benign Government and the restoration of civil society in Burma. Everyone who spoke made a great contribution to developing the case against the regime. If the debate moves the process forward, it will have been worth while. I hope that the Minister will reassure us and I look forward to hearing what he has to say.

10.41 am

The Minister of State, Foreign and Commonwealth Office (Mr. Keith Vaz): I am enormously grateful to the hon. Member for Gainsborough (Mr. Leigh) for giving us a unique opportunity to debate the appalling situation that faces the Karen and other Burmese ethnic minorities. The issue rightly continues to be of great concern to the House and the other place. I thank my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller), the hon. Member for Belfast, South (Rev. Martin Smyth) and the Front-Bench spokesmen, the hon. Members for Winchester (Mr. Oaten) and for Chesham and Amersham (Mrs. Gillan), for their

contributions. I have not attended many debates in the House on which there has been such unanimity. Those who spoke, especially the hon. Members for Gainsborough and for Belfast, South and my hon. Friend the Member for Ellesmere Port and Neston, have a long and close interest in the matter.

Her Majesty's Government and I share the outrage expressed by many at the dreadful human rights abuses in Burma. The Burmese regime's brutal policies, including torture, rape, forced labour, forced relocations and arbitrary executions, towards ethnic minorities have led to the exodus of hundreds of thousands of people across Burma's borders into neighbouring countries.

We understand that there are 22,000 Burmese refugees in Bangladesh and, officially, 105,000 mostly Karen and Karenni in camps near the border in Thailand. Thousands of other refugees are either internally displaced in Burma or living illegally in Thailand outside the refugee camps. The appalling suffering of ethnic minorities in Burma is a symptom of a wider malaise—the subjugation of a nation by military despots who continue to ignore the people's democratic choice. While that dreadful state of affairs lasts, we shall give the regime no respite. In all the international forums, on every possible occasion, we shall continue to press it to move forward. It can expect no relaxation of the pressure and measures that have been adopted for as long as it holds out against political and economic reform.

Later, I shall explain what we are doing in greater detail, but first I should like to respond to the concerns expressed by the hon. Member for Chesham and Amersham and describe how we are helping the ethnic minorities and refugees. We use a variety of channels; we are providing direct British humanitarian assistance, and working closely with neighbouring countries on repatriation issues and safeguarding the security of refugees. The activities of our embassies in Rangoon and Bangkok are another channel of support. I pay tribute to our ambassador, John Jenkins, and to his small team in Rangoon for their dedication and perseverance in trying and difficult circumstances.

British humanitarian assistance delivers vital relief to the region. Our assistance to organisations working on the ground in Burma targets some of the poorest and most vulnerable groups. Since 1996, we have provided more than £1 million in humanitarian aid for Burmese refugees in neighbouring countries. This year alone, we have allocated £270,000 to support the excellent work of the Burma Border Consortium in providing humanitarian assistance to refugee camps in Thailand. With our EU partners, we have also supported work in repatriating and resettling Rohingya refugees from Bangladesh to Burma and ensuring their protection on arrival. We are always open to suggestions and other workable ideas on how we can alleviate the suffering of ordinary Burmese people. The hon. Member for Gainsborough told the House about his meetings with affected parties. The Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Leeds, West (Mr. Battle), also has such experience, as, before his sad demise, did my colleague Derek Fatchett.

The large number of refugees in Thailand places a considerable burden on that country. Occasionally, the Thai authorities crack down on illegal economic migrants, a large number of whom are Burmese. We have sought and received assurances from the Thai authorities that there will be no forced repatriations of refugees. Since 1998, when the UNHCR established field offices in Thailand, there has been no evidence of such repatriations. We shall continue to pay close attention to this sensitive issue.

Mrs. Gillan: I am most grateful to the Minister for the way in which he is treating the debate and for his responses so far. Will he clarify one point? He has put into the region aid of some £270,000 this year and £1 million since 1996. In the light of the size of the problem, will he undertake to review that amount and to consider whether it can be revised upwards? It is a small sum and I hope that he will perceive from this debate the need for more resources to be put into the area, which is of great fragility. Will he undertake to review the amount spent on humanitarian aid, bearing in mind the number of requests that he will undoubtedly have received?

Mr. Vaz: I can tell the hon. Lady and all hon. Members that my hon. Friend the Minister of State will consider all the points that have been made. We constantly monitor the situation and we will continue to do so.

Refugees must enjoy adequate security. The 1998 attacks on Wangka and Mawker refugee camps in Thailand by a splinter Karen group highlighted the acute dangers faced by Burmese refugees there. While we welcome the important role played by the Thai authorities in providing shelter for refugees, we have urged them to ensure that the camps receive adequate protection. The British embassy in Bangkok regularly visits the camps to monitor the situation. We fully support the role of UN agencies in providing protection for the Rohingya refugees in northern Rakhine State. Our ambassador travelled to the state last month to see the situation for himself. Embassy staff in Rangoon regularly monitor the work of the UN and international NGOs operating in difficult circumstances.

The plight of Burmese ethnic minorities flows from the wider political and human rights situation in Burma, which remains, as we have heard this morning, appalling. Human rights violations by the regime are among the worst in the world. In addition to the atrocities that I have mentioned, Amnesty International and the International Committee of the Red Cross estimate that there are 1,500 political prisoners in Burma. There is no democracy there, despite democratic elections in 1990.

Our policy on Burma is to press the regime to improve its human rights record and to enter into a substantive dialogue with the National League for Democracy, which was the overwhelming victor in the 1990 election, as well as with ethnic minority leaders, to find a political solution to the country's problems. On Wednesday, my hon. Friend the Minister of State will meet Dr. Sen Win, the leader of the pro-democracy movement in Burma. Our policy recognises the need to sustain the Burmese opposition and to resist the regime's efforts to wear down the international resistance to its undemocratic rule. We are determined to keep up pressure on Burma on every front, bilaterally, regionally and multinationally, in whatever forum is available.

[Mr. Vaz]

Burma's record is an affront to the United Nations principles that it has undertaken to uphold. My hon. Friend the Member for Ellesmere Port and Neston and the hon. Member for Belfast, South asked what we were doing with our EU partners. We are working with them on a strongly-worded draft resolution to be adopted at the UN Commission on Human Rights in the coming weeks. The resolution catalogues the widespread human rights violations that have resulted in the displacement of people—particularly ethnic minorities. We co-sponsored a similar resolution at the United Nations General Assembly in November. It is the responsibility of the Burmese Government to respect their obligations and implement United Nations resolutions swiftly and in full. We shall maintain all pressure to ensure that they do so.

We are always ready to look for ways to inject momentum into the engagement of the United Nations with Burma. I was therefore delighted to learn this morning of the appointment of Razali Ismail as the UN Secretary-General's new special representative to Burma. Mr. Razali brings to the job a wealth of UN experience, having previously been Malaysia's permanent representative in New York. I am sure that he will carry out his role with dynamism and creativity and I am certain that Foreign Office Ministers will seek to meet him at the earliest opportunity to pass on the concerns of the Government and Members of Parliament.

As the hon. Member for Winchester said, the United Kingdom led the charge at the governing body of the International Labour Organisation in condemnation of Burma. The regime has consistently ignored the ILO's recommendations on stopping forced labour. However, I point out that it has not been expelled from the organisation. In an unprecedented move, the organisation has arranged a discussion for its June 2000 conference, which could result in an appeal to its other 174 member states to review their relationship with Burma, and to take appropriate measures to ensure that it

cannot take advantage of such relations to perpetuate or extend the system of forced compulsory labour

practised against the country's citizens. It will be the first time that such steps have been taken against an ILO member and that will be implicit recognition that Burma's behaviour in this respect is worse than any other labour issue anywhere. We are pressing hard with our EU partners to strengthen the common position on Burma when it is renewed later this month.

We have withdrawn all financial support for trade missions to Burma and we do not encourage British companies to trade or invest there; nor do we encourage tourism. After all, Burmese democratic leaders do not think that that is appropriate. We maintain very close contacts with pro-democracy groups in Burma including Mrs. Aung San Suu Kyi, the general secretary of the NLD. Embassy officials in Rangoon and visiting officials frequently meet with her and other members of the NLD. We all value this important contact. Our thoughts are with her at this difficult time, the first anniversary of her husband's tragic death. Were it not for the international support that she and her colleagues receive, they would probably have been locked away long ago.

The Government share fully the concerns that the hon. Member for Gainsborough and other hon. Members, have expressed today, about the plight of the Karen and other ethnic minority refugees in Burma. We are deeply disturbed by the continued violation of human rights by the military regime. The Government are second to none in bringing international pressure to bear on that regime to make it mend its ways. The regime has a duty to its people to implement democratic reform. The plight of the Burmese people will remain high on the list of the Government's priorities until such time as we are able, as a result of genuine change in Burma, to welcome the country back into the international fold.

The eloquent and passionate speech made by the hon. Member for Gainsborough has ensured that the focus of Parliament and, indeed, the world is on the events in Burma. He was right to say that this debate could result in the regime listening to us. It could also result in some lives being saved. I can assure him that if there is anything further that he feels that the Government can do to strengthen our already strong position, my hon. Friend the Minister of State will be happy to meet him and his delegation of Members of Parliament to discuss matters further. It would be helpful if that delegation included the Front-Bench spokesmen, the hon. Member for Chesham and Amersham and the hon. Member for Winchester, as that would demonstrate the unanimity of purpose among all the parties.

Mr. Leigh: It is important that we state that the actions of this regime amount to genocide, according to the legal definition. By doing so, we will be able to persuade the United Nations and our European Union partners to take action. Will the Minister please address that point?

Mr. Vaz: I understand why the hon. Gentleman raises the matter. The descriptions that he has given us are appalling, but he must know that the term "genocide" has a precise meaning in international law. To be frank, under international law and all the rights and responsibilities that bind one under that law, genocide is difficult to prove. I understand the point that the hon. Gentleman makes and I can assure him that we will keep looking at this point, but genocide is a legal term and has a particular definition. I know that he does not use the word loosely. Defining the actions of the Burmese regime as genocide is important to him and to what he hopes that the Government and the international community can do. I assure him that we have noted what he has said and will continue to monitor the situation closely.

Mrs. Gillan: Will the Minister give way?

Mr. Vaz: I will not give way because we have nearly finished the debate.

Our message to the Burmese people is that they are not forgotten; that is demonstrated by what is being done here in the House of Commons, at the European Union, in the General Affairs Council, and through continued international contacts. We are committed more than ever to work with them and we will not rest until there is an end to human rights abuses and a return to democracy and constitutional rule. I thank the hon.

Member for Gainsborough for introducing the debate and so giving Parliament an opportunity to discuss this issue and the Government an opportunity to reiterate their commitment to the people of Burma.

10.59 am

Mrs. Gillan: I am sorry that the Minister would not take an intervention from me. I understood from his speech that he does not believe that genocide is taking place in Burma. I ask the Minister to write to me and clarify the Government's position on the atrocities that have been described this morning and to inform us whether the Government believe that they fall within the definition of genocide. I think every hon. Member who has participated in the debate would find that helpful.

Mr. Vaz: I have made it clear to the hon. Member for Gainsborough that genocide is a legal definition and a legal term. I will write to the hon. Lady if she would like me to.

Housing Benefit Fraud

11 am

Mr. Andrew Hunter (Basingstoke): I welcome the opportunity to introduce a debate on the Government's measures to combat housing benefit fraud. As hon. Members will know, this year approximately £12 billion will be paid out in housing benefit by local authorities to almost 5 million people in England, Scotland and Wales. Labour's 1997 manifesto overstated the case, saying that housing benefit fraud amounted to about £2 billion a year. According to Government figures at the time, fraud cost about £1 billion a year. The National Audit Office reached the same conclusion in its press notice of 8 April 1999.

The Secretary of State estimates that housing benefit fraud and error cost taxpayers around £840 million a year, but, allowing for a margin of error and differing methodology, there is no real evidence that fraud has declined very much in the past three years. The problem remains real and acute.

The Government's determination to tackle the problem is commendable. I am sure that all political parties and all hon. Members share that objective. However, we are entitled to expose Government policies to scrutiny and to hope that the ensuing debate fully and frankly reflects the realities of what is a complex issue.

The Secretary of State for Social Security told the House on 6 March:

> We are completely driving fraud from the system.

If only we could be certain that that were true. The latest departmental figures that I have seen show a negligible fall, which the Department has reportedly described as not statistically significant. I understand that a third of all councils have never prosecuted anyone for housing benefit fraud and that the National Audit Office has found that 25 per cent. of councils that it visited were in on the act. The Benefit Agency's own fraud investigation unit ran out of money in September 1998 and the Government have abandoned the London organised fraud investigation team, although much organised fraud takes place in London.

Similarly, the Secretary of State's further pronouncement on 6 March that

> the last Government did absolutely nothing—[*Official Report*, 6 March 2000; Vol. 345, c. 756.]

about benefit fraud does not advance the quality of debate. It cannot be reconciled, for instance, with the steady increase during the early 1990s in prosecutions for all benefit fraud to more than 10,000 a year in 1995-96 and 1996-97, with a 99 per cent. conviction rate. Nor can it be reconciled with the rise in total fraud savings to an average of more than £1.5 billion in each of the last two years of the previous Administration.

The truth, which the Government are reluctant to acknowledge, is that most of their policies and initiatives have evolved from ideas and measures that pre-date the 1997 general election.

In reply to my written question on 7 February at columns 52-53W, the Under-Secretary of State for Social Security, the hon. Member for Wallasey (Angela Eagle) highlighted four key points in the Government's strategy against housing benefit fraud. Since then, I have been widely seeking comment on her reply and by no

[Mr. Andrew Hunter]

means exclusively from my Labour-Liberal controlled local authority, Basingstoke and Deane borough council.

It seems that the situation on the ground may not be quite so straightforward as Government statements suggest. First, in the Minister's reply to my question, she pointed to the reform of

the anti-fraud financial incentive scheme for local authorities to ensure that they can be rewarded for detecting and prosecuting cases of fraud.

I welcome that approach and I am sure that it is the right way to set about the task. It re-expresses the principle in the 1993 and 1994 schemes, which gave local authorities a share in savings above their share of a national baseline. By 1995-96, around 90 per cent. of all local authorities—421 of them—were receiving bonus payments as a direct result of their efforts to curb fraud. That year, £28 million in extra subsidy was earned from those incentive schemes.

I have one qualification. All too often, the efforts of local authorities are undermined when it comes to prosecuting cases of fraud. They are at a disadvantage compared with the Benefits Agency and they do not have the assistance of the Department's prosecution service. Local authorities have to secure the co-operation of their local police force, which then takes benefit prosecutions using the Crown Prosecution Service.

Unfortunately, as many local authorities have learned, the police are not always willing to act on housing benefit matters and it often falls to the council's solicitors to prosecute cases. That is a labour intensive, time-consuming and costly task and, to add insult to injury, the sentences are often derisory. The solution lies in local authorities having access to the Department's prosecution service.

Secondly, the Under–Secretary of State said in reply to my question that the Government had

made an additional available £100 million over the next three years to enable councils to adopt the Verification Framework . . . which will help make housing benefit more secure.—[*Official Report*, 7 February 2000; Vol. 344, c. 53W.]

The Government tell us that they are looking for a total saving of some £1 billion during the course of this Parliament through a tighter identification regime. I hope that they succeed, but there is a downside.

My Labour-Liberal controlled local authority is certainly not alone in having discovered that, while the verification framework has been in place, there has been a detrimental impact in one key respect: the time taken to process a housing benefit claim has virtually doubled. That is a regressive step. It means that some of the most vulnerable are left exposed and in dire circumstances for longer. There are even some indications that the delay may be deterring some of them from claiming housing benefit. I therefore urge that the workings of the verification framework are kept under close scrutiny. I suspect that, ultimately, the objectives of security and speedy processing of claims are incompatible and that an acceptable balance has to be found. I fear that that balance may not have been achieved.

I wish to raise another issue, which I hope that Government will consider seriously. Administration is certainly more secure under the verification framework, but the performance of housing benefit sections nationally has suffered a severe blow. It is therefore reasonable to expect performance indicators to reflect that. When the Government talk about setting indicators that provide a faster, more accurate service that is more secure against fraud, provides value for money and takes account of the views and needs of clients, one fears that they might be living in dreamland.

Thirdly, the Under-Secretary, in reply to my question, said that the Government had invited all local authorities to participate in the Royal Mail "do not redirect" initiative, which prevents claimants from using the Royal Mail's postal redirection arrangements to make false claims for multiple addresses. As the Minister of State, who will reply to this debate, knows, that scheme was conceived by the previous Government and would have been enacted regardless of the outcome of the 1997 general election. In 1996, my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley) initiated discussions with the Royal Mail over access to the database of redirected mail to assist in tackling multiple identity and other frauds involving false addresses.

I do not doubt that the "do not redirect" initiative has a part to play in combating housing benefit fraud, but it should be seen in its true perspective. My local authority reacted more than a little cynically to the proposition that it had been invited to participate. I have been told that there is no option but to subscribe now. However, the initiative is not proving of great value. Indeed, in the experience of Basingstoke and Deane borough council, the service has produced absolutely nothing. In the past year, only two letters have been returned to the benefit service as a result, and those two accounts had already been closed by the housing benefit section.

Even the Government's estimates make pretty uninspiring reading—256 councils identifying only 174 cases of fraud a month. Although I acknowledge that the initiative may have an unquantifiable deterrent effect, the Government's prediction that "do not redirect" can realise savings of £5.3 million a year seems on the optimistic side.

The fourth dimension in the Government's anti-fraud strategy that the Under–Secretary highlighted was the £4 million made available to install computer terminals in local authorities to provide access to the Department's benefit systems. That, of course, evolved from the housing benefit review of January 1996. The then Secretary of State, my right hon. Friend the Member for Hitchin and Harpenden, announced the creation of a national register of housing benefit and council tax benefit, with a view to matching data across local authorities against departmental fraud detection systems.

I welcome that initiative and its extension, but it has latent drawbacks and deficiencies. In the experience of my local authority, the remote access terminal, a means whereby a housing benefit section can share information about an income support claim, has strictly limited advantages, for one reason: the fact that council staff have limited access to Benefits Agency records. I gather that the Government are seeking to increase that access. I am told that it is greatly needed.

I encounter here some cynicism—and not only from my own local authority. I am told that there has been little or no consultation between the Department and

local authorities about the remote access terminals. In principle, the intention to exchange information electronically and to reduce paper flow between organisations is sound, but the receiving of information from the Department and how it can be handled effectively in council offices appear not to have been thought through.

The Government claim that, as a result of remote access terminals, 20 million fewer paper notifications of benefit changes will be made. Those councils that operate a document imaging system will have an advantage over those that do not because, although the electronic transfer of information into council document imaging systems will avoid the use of paper, those councils that do not use imaging will need to put the information from the terminal on paper, and many local authorities throughout the country will find that efficiency is not increased.

I have another, more general, point to make under this heading. Closer working initiatives are being encouraged by the Department, to enable Benefits Agency staff and local authority benefit staff to liaise and work together more closely. However, that is not always working out in practice. Benefits Agency staff at local level are not empowered to break with protocol, and all too often they do not feel able to co-operate with councils in the way that is needed. There are too many constraints. I have no reason to believe that my local authority is alone in finding that it is proving difficult to make any gains in that regard.

I genuinely applaud the Government's commitment to combat housing benefit fraud. I do not quarrel fundamentally, or in principle, with the measures that they are introducing, although I think it unlikely that the measures will live up to the Government's claims and expectations. Most of these initiatives evolve from, or are natural expressions of, the policies that we sought to implement during the previous Parliament, but I do find fault in two key respects.

First, almost all the initiatives that the Government have introduced have a downside. They have been thought through inadequately, sometimes with insufficient prior consultation. They may be basically sound in theory—I believe that they are—but they are flawed in implementation. They have negative as well as positive implications and repercussions that had not been anticipated.

Secondly, the rhetoric and polemic that the Government often employ in presenting their case over-simplifies and overstates. These are complex issues, and they are worthy of serious debate. I hope that the Government succeed in this policy area; benefit fraud is one of the several cancers gnawing away at today's society. However, at the moment, the evidence that the Government are succeeding is strictly limited.

11.17 am

Mr. Steve Webb (Northavon): I congratulate the hon. Member for Basingstoke (Mr. Hunter) on raising the important issue of housing benefit fraud. Whether the figure involved is £800 million or £1 billion, these are substantial sums that could, I suspect, be better spent by all of us, and the hon. Gentleman has done the House a great service by drawing attention to the issue today.

I shall make a relatively brief contribution. First, I shall touch on the conclusions and three of the supplementary recommendations of the Scampion report on benefit fraud, and offer a few comments on some of those as they apply to housing benefit. Secondly, I shall make a few comments on the housing Green Paper that was published yesterday, which has a section on housing benefit fraud and gives some idea of the Government's thinking on the issue.

The Scampion report recommends the idea of a common baseline application form for housing benefit for all local authorities. Although the recommendation allows for local supplements to that form to reflect local circumstances, I very much support the idea that there should be one form for what is, in large measure, still a national benefit, albeit administered locally. Clearly, when thresholds are set locally, various other aspects are determined locally, but the information needed to assess a claim is pretty standard throughout the country, and yet the quality of information that is being sought appears to vary greatly. That worries me considerably, as it has implications for counter-fraud strategy.

We had discussions in this very Room about common application forms when the Chairman of the Public Accounts Committee, the right hon. Member for Haltemprice and Howden (Mr. Davis), initiated a debate on a related issue, but I should be grateful if the Minister would tell us the Department's latest thinking on the development of a common form, which in principle I would support warmly.

Mr. Eric Pickles (Brentwood and Ongar): Another thing that was striking in the report was the finding that local authorities did not get the opportunity to pass on information on tips and scams. If there was a common form and there was, let us say, a problem in Basingstoke, information about the problem could be passed on to Brentwood, Northavon and Birmingham.

Mr. Webb: The hon. Gentleman is absolutely right. The sharing of good practice must be encouraged, and a common form might be part of the strategy.

Scampion's second supplementary recommendation is to establish a working group to consider data matching and data protection. He considers the balance between a citizen's right to privacy and the state's need to protect public funds. In that context, I can see few reasons for preventing extensive data matching. There must be a good and effective gate-keeping arrangement, so that there cannot be easy and willy-nilly access to information on people's personal circumstances. However, when a good and grounded suspicion of fraud exists, all the information should be brought together. Different arms of government collect the information and they perhaps receive different answers from the same person at different times or answers from people using different identities. Therefore, they are sometimes unable to bring the information together. Provided that gate-keeping safeguards take account of civil liberties issues, that privacy can be protected from the gratuitous trawling for data and that certain steps are taken before data can be accessed, I would warmly support much more effective data matching.

I fondly look forward to the day when I succeed as Secretary of State for Social Security and set up one big computer to bring all such information together. On Monday, the Minister told us about another scheme that the Government had in mind and he said that the

[Mr. Webb]

computers were not up to it. However, the pace of technological change is so fast that it is hard to believe that, in the medium term, the Government cannot set up computer systems that would facilitate data matching and have a real impact on fraud.

The third supplementary recommendation that I want to draw to the Chamber's attention is the possibility that the Department will join the credit industry's fraud avoidance scheme. I notice from today's Order Paper that the right hon. Member for Birkenhead (Mr. Field) has tabled a question to ask the Government about their plans to join the scheme. Perhaps, the Minister will anticipate the answer by telling us the Government's views on joining a private sector counter-fraud initiative. The hon. Member for Basingstoke rightly referred to incentives and the private sector has the biggest incentive to crack down on fraud, because its money is involved. I shall be interested to learn whether the Government think that they should play a part in that scheme; I think that they should.

The Green Paper that was presented yesterday has a slender chapter on housing benefit. It contains the equivalent of two sides of A4 on housing benefit fraud, but some interesting items are mentioned and it is relevant to bring them to the Chamber's attention. Paragraph 11.28 of the Green Paper appears under the heading "Tackling Fraud and Error" and it mentions the "do not redirect" scheme. There is some uncertainty about how the scheme is working in practice. The hon. Gentleman suggested that councils are effectively obliged to be part of it, but the Green Paper says that the Government have got

> two-thirds of local authorities to join . . . and more are joining all the time.

Perhaps the two statements are not completely inconsistent, but I am puzzled why the Government did not take a much firmer line from the start and why they did not lay down the law to oblige local authorities to join the scheme. I do not know why the Child Support, Pensions and Social Security Bill, which is going through the House, could not contain a clause to oblige councils to be part of it. I see no reason why we might want to allow them not to join or why they might not want to part of it. We can argue about the scale of the savings—they may not be vast—but there are potential benefits.

If the Post Office knows that the post from a dozen or two dozen addresses is being redirected to just one address and the local authority knows that housing benefit is claimed at all those addresses, that raises questions about whether we should post so many cheques to one address. I hope that the Minister will reassure us that all local authorities will be part of the scheme. If not, I hope to know why not.

I commend the Government—I do not make a habit of that—on the proposals in paragraph 11.29 of the Green Paper. I have always thought that we needed to know—the hon. Member for Basingstoke referred to this in passing—how much benefit fraud takes place each year and the overall trend. One of the most frustrating things about Government announcements on benefit fraud crackdowns is that they always tell us how much they will save, but the scale of the fraud that remains is left unknown. We can never test the claims of how much the different measures will save, because we do not know what the starting number was. Indeed, the figures given for benefit fraud tend to be remarkably stable on the whole, despite announcements telling us every year that we will make hundreds of millions of pounds of savings. Something, somewhere does not add up.

The need for reliable, consistent information at a national and local level about the scale of fraud is vital. I welcome paragraph 11.29, which says:

> We also need to be able to monitor progress in reducing levels of fraud . . . Previous exercises to measures levels of fraud . . . produced national snapshot estimates, but did not allow us to track changes over time.

That is the right approach, and I welcome it unreservedly.

The Green Paper contains a section entitled "Taking this forward", which describes the Government's thinking on housing benefit fraud. I want to make a few remarks about that. Paragraph 11.30 refers to giving local authorities the right incentives, a point that the hon. Gentleman mentioned. Incentives are central to the debate. We all have contact with our local authorities, and the hon. Gentleman has obviously researched thoroughly his local authority's approach to the issue and its views on the Government's plans. It is clear to me that local authorities have weak incentives to tackle fraud. They are extremely overstretched and their benefit departments have to cope with a hefty work load and all manner of changes to the rules that add to the system's complexity. Tackling fraud involves the expenditure of taxpayers'—and not the councils'—money. Therefore, getting the incentives right is important

Mr. Hunter: Will the hon. Gentleman extend his comments to my point about the reluctance of local authorities to prosecute? They have to use the council solicitor, and prosecution involves time and cost. That additional dimension aggravates the problem.

Mr. Webb: The hon. Gentleman is right. A council faces the costs, such as the legal and staffing costs that the hon. Gentleman mentioned, of prosecuting cases when the return to it is pretty limited. Will the Minister set out in more detail the Government's thinking about how they will reward much more substantially councils that take the issue seriously?

Mr. Pickles: I have a note, which is the result of a conference, on the position in Milton Keynes and it adds force to the hon. Gentleman's argument. I have been informed that Milton Keynes saved £1 million over three years, but none of that money was returned to fraud investigation.

Mr. Webb: That comment shows the scale of benefit fraud in one authority. However, I am not sure that I necessarily want the money to be returned to fraud investigation; I want some money to go to the council to give it the incentive to pursue fraud further. It can then decide how much of that money it wants to spend on fraud investigation. Councils should feel that it is their money, but—apart from some incentive schemes at the margin—they do not. I hope that the Minister will assure us that he will beef up the incentives.

The central recommendation of John Scampion's report was an integrated approach to tackling benefit fraud. Although the Green Paper, at paragraph 11.31, mentions the report and refers to strengthening the professionalism of investigation and co-ordination of intelligence on benefit fraud, I am not convinced that the Government are going the full extra mile. I am not convinced that they have accepted the recommendation that there should be an integrated service. I hope that the Minister will clarify what is intended when he replies.

Although in many senses I am young and naive, I have quickly become cynical about the Department. I tend to assume that the volume of press releases on an issue is in inverse proportion to what is actually being done. Housing benefit fraud has seen a flurry of press releases, which makes me sceptical about whether anything is happening. I should like to be proved wrong.

It is regrettable that the Government have not set themselves measurable targets against which we can hold them to account. They tend to blame the previous lot, as it were, but they have had responsibility for these matters for three years. Three years on from the general election, we still have only a Green Paper, which in effect says, "We don't really know over time how much fraud there is." We need to know the extent of it. I know that that cannot be ascertained on day one, but, after three years, it is rather disappointing that it is now being discovered that we need to be able to measure the fraud that is taking place.

I hope the Minister will convince us when he responds that there will be a serious attempt to provide reliable estimates of the scale of the problem and measurable targets against which he can be held to account for reducing fraud. I hope that there will be a far more credible strategy than the rather weak practical steps that have been taken so far.

11.31 am

Mr. Eric Pickles (Brentwood and Ongar): It is a great pleasure to be able to take up the remarks of the hon. Member for Northavon (Mr. Webb). I thought that he was kind to the Government in terms of the housing Green Paper. He said that, after three years, they seem not to have much of a clue about what to do with fraud. It would be fair to say that they do not have much of a clue about what to do with housing benefit. If they have opinions on the matter, it seems that they are not prepared to share them with the House. The hon. Gentleman said that he looked forward to becoming the Secretary of State for Social Security. I hope that the hon. Gentleman will not be offended when I say that only in a parallel universe will that honour fall to him.

Mr. Hunter: I think that the hon. Member for Northavon (Mr. Webb) was announcing that he was about the cross the Floor.

Mr. Pickles: That may be. If that is the case, our loss will be the Government's gain. If the Minister wants to offer some inducements, we would be prepared to turn a deaf ear.

The hon. Gentleman suggested that improvements in the computer system might be helpful. I think that computers would be helpful if he were Secretary of State. Only with computers could we keep track of the hourly changes of Liberal Democrat policy.

I congratulate my hon. Friend the Member for Basingstoke (Mr. Hunter) on initiating the debate and allowing us to redirect our efforts in respect of housing benefit. There was a debate in Westminster Hall in early February on the subject, and many of the points made then have been repeated. However, my hon. Friend brought an interesting perspective, if not a practitioner's eye, to some of the problems, especially the redirecting of mail. I have not come across that before, and he made a valid point. His remarks about co-operation with local authorities were most illuminating.

My hon. Friend is right to say that, for too long—this applies especially to the Government—we have been very quick to take credit and to say that things are improving without there being any evidence to show that anything has improved. That has made the Government look ridiculous, and it has given to those who seek to damage the system by fraud the false hope that we will not get on to them and will not try to stamp out their activities.

The hon. Member for Northavon referred to paragraph 11.29 of the Green Paper. He said that it was rather good that the Government are to make an attempt to try to work out exactly how much fraud is within the system. It seems that they will try to determine whether housing fraud amounts to £2 billion, or is considerably less than that. The Government will have some problems in arriving at a true estimation because fraud is endemic and deep within the system. The process of unravelling is not confined to anti-fraud measures because it will be necessary also to try to simplify the system. My hon. Friend the Member for Basingstoke outlined various figures, but the best guess is that fraud amounts to about 7 per cent. of total expenditure on housing benefit. We know also that, above that figure—probably taking it to 10 per cent.— there are discrepancies because of client or administrative error.

It is not surprising that there is a great deal of money to be saved. It is not surprising also that the Labour party in the shape of the Prime Minister, when he was Leader of the Opposition, presented a manifesto that stated:

> Just as we owe it to the taxpayer to crack down on tax avoidance, so we must crack down on dishonesty in the benefit system. We will start with a clampdown on Housing Benefit fraud, estimated to cost £2 billion a year, and will maintain action against benefit frauds of all kinds.

Given the prominence of the issue in the Labour party manifesto, it is perhaps not surprising that the Secretary of State for Social Services was keen to say:

> We are already beginning to see results.—[*Official Report*, 11 January 1999; Vol. 323, c. 8.]

My hon. Friend the Member for Basingstoke referred to various claims that have been made by the Secretary of State. I, too, was struck by a press release of 20 January, headed, "Darling welcomes successes in fighting benefit fraud", which states:

> Today's figures show that our tougher anti-fraud measures are beginning to bite . . . we are winning the fight against fraud.

However, as my hon. Friend said, the Office for National Statistics said that the reductions to which the right hon. Gentleman was referring were not statistically significant. If that is right, I suppose that the figures could have gone either way; they could have gone down or up.

[Mr. Pickles]

There is a problem when, at every false dawn, the Government claim a victory. My hon. Friend is right when he says that the quality of debate is not enhanced by that process.

I suggest that we need to get three things absolutely right in establishing an anti-fraud strategy. First, we must defend the gateway to benefits to ensure that fraudsters do not pass through it. However, we do not want to guard the gateway so strongly that folk who need benefit and help cannot get through. There is a fine balance to be struck. Secondly, we need to get fraud out of the system, and an important factor in so doing, as the hon. Member for Northavon suggested, is benefit simplification. Thirdly, we need to improve investigation skills and share knowledge with local authorities and the Benefits Agency.

The Audit Commission's report on tackling fraud paints a gloomy picture. As my hon. Friend the Member for Basingstoke said, the commission found that housing benefit administration was poor in 44 per cent. of councils. It also found—this should give us cause for thought—that speed, not quality, continues to be the sole target for the assessment of claims. The process is to get claims through as quickly as possible. Some simple checks are made, but the system means rushing things through.

I served for 12 years on a local authority, and I find it shocking and unacceptable that too many councils have been experiencing fraud that has been perpetrated by officers and members of those councils. If we cannot run a ship without the crew being on the fiddle, what chance have we of commanding the confidence of the public? The lack of prosecutions of such offenders is a disgrace that besmirches those of us who are involved in local government. I do not care about the political make-up of the councils concerned: whether a council is Conservative, Liberal Democrat, Labour or hung, it is not acceptable to allow such a situation to continue.

The Audit Commission also found in one third of councils an unsatisfactory level of overpayment. Worse still, prosecutions were rare, for several practical reasons. Investigative journalism tells us that, in practice, councils are encouraged to chase only the worst offenders, so petty offenders can be confident, not only that they will never be caught, but that they will never even be investigated. At the end of January, the Government confirmed that local authority investigators ignore elaborate housing benefit fraud, because the financial incentives encourage them to hit relatively easy targets for prosecution.

The verification project is welcome, in that it systematically lays down minimum standards for verification and processing of claims. However, as my hon. Friend the Member for Basingstoke says, all is not well within the verification framework programme. The Local Government Association, of which I have the honour to be a vice-president, has accused the Department of "escaping its responsibilities" by contributing to the poor delivery of housing benefit. The LGA claims that the Department has ignored its concerns about the bureaucracy involved in the verification framework, and warns the Government that the verification framework threatens to submerge benefits staff in bureaucracy because of lack of funding. I shall quote two further LGA comments. First:

> It is important that the DSS and its agencies work collaboratively with local government in taking forward a comprehensive strategy for tackling fraud.

I am sure that we all applaud that. Secondly, the LGA states:

> Many of the operational difficulties associated with anti-fraud initiatives on housing benefit have arisen through a failure to fully involve the LGA and local authorities at the development stage or an unwillingness to take on board constructive proposals.

We have to work together to stamp out fraud—no one has a monopoly of knowledge.

Ignoring the experience of local authorities is not the way in which to obtain their co-operation; nor is it the best starting point for one of the three new initiatives announced by the Government, listed in paragraph 11.33 of the Green Paper, which is

> Setting up new arrangements with local authority and DSS fraud investigation units to pool resources, cut down on duplication of effort, share intelligence, and targeting investigations properly across the whole social security system.

That cannot be done on the basis of the Department telling local authorities to do as they are told; there has to be acceptance of partnership. I hope that the Minister of State will tell us the exact extent to which the Department intends to co-operate with local authorities.

During an intervention on the hon. Member for Northavon, I pointed out that one of the problems is that local authorities do not share information among themselves: they all have different forms and different criteria. One authority might crack down on a specific fraudster, but another fraudster using an identical method in another area escapes. Apart from an annual conference at which information might be exchanged, there is no systematic method of sharing knowledge. Such co-operation will start only if the Department takes local councils into its confidence.

We put off much of our work on, and many of our suggestions about, dealing with fraud while we awaited the Green Paper. However, it announces only three new initiatives. We were told many times that we had only to wait—everything would be dealt with in the Green Paper, all our problems and worries would be settled by the Green Paper, and everything would be made clear. I was looking forward to the Green Paper. We had been told that it would not be published in July, so I commend the Government for having brought forward its publication, but if I had eagerly taken it home to read over the long recess, I should have been a most disappointed Member of Parliament to find only three measly measures on housing benefit fraud.

Now, we want to know the answers to the questions that we were promised would be answered by the Green Paper, but have not been. Specifically, we want to know what has happened to the housing benefit simplification project, the details of which were due to be published a year ago—in fact, I think that the anniversary of its intended publication date has passed. In addition, the Minister must explain why, if there are about 250,000 known cases of housing benefit fraud, there are only about 700 prosecutions. The simplification project would help to secure the three measures to which I referred—guarding the gateway, removing fraud from the system and improving investigation skills.

We wanted a dedicated anti-fraud agency, and the payment of benefit cheques directly to landlords to be banned. The Secretary of State said that all those matters would be dealt with in the Green Paper. However, on page 112, I find the new special arrangements for co-operation between local authorities and the DSS, which I have already mentioned, and the offer of "a national, single agency" and a "fraud hotline". So, we are to have a telephone number. I do not mock that measure—it would have looked marvellous in a list of 30 or 40 initiatives. However, it is the lead item in a list of three options. Perhaps it should be a premium line, so that we can recoup some of the money that we lose on fraud through people reporting fraud.

In addition, local authority staff are to be allowed

> on-line access to DSS systems to trace National Insurance numbers.

That is welcome. It would be useful if the Minister were kind enough to tell us how many people he estimates have two numbers, and how many duplicate numbers there are. We know that duplicate numbers exist—that someone in Blackpool can have the same national insurance number as someone in Brentwood.

I look forward to the Minister's reply, but I think that I have time to deal with a local matter connected with housing benefit fraud. During Social Security questions four weeks ago, the Secretary of State attacked Brentwood council, a Liberal Democrat council, for its record on fraud. My council officials are entirely innocent of being Liberal Democrats and run a tight ship, in my view, despite the incompetence of the administration.

I have a reply from Mrs. S. Keeble, the borough treasurer. She was astounded by the Secretary of State's charge that Brentwood council was soft on fraud. She writes:

> This is simply not true. The Council has, for a number of years, had difficulty in providing one of the government's statistical returns because of the way the data was stored in its computer system. The DSS are aware of this and it has never been raised as an issue before . . . The Council purchased a new computer system and it was installed at the beginning of the financial year.

Mrs. Keeble explains the difficulties and states:

> I am pleased to tell you that the first statistical forms were produced last week, for the third quarter of the year, and have now been sent to the DSS . . . I am concerned that our problems with this statistical return have been interpreted as a lack of concern over Benefit Fraud and I must refute this strongly.

She lists the steps that the council has taken, and reports that, recently, it successfully prosecuted a local resident, who was sentenced to 100 hours of community service and had to pay £120 in costs.

I trust that the Minister will pass that on to the Secretary of State, and I look forward to the poor burghers of Brentwood receiving an apology from the Secretary of State, whose remarks caused them great pain. When people are working hard to stamp out fraud, they deserve not to be part of the political football.

What do we want? A consensus is starting to form across the Chamber. The Deputy Prime Minister said that he wanted a consensus on housing benefit, and we are seeing the start of a broad coalition. We want the Government to implement the Scampion report. We do not want the Government to pick and choose, or to produce a hotline and nothing else. We want a proper, co-ordinated approach. Scampion knows what he is talking about.

The way in which the Scampion report was announced to the world could not have been less attractive. It was dumped—lodged—in the Library on a Friday evening. All Members of Parliament want to stay in the House as long as possible during the week, but Friday evening is not the time most conducive to getting wide publicity for such an important report. The Government have nothing to be ashamed of. They have made a number of commitments.

If we could take the politics out of the issue, and recognise that it will be difficult to remove fraud from the system, that it is not the Government's fault and that it is not up to the Secretary of State to deal personally with the problem, we could move towards some kind of consensus. As Scampion said, we need a single national intelligence system and a single investigatory agency. We want a proper partnership to be set up and to be given a time scale to submit proposals to the Department to deal with organised fraud.

The Minister is familiar with that and other suggestions that were offered by my hon. Friend the Member for Basingstoke and the hon. Member for Northavon. We are looking for a robust response from the Minister this morning, and I am sure that he will give it. If we were to sum up all our arguments in a single phrase, it would be: "Give us Scampion!"

11.54 am

The Minister of State, Department of Social Security (Mr. Jeff Rooker): I am happy to congratulate the hon. Member for Basingstoke (Mr. Hunter) on securing the debate. At the risk of upsetting the cosy little consensus, I must say that I have been listening to a load of whinges from inefficient local authorities. That may seem unfair, but as a headline, "Whinges from local authorities" would be accurate.

Hon. Members are elected to Parliament to represent their constituents, not to represent local authorities. I want to put that on the record. We want to work with local authorities, and I shall explain how we do so, but I do not accept that out there, everything is sweetness, light and massive efficiency. There is far more red tape and bureaucracy in local government than in central Government. That is my experience from my terms in the House and my short period in government.

Mr. Pickles: If the Minister were not seeking consensus and co-operation from local authorities, what would his opening remarks have been?

Mr. Rooker: I wanted to set the tone. We do not intend to be the punch-bag for local authorities that are not doing what they should be doing or which are merely seeking excuses.

I shall respond as best I can to the points raised in the debate. I am grateful to the hon. Member for Basingstoke for informing my Department of the matters that he would raise, arising mainly from the parliamentary answer that he received earlier in the year.

On the request "Give us Scampion!", we will indeed give the country Scampion in due course. The first step, though, is to carry through the commitment that we

[Mr. Rooker]

made when we published the Scampion report—to appoint a head of profession. The post has already been advertised. I regret that it takes a long time to consult, advertise and carry out the proper scrutiny that is necessary for public appointments. The interviews will be held fairly soon. We expect the head of profession to be in post by August or September.

By the time we return from the long recess, I expect us to be in positive mode with regard to the other Scampion recommendations accepted by the Government. We may not have implemented them all, but we will have begun to get the plan ready. However, the first step is the appointment of the head of profession.

I shall deal first with the points made by the hon. Member for Basingstoke, which encompass many of the issues raised by the other two Members in their cosy consensual representations from their local government masters. That is the last time that I shall allude to that, but I think I have made the point that the Government do not accept the whinges and criticisms from local government of what the Department has been trying to do to tackle fraud. To speak of rooting out fraud is too strong a term, because ending fraud is like searching for the holy grail—there will always be fraudsters around. Nevertheless, we do our best to tackle a serious issue.

On the verification framework, I know from my own local authority, which is the largest in England, the problems that that has caused in delay and in respect of due procedures and training. I recently met about 40 representatives of local authorities to discuss aspects of the matter. We are trying to make improvements to the scheme and to help them phase it in over two years.

In many cases, local authorities have managed the verification framework so that vulnerable groups are not put at risk. I accept that many of the people in receipt of housing benefit are members of vulnerable groups, so non-payment of housing benefit puts the home at risk. That is the bottom line. If the benefit is not paid, the home is put at risk by the debt, the arrears and the other difficulties. We do not want to cause homelessness; that is the opposite of our intention.

We have removed the requirement for people in hostels to provide a national insurance number to support their claim. For those of us who live in the world of torrid bureaucracy, the idea that people do not have ready access to their national insurance numbers is surprising. We tend to believe that everybody has a national insurance number, but that is not so in the real world. People who live in hostels constitute a mobile population. For all the reasons people become hostel dwellers, it is easy to lose such information.

We have therefore issued guidance, which states that third party information from responsible organisations can be used to support claims from people in that position. We have learned that lesson from implementing the verification framework. I do not therefore simply claim that the framework has been established, that it is working and that we have made no change. We have made changes. We appreciate that they have caused difficulties for many local authorities.

The ordinary, common or garden honest claimant and well-run local authority have nothing to fear from operating the verification framework. Local authorities are required only to ask the questions and do the checks that they, as the guardians of public money, should have done in the first place.

That picks up a theme that the hon. Member for Basingstoke introduced. He said that local authorities did not own the money or the benefits. I freely admit that there is a long-term problem unless we can get local authorities to establish some sense of ownership. They own the administration of the money, but some do not believe that they are responsible for the benefit payments. When a senior official and I were in discussion, he said that he was not responsible for the amounts of housing benefit. He was a local government assistant director, yet he claimed that he was not responsible, and that the money was not part of his department's budget. He said, "It's not my money, it's the Government's money." Yet the Department was paying the local authority considerable sums of money to administer the system on behalf of the public.

The hon. Member for Northavon (Mr. Webb) mentioned incentive. He was right: incentives are built into the rest of local authority money, because inefficiencies in spending on one responsibility mean cuts in others. Local authorities do not like telling citizens that they are making cuts. However, council tax and housing benefit are different.

Mr. Pickles: The Minister mentioned ownership. Paragraph 11.39 of the Green Paper on housing considers the long-term future. It states that administration will remain the responsibility of local authorities. However, it also considers the ONE pilots and local authorities working closely with them on housing benefit administration. Is it absolutely clear that administration will remain with local authorities in the long term?

Mr. Rooker: I stand by the words of the Green Paper. We have no plans to remove housing benefit administration from local authorities, but nothing lasts for ever. That is not a hint or a threat. The words in the Green Paper are valid. I shall consider the ONE pilot later. If local authorities can administer housing and council tax benefit efficiently and satisfy our constituents, they will encounter no difficulties. The Green Paper makes the position clear.

We have agreed with the Audit Commission and the Accounts Commission that any performance data that they publish will state that a local authority has been involved in operating the verification framework. I am almost expressing a caveat: operating the framework may slow down performance. We do not intend that to happen, but we understand that in the real world, operating a different system which is much more rigorous and a little slower can slow down performance.

I do not want a local authority that takes the verification framework seriously, and genuinely tries to make it work, to be penalised unfairly in the Audit Commission's published charts, which we receive regularly. I do not want us to observe that our local authority has dropped below a performance line and demand to know why. Local authorities will claim that it is not fair that they do extra work, which takes time, yet the report does not refer to it. They feel that they have been penalised. I hope that those comments will be

taken in the spirit in which they were meant. We also take account of implementing the framework in the subsidy to local authorities. The Government, not local authorities, pay for the verification framework.

I regret that the hon. Member for Basingstoke forgot to mention the Royal Mail "do not redirect" scheme. Again, local authorities do not pay for that; it is fully funded by the Department. It is also voluntary. There may be arguments about it. One of the first questions that I asked on my first day in the Department eight months ago was, "Why is this voluntary? It is such a good idea." However, no local authority has complained about that. Not one has claimed that we are forcing local authorities to accept a scheme that they do not want to implement.

We have asked local authorities that do not implement the scheme the reasons for that. We got some stupid answers—for example, "We're waiting for another supply of envelopes, so we can have them reprinted." We have received barmy reasons which an alert local government officer would have tackled immediately.

I am surprised by the comments of the hon. Member for Basingstoke about his local authority. He said that only two envelopes had been returned to the council and that the accounts had been closed. I whispered to my colleagues that I wondered why the local authority was sending out envelopes if the accounts had been closed. That is the obvious question. The envelopes had been redirected back, but if the accounts had been closed, why did the local authority send out the cheques? Basingstoke council must answer that question.

Given that the Government have asked local authorities to undertake so many tasks, there are good grounds for establishing some schemes on a voluntary basis. I can understand frustration about not achieving 100 per cent. implementation, and about slowness, but I expect improvements by the end of the year. The service is recommended and part of good practice. Local authorities can learn from it.

One local authority has made dramatic savings through the scheme. It reported that "do not redirect" cases accounted for 10 per cent. of its fraud investigation case load. Two cases revealed fraudulent payments of £26,000 and £18,000. It is a good scheme, but no single policy initiative can solve all the problems. We must move forward on a wide front. There is no holy grail. I would not claim that we had won the battle and that benefit fraud was under control.

The benefits system pays £2 billion a week to our fellow citizens. The scope for fraud by organised criminals is great, and we spend a lot of money on trying to close the gateways and thus make it more difficult for the wrong person to get into the system and easier to root out fraud. We prosecute approximately 200 people a week for benefit fraud—and not only housing benefit fraud, which is the subject of the debate.

The hon. Member for Basingstoke said that remote access terminals are not very useful because they offer limited access, but they are a big innovation and providing local authority officers with a computer terminal so that they have direct access to the Department of Social Security computer network for certain benefits is pretty radical. I am not claiming credit and, as he said, a lot of those initiatives have come through the system, as is the case with any change of Government. I freely admit that our computer network is not exactly blue sky technology, but we are considering widening the range of DSS benefit information available as part of the housing benefit improvement programme through the access terminals. We hope to pilot some of those improvements later this year, with a view to rolling them out nationally in 2001.

The electronic transfer of data is also an issue. We consulted local authorities about initiatives during the evaluation of the ETD programme and 20 were involved in pilots during development. One does not consult every local authority, as more than 400 deal with housing benefit and we carried out a representative pilot. Before the national roll-out of electronic data, the local authorities were consulted through the remote access terminals national user group and they attended seminars on ETD, so we have involved them. We want to work in partnership, but sometimes new ways of doing things ruffle feathers or challenge local empires. There may not always be the degree of good will that there should be, but we have put our hand out to local authorities to work with them.

The electronic transfer of data offers other benefits, even if the local authority does not have the document image processing system. For a start, it reduces the time that it takes to process housing benefit and council tax benefit claims. It increases security in terms of data protection and data transmission and should enhance customer service by improving the speed and accuracy of benefit processing. There is no question but that it contributes to reducing the scope for fraud and error, and we hope that it will lower the housing benefit and council tax benefit programme expenditure.

I should make the point that the words "benefit fraud inspectorate" did not cross the lips of any hon. Member today. The inspectorate is a service provided by my Department to local authorities to go over the systems that they use. It is not a hit squad, but a systems squad that goes into local authorities to examine how they administer housing benefit and council tax benefit. In some ways, I regret that it does not consider other benefits such as student loans. There is a great deal of scope for that, because the inspectorate is expert in studying systems.

We publish reports for each local authority, although we remove any failures as they could be invitations to commit fraud more easily, and the good practice can be shared, one local authority to another. Local authorities do not necessarily even have to pick up the phone, as they can read reports on authorities with a similar demographic and geographic background or a similar housing benefit profile to see whether they can learn something.

This year, the benefit fraud inspectorate has been asked specifically to go into the 30 local authorities with the highest housing benefit spending. One knows which they are, by and large: they are big city authorities, and my own city of Birmingham is one. They are due to be dealt with—I hope in a way that brings them up to scratch and improves the situation—and I do not deny that we have had problems in the city of Birmingham with housing benefit administration. Of about 400 local authorities, 30 spend a third of the £12 billion of housing benefit, so it is sensible to target our resources there.

[Mr. Rooker]

On Monday, we announced the programme for the next 30 authorities into which the benefit fraud inspectorate will go. They work in co-operation and are proceeding by agreement. There are set dates and a programme of work. The inspectorate will not knock on the door one Monday morning and say, "By the way, we have come to audit your systems." That is not the way to do it. The process is helpful and the more we can extend it, the better.

Mr. Pickles: May I make a straightforward point? It is right to examine the 30 highest spenders because most money will probably go to them, but they are likely to run a fairly decent show. Which authorities are not up to scratch or do not have the necessary? Would the Minister care to characterise them, but not in political terms? What kind of authority are they?

Mr. Rooker: The 30 biggest spenders come mainly from the 32 metropolitan districts, so we have probably covered most of those. A point came to me when I was asked to consider which authorities would be the next 30 to be examined. These programmes are planned well in advance and I specifically asked whether there were pockets of district councils that were small in terms of local government but had a preponderance of housing tax benefit and council tax benefit claimants and were a bit different from the average; or whether there was an authority that we had not heard about for a long time, perhaps because someone had not sent forms in; or whether there was an authority that was not involved in Royal Mail "do not redirect". I wanted to consider those factors, so the next 30 are a real mixed bag. There is no set pattern, but some of those thoughts went into the programme.

Perhaps we should have a look at some authorities: we may not have heard from them for a bit, but that does not necessarily mean that everything is okay. I certainly hope that when we have considered the top 30 and the next 30, along with those that have already been examined, we shall have a good picture of the local authority performance for the rest of the country. There are lessons that we can hope to roll out in the rest of local government.

May I touch on the point about cost, which is a fair one? I came across it in my previous role at the Ministry of Agriculture, Fisheries and Food. Local authorities are basically the enforcing authority in terms of food safety, and court costs can be horrendous. A small local authority in the north of England told us that a case would cost £250,000, but all the evidence suggested that it was important for it to go to court. It rightly claimed that there was unfairness, since a bigger authority would have the resources to take the case on and more lawyers would be available.

Authorities think that that on-cost might arise, but we have provided £200,000 as a pilot for my Department's lawyers to undertake housing benefit prosecutions and to develop longer-term options to encourage local authorities to pursue prosecutions. If a change is to be made, undertaking a pilot is always worth while. The pilot started in November 1998—a similar one began in Scotland in June 1999—and was available to 144 local authorities. It has been extended, partly because we have not used much of the resource that we offered to local authorities. I am not here to complain about why it has not been taken up, but I assure hon. Members that the figure I saw for what we were to spend was horrendous—it was only £200,000 to start with—so we have extended the pilot, because we want to learn from it. Unless it is decent, we will not learn lessons for the future. Although access to legal services is one aspect, some local authorities lack training in bringing prosecutions because of the absence of a formal prosecutions policy.

We have built in extra payments to the existing weekly benefit savings scheme for local authorities that have prosecuted fraudulent claimants since April 1999. Many of us see sentences reported in the press every day of the week and think, "How on earth can they do that?" However, "they" are the courts—not the House, not the Government and not the local authorities. Sentencing is the role of the magistrates and the judges in the courts. We give them the maximums, but it is their job to set the sentences. Benefit fraud cases that appear in the papers occasionally cross my desk. Ministers are warned in advance so that they do not get a big shock, and I sometimes see the result later on. I had a couple on my desk this week and the amount of fraud was the same in both. The circumstances, however, must have been entirely different, because the sentences were so far apart that they could have been on separate planets. Nevertheless, that was the judgment of those who had all the evidence. I, as a Minister, did not have all the evidence. In any event, we are co-operating with local authorities as much as we can.

The verification framework was originally developed with the full input of local authorities. Someone—I think it was the hon. Member for Basingstoke—mentioned the London fraud investigation. That was a joint local authority/DSS initiative designed to tackle organised fraud, which was ended owing to serious doubts about its effectiveness.

The hon. Member for Northavon asked about the ONE project, in the context of Scampion and the common claim form. It is ludicrous that there should be more than 100 different designs for housing benefit application forms. I did not know that that applied to claims for benefit, other than national benefits; it had never crossed my mind. We have issued guidance within the verification framework and in the benefit fraud inspection report, but we are considering the overall programme in the context of the ONE project, with the aim of providing a single gateway for all state benefits. We have schemes operating throughout the country, and they have important implications.

As hon. Members will know, we recently announced, in the context of the working age client group, what is in effect a merger between a large part of the Benefits Agency with the Employment Service. That is a major change in the machinery of government, announced by the Prime Minister less than a fortnight ago. It will mean that everyone dealing with the Government will be in one place, and it will enable us to ensure that people do not miss out on their benefits and are aware of opportunities of which they are not always aware when they make claims.

Mr. Pickles: Last month, I heard the Minister refer to the lack of stigma attaching to claims for housing benefit

and council tax rebate. How, then, can he explain the fact that claims for those two benefits effectively separate clients with the ONE project?

Mr. Rooker: I cannot, but the question is valid. Indeed, on Monday I drew attention to the paradox inherent in the fact that people were claiming housing benefit and council tax rebate but not claiming income support—all three being means-tested. I suggested that there should be a more friendly delivery service at the local neighbourhood office for people who did not want to go to "the social" or the Benefits Agency.

The solution to the pensions problem is to provide a free-standing, separate, brand new agency, or mini-Ministry. Planning for that has begun within the last few days, and it was announced within the last month. It will provide a one-stop shop for people wishing to discuss anything to do with pensions. It will be central, but there will be local access throughout the country. It will not involve uniformity, and it certainly will not involve the Benefits Agency.

This is probably one of the biggest changes ever to be made in the machinery of government. The jobs of tens of thousands of civil servants will be involved. Extracting the Employment Service and the Benefits Agency from the general system, enabling them to deal with a specific client group, is almost like planning a new Government Department. It will not be a five-minute job; it will take several years.

Welding that with the ONE project, and dealing with housing benefit, council tax rebates and so forth, will be part of the agenda, and that means getting it right. We must not exacerbate the fraud problem by accident. Cutting out the problem in one area might open gateways for organised crime, as opposed to one-offs. We must root out error as well as fraud, because an error may later become a fraud. For instance, someone might discover an error and say nothing about it. Our central task in regard to housing and other benefits is to ensure that the benefit is right at the outset, and goes to the right person. That should be axiomatic, but the system has been such that it has not been possible.

Three years ago, when we came to office, we discovered that an horrendous number of income support payments had been wrong to start with. I do not want to initiate a debate about that; I merely say that we chopped the number by half, and will therefore be able to save £1 billion over the life of the current Parliament. I am not saying that that constituted fraud. The systems, the procedures and the training were wrong, and there was not the necessary challenge to ensure that benefits were paid to the right people. The new system will provide all the advantages, and none of the disadvantages.

I hope that I have given hon. Members some idea of where we are going. I cannot tell them all that they would like to know—for instance, how much fraud is going on. It is impossible to obtain a positive figure, by definition, although the statistics are likely to remain the same. Overall benefit fraud currently amounts to between £2 billion and £5 billion; housing benefit fraud amounts to about £800 million, which apparently is 7 per cent. of the total. Those figures are too high, and we must get them down, but there is no single magic solution: we must work on a series of fronts.

I know that I have my little dig occasionally, but I have tried—and we must continue to try—to operate on a consensual basis. That is in everyone's interest. If we do not do this, the public whose money is being spent will lose confidence in the benefits system, which will undermine the system. Rooting out fraud is in the interests of all, especially those who pay for the system in the first place.

Mr. Deputy Speaker (Mr. John McWilliam): Order. Will hon. Members not wishing to stay for the next debate please leave quietly, so that we can have a nice early start?

Disability Living Allowance

12.27 pm

Mr. Bill Rammell (Harlow): I welcome the opportunity to discuss the appalling experience of my constituent Mrs. Susan Cole, and what her dreadful ordeal has taught me about the need to reform the backdating of disability living allowance. Let me begin by saying that this is not part of a general whinge about the Government not doing enough for disabled people. I do not believe that to be the case; indeed, throughout the current Parliament I have fully supported the Government's strategy of providing work for those who can work, and security for those who cannot.

The new deal for disabled people is beginning to work in my constituency. The disabled persons tax credit, providing a guaranteed minimum income of £155 a week for a single disabled person who moves from benefit to full-time work on the national minimum wage, is also beginning to help disabled people in my constituency to return to work. The Government rightly made a tough decision in the Welfare Reform and Pensions Act 1999 to means-test incapacity benefit. I think that that measure was justified, in that its aim was to generate significant increases in the incomes of the disabled people most in need. For example, there has been an increase of up to £26 per week for severely disabled young people who become disabled early in life.

We are reforming pensions, in order to provide contributions for those who care for disabled people and therefore cannot make contributions throughout their working lives. I have long been concerned about that issue, and I consider the reform to be a significant step. I am also pleased that, during the current Parliament, spending on sickness and disability benefits will increase by more than £2 billion as the Government meet rising demands and do more for those in the greatest need.

I consider that to be a record of real achievement. I am not saying that the Government have got it wrong on disability benefit in general terms; far from it. I think we are beginning to bring hope, support and opportunity where previously there was none. However, I think that, on the specific issue of backdating of disability living allowance, we are simply continuing with the rules that we inherited from the last Conservative Government, and I strongly believe that we should think again.

I should like to deal with one aspect of Susan Cole's experience that highlights the need for change. Prior to 12 July 1996, Mrs. Cole had worked all her adult life, although she had for 15 years suffered from colitis. Anyone who has suffered from colitis or knows anyone who has suffered from it knows that it is a very debilitating condition. Because of the severity of her condition, Mrs. Cole sought a private medical consultation at the private Rivers hospital, in Sawbridgeworth, near my constituency of Harlow.

During the examination, without warning, the consultant performed a bowel biopsy which caused Mrs. Cole extreme pain. Although the consultant reassured her that that was routine, only two hours after the consultation, Mrs. Cole found herself suffering from severe rectal bleeding. Later that day, she was admitted to the national health service Princess Alexandra hospital, in my constituency of Harlow, where she was put on a drip and detained in hospital for 10 days. The length of that stay is a clear indication of the severity of her condition. The significant point of the story is that, towards the end of her stay in hospital, she started suffering from the symptoms of post-traumatic stress disorder—severe depression, fear, flashbacks and extreme anxiety and insecurity.

Mrs. Cole was discharged from hospital, and, very shortly afterwards, because of her symptoms and experience, was advised to claim incapacity benefit. However, despite the severity of her condition, no one at the Benefits Agency suggested that she should claim disability living allowance. One month after her stay in hospital, her general practitioner suggested that she may be suffering from post-traumatic stress disorder. That suspicion was finally confirmed in November 1997. Both before and after that date, however, over a period of three or more years, Mrs. Cole has suffered from enormous stress and anxiety and from other major problems. She has had to be admitted to hospital, occasionally for up to seven days, suffering from extreme anxiety and stress.

I think that it is incontestable that, in the whole of that period, and certainly since November 1997, Mrs. Cole should have been eligible for disability living allowance. Throughout that period, she was regularly in contact with the Benefits Agency office and regularly spoke to the agency's staff, who were well aware of her condition. When she had her first six-month renewal for incapacity benefit, because she was—to put it bluntly—in such a state, she sent some press cuttings on her ordeal at the private hospital. However, still no one at the Benefits Agency suggested that she might claim disability living allowance.

Finally, in August 1999, Mrs. Cole rang the Benefits Agency office on a different issue, to inquire about her sister's eligibility for incapacity benefit—her sister is suffering from cancer—and used her own claim as a reference point. The person at the Benefits Agency office whom she spoke to finally asked her why she was not claiming disability living allowance. The net result was that she did submit a claim successfully, and she has been successfully claiming ever since.

The crucial point is that that occurred three years after she had started claiming incapacity benefit. She had at least five renewals for incapacity benefit, and numerous discussions with Benefits Agency staff. Although it was at the very least arguable that she had been entitled to claim disability living allowance, not once in that three-year period, until August 1999, did anyone suggest that she should be claiming DLA.

It is also interesting that, in January 2000, when I took up the issue with the Benefits Agency—I have evidence of this in writing—the agency was able to check its records to assure me that there was no evidence that Mrs. Cole had made any inquiries about any other benefits to which she may have been entitled. Therefore, the agency's systems were clearly very rigorous and detailed. The agency could check to ensure that Mrs. Cole had not inquired about claiming, but it could not tell me why no one at the agency had told her about her possible eligibility for DLA, although she was clearly entitled to it.

One might ask why, for example, anyone who is in receipt of incapacity benefit does not automatically receive a leaflet on disability living allowance, informing him or her of the possibility and chance of being able to uptake that benefit.

Nevertheless, from August 1999, Mrs. Cole started claiming DLA—despite all the evidence showing that she had been eligible to receive it significantly before that date. However, according to a very tight set of criteria, backdating of DLA is allowed to a maximum of six weeks. Mrs. Cole could therefore not receive benefit backdated beyond that date. Those are the rules that we inherited from the Conservative Government.

I have pursued the issue in detailed correspondence with the Minister, and his responses have been very helpful and detailed in explaining the current system. However, it is intriguing that some of the arguments used by the Department are the same as those used by the previous Government. The first argument is that the onus is on the claimant to claim at the appropriate time. That argument was the central thrust of some of the changes introduced by the previous Government. My first response to that point is to ask why. If it can be genuinely proven that one was eligible from a prior date, but that one was simply not aware of eligibility—as opposed to choosing not to claim—there is a strong argument in principle for backdating.

The second argument against backdating in deserving cases is that it would be difficult to operate fairly. However, that is exactly what we do—on a much wider basis, and with a much longer period of backdating—in, for example, council tax benefit and housing benefit. As the Minister will know better than I, backdating may be allowed if "good cause" can be demonstrated. "Good cause" may be based on facts that, having regard to all the circumstances, including the claimant's state of health, would probably have caused a reasonable person not to claim at the time that they should have claimed. In such circumstances, based on that "good cause", one backdating—for up to 12 months—is allowed.

I contend that Mrs. Cole's state of health, with post-traumatic stress disorder, was the very specific reason why she was not aware of her eligibility to claim DLA. For council tax benefit and housing benefit, that one reason would have been sufficient justification to backdate for up to 12 months. If that is sufficiently good cause for backdating those benefits, why is it not good enough for backdating DLA?

The final argument made against backdating DLA is, according to correspondence, a straightforward rule against doing so, on the basis that

> this has been regarded as the most equitable in all the circumstances.

"Equitable" means reasonable and fair. I do not think that it is reasonable and fair to deny all retrospective claims regardless of circumstances and merit—both legitimate and illegitimate—rather than conducting the necessary debate on how we should widen both the objective criteria for, and the length of, backdating. That is all that I am asking for. I am not arguing for a free for all in which any claim can be backdated if a reasonable case is made, requiring the Benefits Agency then to make a discretionary judgment. Such a system would be arbitrary, difficult to administer and, in many senses, unfair. I acknowledge that it would also be an open-ended commitment on public expenditure—which I know that not only the Treasury, but any reasonable person charged with the responsibility of managing public finances, would not wear.

I am arguing, however, that further legitimate objective criteria could be established to justify backdating. We can debate what those criteria might be. I would certainly argue that they should include written documentary evidence of a condition at a particular time, and a sworn statement from a doctor that a condition existed at a particular time, allied with the type of "good cause" reason why a claim was not made at that time. Those criteria apply in housing benefit and council tax benefit claims.

I would also certainly argue that, as with those benefits, backdating should be available for up to 12 months. I am not arguing for indefinite backdating, which clearly would be an open door to massive claims. However, a 12-month period would be reasonable.

There is a basic unfairness. I recognise that eventually it all comes down to money. I long ago became a financial realist. I know that there is only a certain sum of money allocated to the Department of Social Security and the benefits budget and if there is a huge increase in backdating we will have to limit the overall increase in benefits, spreading the money more thinly.

However, we need a specific change on the backdating of DLA compared with other benefits, because the take-up of DLA is so low. A low take-up means several things, particularly that people are not aware of their eligibility. Mrs. Cole's experience has certainly demonstrated that. On top of that lack of awareness, which might reasonably prevent people from claiming in time, DLA has the tightest backdating rules of almost any benefit. To underline that point, let us consider the evidence on take-up among the eligible population for various benefits: for income support, the figure is 70 to 80 per cent.; for housing benefit it is around 90 per cent; for jobseeker's allowance it is 70 to 80 per cent; for family credit it is 70 to 80 per cent. and we hope that the working families tax credit that replaces it will have an even higher take-up. However, only 30 to 50 per cent. of the eligible population take up the care component of disability living allowance and the figure for the mobility component is 50 to 70 per cent. Those figures come from a recent answer from the Minister in the Lords.

A lack of awareness restricts take-up. We are penalising people by not allowing backdating if they do not find out that they are eligible. In a sense, it is a double whammy and it is a serious problem. The case of my constituent has highlighted the unfairness of the current backdating rules. Susan Cole was eligible, but she did not know it. She was traumatised because of her condition and the system did not help her as it should have done. Her case demonstrates the need for change. I hope that my hon. Friend the Minister will consider my arguments and will review the backdating of DLA, focusing specifically on how we can widen the eligibility and increase the period of backdating.

12.42 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): I congratulate my hon. Friend the Member for Harlow (Mr. Rammell) on

[Mr. Hugh Bayley]

securing this debate on an important issue and making such an exemplary case on behalf of his constituent and a more general case on the need to look again at the backdating of disability living allowance and its sister benefit, attendance allowance.

I pay tribute to the enormous support that my hon. Friend gave to the range of improvements to disability benefits that the Government have been able to introduce, including the introduction of the disabled persons tax credit, the extension of the DLA higher rate mobility component to younger children aged three and four and the extension of incapacity benefit to people who are born disabled or are disabled so severely early in life that they are never able to work. Those important reforms are available to many people.

I also extend my sympathies to Mrs. Cole, who clearly suffered a terrible experience in 1996, when she went for a routine procedure at a private hospital. She claimed, and was awarded, incapacity benefit in 1996 and later, in 1999, she claimed disability living allowance and was awarded the lower rate mobility component. That award was made in respect of mobility needs arising from her experience in the hospital three years before. My hon. Friend argued powerfully that the symptoms arose from post-traumatic stress disorder, which she suffered as a result of the procedure.

Disability living allowance is not awarded because of particular symptoms or the existence of a particular disability or disease. It is awarded in respect of a disabled person's care needs or their mobility needs—the need for assistance with getting out and about. It is awarded because of a consequence of a disability rather than because of the disability itself.

Mr. Rammell: I wholly accept that point. I was trying to show that the post-traumatic stress disorder led to Mrs. Cole being unable to look for benefits or be aware of them. That is what prevented her from claiming when she should have done.

Mr. Bayley: I understand my hon. Friend's point. I shall refer to it later. As he has rightly pointed out, there are good cause procedures for some benefits. If someone can show good cause for not applying for the benefit earlier, they may get up to three months' backdating. A health problem that makes it difficult to apply is one such good reason.

I should explain a little more about the background to the benefit. Different people may be affected to a different extent by the same disability of the same severity. The amount of care or help with mobility that someone has as a result of a particular disease or disability may increase or decrease over time. The fact that someone has a particular mobility need in August 1999 does not necessarily establish that they had similar needs at an earlier date.

Mrs. Cole claimed disability living allowance on 2 August 1999. She was notified on 23 September that she had been awarded the benefit, but she asked for backdating. The rules on DLA and attendance allowance are clear. Unlike other benefits, they cannot be backdated. Under the present rules, the earliest date on which a claim can be paid is the date on which an inquiry was made at the Benefits Agency about the benefit. In this case, the relevant date is 2 August.

Decisions are made by adjudication officers—or, since October of last year, by decision makers in the Benefits Agency. Ministers cannot interfere in the individual decision any more than they can interfere in the decision of a court or any other judicial or quasi-judicial body. It appears that the rules were correctly applied in this case. My hon. Friend is asking whether the rules are appropriate and whether the Government should re-examine them.

One of Mrs. Cole's key complaints is that she did not know earlier than August of last year that she could claim disability living allowance. One of the fundamental rules of the benefit system is that the claimant has a responsibility to claim. My hon. Friend asked the Government to think about that. I shall think about it, but the basic reason for the rule is that the person claiming the benefit is the only one who knows about their needs—their medical or care needs if they are a disabled person, or their financial needs if they are claiming an income-related benefit. The Benefits Agency does not and cannot hold that knowledge, so it cannot have the ultimate responsibility to claim.

In a letter to me in February this year, my hon. Friend said that whether somebody knew of a benefit ought to be immaterial to a decision on whether they are entitled to it. I cannot agree with that. Only the claimant can know about their likely entitlement. The Benefits Agency does not have that knowledge.

However, I strongly agree with my hon. Friend that the Benefits Agency has a responsibility to inform the public of the existence of benefits, and to inform people how to claim them. He made a strong point about the low take-up of DLA: we ought to be able to do better with regard to take-up of DLA and attendance allowance.

We take seriously the requirement to inform the public, and spend more than £10 million a year on leaflets and posters. They are placed in post offices, doctors' surgeries and other appropriate places to try to ensure that people have the information that will enable them to decide whether they have a prima facie case and whether they should put in a claim.

My hon. Friend asked why the Benefits Agency does not send a leaflet to all those claiming incapacity benefit to advise them that they may be entitled to disability living allowance. In fact, it does: I have a copy of the claim pack used in 1996, when Mrs. Cole made her claim for incapacity benefit. The pack has changed slightly since then, but that does not affect the point that I want to make.

The claim pack contains a leaflet entitled "Notes About Incapacity Benefit", which contains advice about other benefits. The first of the other benefits mentioned in the section headed "Other help" is disability living allowance. It states that DLA is a

> Social Security benefit for people with an illness of disability for people who need . . . help with getting around or . . . help with personal care or . . . help with both of these.
>
> If you want to find out more about this, get leaflet DS 704 *Disability Living Allowance—you could benefit* from any Social Security office.

I do not think that it is enough for the Benefits Agency to say that it need do nothing else because that information is in the claim pack, but I hope that I have

answered my hon. Friend's point. The wording has been amended slightly since 1996, but the information is still prominent.

My hon. Friend asked why we do not invite all people who claim incapacity benefit also to put in a claim for disability living allowance. I think that that would be a mistake. Only one third of people in receipt of incapacity benefit also receive DLA. The entitlement conditions are different, and it is not immediately obvious to people in a Benefits Agency office that a person entitled to one benefit should be entitled to the other.

Both benefits are, of course, awarded in relation to a medical condition, but they have different purposes and tests of entitlement. Therefore, entitlement to one does not necessarily mean entitlement to the other. If everyone claiming IB were invited to claim DLA, two thirds of those so invited probably would not be entitled to it.

As my hon. Friend knows, the Benefits Agency already experiences considerable difficulty in processing the volume of DLA claims. We want to encourage more claims from people likely to be entitled to the benefit, to ensure that the low take-up rate is raised, but we do not want to gum up the works with a lot of claims from people who are not entitled.

We therefore need to focus our publicity very carefully. We are introducing a number of new measures that I think will help with the problem identified by my hon. Friend. For example, we are piloting a new claims service for benefits for people of working age called "The ONE Service". It will bring together the work of the employment service and of the Benefits Agency. As a result, people claiming any working-age benefit, including incapacity benefit, will get counselling and advice about training and searching for available jobs, given that a million people on incapacity benefit say that they would like to work.

In addition, the new service will give advice about the full range of benefits, including DLA. That was not the case in 1996, before the general election, when Mrs. Cole applied for incapacity benefit. Had the new system been in place then, she would have been advised, in a one-to-one interview with a personal adviser, that other benefits were available. I hope that that will help to avoid unfortunate circumstances such as those that my hon. Friend has brought to the attention of the House.

A benefits inquiry line—on 0800 88 22 00—has also been established, and is a source of advice for thousands of people every day. In addition, we publish a wide range of leaflets and posters.

The Department has been working with a range of bodies representing disabled people to examine how to improve the gateway to disability living allowance. That working group of voluntary bodies has brought forward proposals for new tests of eligibility that it calls "Activities of Managing Life". In some ways, the tests are closer to those used in the personal capability assessment, which is the test of entitlement to incapacity benefit.

The proposed tests are not the same as the present IB entitlement tests, so it would not be possible for a person to undergo a single examination. However, they may facilitate better co-ordination of the benefits in future. I hope that we will be able to test the AML tests in small-scale pilot studies later this year, but any change would have to be fully debated in Parliament as it would require primary legislation.

Finally, we will be piloting shortly an exercise called "Keeping in Touch", under which officials from the Benefits Agency will contact people on incapacity benefit periodically to review their entitlement to that benefit, and to others. That is an attempt to improve take-up and the accuracy of the benefits being paid.

In the few minutes remaining, I want to talk about the problems that the Government would face if we were to allow DLA to be backdated as are some other benefits. DLA is already the most complicated benefit of all, and it is also the most subjective. That is why so many applications for it are turned down.

For jobseeker's allowance, for example, it is fairly simple to determine whether a person is in work or not. Similarly, it is fairly easy to determine a person's income or level of savings when deciding a claim for income support. However, determining how much help a person needs, by day or by night, to cope with a disabling condition or a chronic illness is a matter of subjective judgment by a doctor.

A determination on DLA requires judgments from a number of doctors. Evidence will be submitted by a person's general practitioner, and also probably by a specialist. In certain cases, the Department's doctors will also submit evidence, and the decision will be made accordingly. However, it is hard for the person making the decision always to make the right one. We are trying to improve that, and to get decisions right first time, but nevertheless a high rate of decisions are being overturned on appeal—usually because new evidence is submitted at that stage.

It is hard to get such decisions right where there is contemporary medical evidence. It would be even harder if a doctor's feelings about a person's care needs six months or a year before were sought. Because of the difficulty in getting accurate evidence that would be an appropriate guide to decision making, the backdating for DLA that my hon. Friend suggests has never been considered possible.

Some conditions make it easier to make assumptions about past needs. For example, a rule in disability living allowance states that double amputees qualify for the higher rate mobility component without having to demonstrate mobility needs. For a person who underwent a double amputation a year before making a DLA claim, the prima facie case is that, had that person applied earlier, he or she would have been entitled to DLA.

However, that is not true for all conditions. For example, it would be extremely difficult in relation to mental health conditions—

Mr. Rammell: I accept that the matter is extremely difficult, but should not the Government continue to consult—with people from the medical profession, and others—to see whether it would be possible to allow a limited extra backdating in accordance with a certain set of objective criteria? I am asking only that we keep looking at the problem.

Mr. Bayley: I most certainly will keep looking at it. Some of the disability organisations already accuse us of

[Mr. Bayley]

unfairness, in that an amputee will automatically be entitled to DLA, but a person with a sensory disability, say, is much less likely to qualify.

I shall explore some other connected issues in correspondence with my hon. Friend. He has raised some very important matters, which have given the Government reason to pause. We will stop and think about what he has said, and I will reflect on his proposals with my officials. I shall write to my hon. Friend with a more detailed response.

Volunteering and Time Banks

1 pm

Mr. Edward Davey (Kingston and Surbiton): The reason for this debate is to focus on the importance of volunteering and the voluntary sector and to provide some new thinking, in particular on time banks and the role that they can play not merely in promoting volunteering and assisting the voluntary, public and private sectors, but in rebuilding our communities.

There are a variety of volunteers and volunteering tasks, from the scouts, guides, girls and boys brigades, to hospital friends and those who go into schools to help children to read. I am sure that the Minister of State, the right hon. Member for Brent, South (Mr. Boateng), will agree that the volunteers in his constituency are as valuable to its life and vibrancy as volunteers are to mine. We need to celebrate them.

The borough of Kingston is blessed with volunteers—local organisations and community groups totalling more than 300. I take this opportunity to thank everyone who is involved with all those organisations because they have played such a key role in the royal borough. They are key in our area because, as the Minister will probably not be surprised to hear, we suffer from some underfunding. We are seen as a leafy borough. That means that such groups often struggle for funding, both from the local authority and the national lottery. We do not get our share of national lottery funding in Kingston, Mr. McWilliam, and therefore many of our groups struggle.

An umbrella body, Kingston Voluntary Action, tries to pull the groups together to assist them to develop. Unfortunately, it is strapped for cash, too. It is a shame that a certain political party in Kingston—the local Conservatives, who have a minority administration on Kingston council—has tried to cut the budgets of those struggling organisations. This year, it proposed a cut of £56,000. The Minister will probably be pleased to know that the Liberal Democrats, working with the Labour group on Kingston council, managed to restore those cuts and those much-needed funds for our voluntary groups.

Kingston churches are a strong source of volunteering. Kingston Churches Action on Homelessness plays a vital role in tackling our severe housing problems.

A superb network of people work for the local citizens advice bureau. I could not do my job as a Member of Parliament properly if I did not have the back-up and support of the citizens advice bureau throughout Kingston. It does a fabulous job and has helped me on many occasions with the casework that I undertake for my constituents.

There are many social volunteers in Kingston. In mental health, we have MIND—National Association for Mental Health—and mental aid projects that undertake fabulous work. We have groups that focus on volunteering and promoting volunteers for senior citizens. CARE is a group in Chessington that brings people together to shop for, and talk to, each other and for house visits, and it does a fabulous job. We also have Age Concern and Milaap, which provides meals for elderly people from ethnic groups. There are voluntary

organisations to help families. Welcare looks after families with financial problems and lone parents who need support.

We also have charities and voluntary groups that focus on those with disabilities, such as Kingston Association for Disabled People and Scope; on individuals in distress, such as Kaleidoscope, which is a cutting-edge drugs project, Kingston Bereavement Service and Victim Support; and on the needs of ethnic minorities, such as Kingston Racial Equality Council and Refugee Action. We have many such groups and they do a fabulous job. The challenge for us as politicians is to ensure that we value those groups, give them the support that they deserve, and encourage them to grow, so that more people volunteer and support the groups and more groups start up.

Time banks could play a role, not merely through the traditional form of volunteering, but through a new complementary form. Time banks move away slightly from the traditional notion of volunteering because a degree of mutuality is involved. People pledge time, for example to support someone by visiting them, shopping for them or giving them a lift, and receive a credit in the time bank. They can draw down on that credit for help from someone else. That is not the usual form of volunteering. Sometimes, people expect something back.

Interestingly, Mr. McWilliam, when the time banks are set up—

Mr. Deputy Speaker (Mr. John McWilliam): Order. Personally, I do not mind that form of address—I have been Mr. McWilliam for a long time. However, the House has directed that, for the purposes of this Chamber, I am Mr. Deputy Speaker.

Mr. Davey: Thank you for bringing me to order, Mr. Deputy Speaker.

In practice, although the time banks are based on mutuality, people often do not claim the credits that they have gained—they give them to other people or back to the time bank. However, they like the notion of being given time credits because it is recognition for the work that they have done for others. While some people believe that the banks are a totally different form of voluntary action, I believe that they are a way of getting people to volunteer who would otherwise not do so. That is their significant role: they help to build communities.

For that reason, time banks have a profound message on how we approach many areas of public policy and how we rebuild our communities. Indeed, the guru of time banks, an American, Edgar Cahn, described them as:

> a tool for rebuilding community.

That is the core message that I would draw to the attention of the Chamber today.

Government policy on volunteering has been rather good. In recent weeks, the Prime Minister and the Chancellor of the Exchequer have made speeches supporting the voluntary sector. That is a welcome development. New Labour, unlike old Labour, does not appear to have any doubts about the important role that the sector plays, and that is welcome. The Prime Minister's speech at the Active Community convention and his idea for a paid day off for employees—he is to take the lead on that—are welcome, as is the millennium volunteers scheme and so forth.

Those ideas are important because it is clear from various surveys—the 1997 national survey on volunteering, for example—that volunteering is dropping off to some extent, in particular among young people. If we are to promote it and to ensure that it plays a central role, as it should, we must ensure that more people volunteer. That is where time banks have a role to play.

The time banks that I am describing are very different from the national time bank that was launched recently. That idea came from Comic Relief charity work. It is a good idea—a link between the BBC and the Government—getting people to visit a website and pledge their time to voluntary action and putting them in touch with people in their local community. I am talking about community-based, local time banks, which will be built, and participated in, by the people themselves.

I have given hon. Members a rough idea of what time banks are, but I will quote Edgar Cahn to give them a clearer notion. He described them as working like a blood bank or a baby sitting club. He wrote:

> Help a neighbour and then when you need it, a neighbour, most likely a different one, will help you.

The system is based on equality. One hour of help means one time dollar, whether the task is grocery shopping or making out a tax return. In the Edgar Cahn scheme, the credits are kept in individual accounts in a bank or personal computer. Credits and debits are tallied regularly. In America, some of the time banks provide monthly balance statements, to record the flow of good deeds.

Time is the unit of currency. The idea is similar to the local exchange trading systems—LETS schemes—but is simpler because it focuses simply on hours of time, which buy things that money cannot buy, such as friendship, neighbourliness, community and people helping each other.

It is time spent visiting people or on small tasks, small DIY, child care, caring for carers and listening to people. Therefore, it is a powerful currency. Time banks are a good way to organise our individual time for the collective good to make our community a better place. They can work on housing estates to do things that the council and housing associations would never do, or in general practitioner's practices—a prescription written for someone's time, what a marvellous idea. There can be time banks in a community centre, a prison, a school or a village. They can be turned to a variety of needs. They could be focused on the needs of education and training. People could provide courses for others as part of their volunteering. In schools, older pupils might mentor younger pupils and help them with their homework. Time banks can be applied to healthy living; they can break down the barriers between people and could, I believe, do marvellous things when it comes to the improvement of mental health. In addition, of course, time banks can be used to help the elderly.

Let me be clear on what is involved in making time banks work. They are very simple. A little technology helps, but basically they can be run by one person who

[Mr. Davey]

would be paid as the broker of people's time. That person might need a small room, a telephone, a refurbished computer on which to run a small piece of software to manage the bank and produce the statements of the debits and credits that people have accrued over a month or a quarter. The person running the bank and some of those helping might need training on vetting and monitoring people, and on how to run the software. Getting time banks up and running requires only tiny amounts of money. Those tiny amounts of money can lever in huge amounts of time.

There are many working examples of the system in the United States. Seventeen inner-city schools in Chicago have a type of time bank system. Children mentoring others earn time dollars which they can use to buy refurbished computers. What is amazing is that not only are computers recycled, but the grades in the schools go up and bullying is reduced. We see a virtuous circle in schools that were previously failing.

Health insurance companies in Brooklyn use the system to improve health care facilities for their members. In Sentara hospital in Richmond, Virginia, the costs of dealing with asthma fell by 70 per cent. because of volunteers counselling people whose children and families were suffering from asthma.

I know of 11 projects in Britain that are using the time bank idea. There are two in Newcastle, and one was recently set up in Lewisham, in the Rushey Green doctors' practice, which is taking tremendous strides in promoting primary care. There is an hour bank in Peckham, a time swap in Watford and six fair share schemes in Gloucestershire, which promote a real sense of community in local villages and towns.

These projects are working now, providing huge social benefits. They are meeting some of the Government's key goals in rebuilding communities and putting people back to useful work. I think that they could be an adjunct to the new deal. There could be involvement with the sure start scheme. They could even be linked to the individual learning accounts.

I conclude by asking the Government to do five things to take time banks on to the next stage and build on the success that we have already seen. First, will the Minister be a strong advocate of time banks within the Government? I should like him to tell the Prime Minister about time banks.

Secondly, will the Minister ensure that people in the Government's policy units and task forces are told about the system so that they can study it in depth to see how it could be used to our benefit? Will the social exclusion unit, in particular, study time banks? Could time banks be built into the neighbourhood renewal strategy that is due to be published?

Thirdly, I should like the Minister to sort out a problem with the benefits system. In Newcastle, the social services departments are assessing time credits earned as income, and withdrawing benefit from those who earn them. I think that that is wrong, and I hope that the Minister will undertake to look into that problem.

Fourthly, can time banks play a proactive role in the Government's various modernisation programmes in education, health and crime?

Finally, the Minister will not be surprised to know that I want his assurance that he will ask the Chancellor to provide some money to promote time banks. I am not talking about huge amounts of money—billions of pounds, say—but a few million pounds. Only a tiny amount is required to establish and run time banks. If a few million pounds—a pot of money—could be found in the forthcoming comprehensive spending review, possibly through the social investment task force that the Chancellor announced recently, and local communities and organisations could make bids for money to set up their own time bank, that would greatly encourage this development.

I believe that the Government should be sympathetic to this idea. They have certainly made sympathetic noises so far. This surely is the third way that we have heard about from new Labour thinkers, and I hope that the Minister will embrace it.

1.15 pm

The Minister of State, Home Office (Mr. Paul Boateng): I am delighted to respond to the debate. The hon. Member for Kingston and Surbiton (Mr. Davey) is to be congratulated on choosing this topic. The voluntary sector and volunteering play a crucial part in the local infrastructure of our communities. The hon. Gentleman has shared with us a useful insight into the 300 or so groups in his constituency. As he took us on a Cook's tour of some of the highlights of the voluntary sector in his constituency, I was, with my hon. Friend the Member for High Peak (Mr. Levitt), reflecting on how each of us, in our own constituency, could engage in a similar exercise and how the community life of our constituencies and our work is enriched by the experience, wisdom and activity encapsulated by volunteers.

It made absolute sense, therefore, for the Government to take forward an agenda that the Prime Minister has initiated and described as supporting active communities and the Chancellor has characterised as an exhibition of civic patriotism. It made sense that we should take forward a body of work—across government but led by the Home Office and its active community unit—to highlight and deliver a step change in the contribution of volunteering to the development of strong and sustainable communities. Therefore, we are looking, in this year, to see an increase in the number of people who are giving of their time, efforts and energy to voluntary activities.

The latest survey available to us showed that 29 per cent. of adults gave time regularly to such activity at least once a month and that 74 per cent. of adults have taken part in informal voluntary activity during the past year. That effort is vital to the success of our communities, and we want to see it stepped up. However, it is not part of the Government's role to preach or moralise. We need to inspire, support and create a context in which it is possible to have that explosion of giving of which the Prime Minister has spoken.

Volunteering is at the heart of strong, successful communities, and we want it to stay that way. We recognise what individuals can contribute to their communities, as well as the potential that they can unlock in themselves through voluntary activity. The

life skills, experience and sense of common purpose that the hon. Gentleman has described in his constituency are engendered by volunteering.

We need to bring together voluntary organisations, business, the media and others to ensure that an active community strategy takes root to rebuild and refurbish that sense of community throughout the country. That is part of the role of the working group led by my noble Friend Lord Warner. We need to base that strategy on the experience of groups such as the one in the constituency of the hon. Member for Kingston and Surbiton. I assure him that I shall feed back into that process the experience of the time bank in Kingston and Surbiton and the value that he attaches to it.

Mr. Davey: There is no time bank in Kingston and Surbiton, although I hope that we shall create one. The experience is in other areas; I know of 11 such groups.

Mr. Boateng: We shall draw on the experience to which the hon. Gentleman refers in order to ensure that, as the Government's strategy is developed and rolled out, it acknowledges the role of time banks. We have not lost sight of their contribution. Indeed, our funding aims to help about 120 time banks get started by March 2003. The hon. Gentleman's constituency may be a beneficiary of that funding. I shall be happy to ensure that the active community unit informs him of the opportunities for support that are available for the time bank group in his constituency.

We must ensure that communities are enabled and empowered to determine how best to meet their local needs through the voluntary sector. The last thing that we want to do is to apply top-down solutions to local community issues. One of the great strengths of the voluntary sector is its independence and its closeness to the grass roots.

Sometimes, Liberal Democrats make the error of suggesting that new Labour has only just discovered the voluntary sector and that the grass roots are the sole preserve of the Liberal Democrats. I have news for the hon. Gentleman. We were, and are, the grass roots in the communities that we represent. We represent a good handful more constituents than the Liberal Democrats—

Mr. Tom Levitt (High Peak): Ten times more.

Mr. Boateng: My hon. Friend is right.

We well understand the importance of grass-roots community activity; the voluntary sector is an strong manifestation of that. I shall highlight several strands of the work on volunteering in the wider community on which we are engaged. In 1999-2000, the active community unit distributed about £17.1 million in grants to the voluntary and community sectors. In the current financial year, there will be £17.5 million. Resources are being made available. The time bank concept is important.

The report of policy action team 9 on community self-help provided about 33 recommendations to increase community activity and informal mutual support in our poorer neighbourhoods. A key plank of the strategy is to raise such activity in all neighbourhoods, not only in deprived ones. We do not want a stereotypical view of the voluntary sector as largely the preserve of the leafy suburbs—as the hon. Gentleman characterises his constituency. The sector has an important role to play in rural areas and in urban centres. It takes different forms in different places, but its value everywhere is that it binds communities together and is a reflection of them.

The strategy on which we have embarked is important. It is not about the provision of quick-fix solutions—there are none. It is a strategy for active communities over a five or 10-year period. The building blocks are being put in place. The hon. Gentleman referred to several of the Government's initiatives—for older volunteers, for young people and for black and minority ethnic communities—and to the millennium volunteer scheme. Those projects are rooted in community experience. Furthermore, we work with employers in large, medium and small businesses, to stress the value to them of promoting and supporting volunteering in the local communities that they serve. We can undertake such work together; it is about partnership and about unlocking community resources. We must do all that we can to make it possible.

The hon. Gentleman referred to the initiatives announced by the Chancellor in the Budget. We have taken steps to ensure that the Inland Revenue does not regard the benefits of time banks as taxable. I note the concerns expressed by the hon. Gentleman about the Department of Social Security. The Department is already considering benefits issues. It will be important for local offices to reflect in their approach to volunteers and volunteering the support that the Government have shown for the activities of the voluntary sector. I shall speak to the Under-Secretary of State for Social Security, my hon. Friend the Member for Wallasey (Angela Eagle) about the problem in Newcastle to which the hon. Gentleman referred. We want to ensure that there is joined-up thinking in this matter.

It is a good news story, although we should not be complacent. We shall introduce new initiatives. My commitment to the hon. Gentleman is that we shall ensure that the example of good practice set by his community is taken on board. We shall celebrate together the work of the voluntary sector in building strong and effective communities. We have a real opportunity to mark the new millennium so that the spirit of the voluntary sector remains intact and is strengthened through what we do in the House and in Government but, above all, through what we do out there in the wider community.

NHS Staff (Remuneration)

1.29 pm

Ms Julia Drown (South Swindon): I am pleased to have the opportunity to raise the issue of pay for non-pay review body national health service staff. It is particularly appropriate that the issue should be discussed in the House today, when many Members are receiving visits from constituents as part of the lobby of Parliament by MSF—the Manufacturing Science and Finance Union—for fair pay for all NHS professionals.

By way of introduction, I should explain who is covered by the label "non-pay review body staff." When the NHS is mentioned, people mostly think of the important work of doctors and nurses, without which the NHS could not function. Those and many other direct patient clinical professions are covered by pay review bodies, which independently review salaries each year and make recommendations to Government, but in addition to the 600,000 staff who are covered by pay review bodies, there are another 300,000 to 400,000 staff without whom the NHS could not function.

Those staff are not covered by pay review bodies and do not receive the same recognition as is given to those who are traditionally seen as front-line staff. They include laboratory technicians who analyse specimens, pharmacists, hospital physicists, speech and language therapists, as well as ambulance, estates, domestic and administrative staff and others. All those people together make up the NHS. All of them are vital to the end product of quality patient care.

It is only through all those groups of people working together that we produce good-quality patient care, yet successive Governments have failed to regard all NHS staff as full members of one team, pulling together for patient care. Instead, staff have been divided into the categories of pay review and non-pay review bodies, leading the latter group to feel like second-class citizens in the NHS. There should be an end to that division, which has a particularly negative impact on pay and morale for those staff.

The debate follows recent ones led by the hon. Members for Twickenham (Dr. Cable) and for Winchester (Mr. Oaten), who raised issues on biomedical scientists and pathology services. However, I should like to address the issue of pay as it affects all non-pay review body staff: the pharmacists without whom we could not use medicines in the NHS, the estates and domestic staff who keep patients fed and housed in as good an environment as possible and, yes, those often maligned administrative staff in the NHS, without whom it could not function either.

Doctors and nurses together are the biggest group of staff in the NHS and do a fantastic job, but the NHS is much more than doctors and nurses. I hope that the debate goes some way towards recognising that.

The Government deserve congratulation on the work that they have already done on pay. They have recognised many of the problems. They have awarded significant pay rises to many staff in the NHS and are addressing many of the issues that lead to a decline in morale. In its pay strategy "Agenda for Change" the Government set out their vision for replacing the incredibly complex current pay system.

With the current system, suitcases would be needed to carry all the books covering the terms and conditions of staff. The Government want to replace that system with three national pay spines: one for doctors and dentists, one for staff currently covered by the nurses pay review body and one for other staff not covered by pay review bodies.

That simplification is welcome and must be the way forward, but the three pay spines still leave non-pay review body staff vulnerable to continuing to be left behind, with the consequent loss in recognition, pay and morale. I hope that we will hear from the Government today a guarantee that that will not happen.

The concerns of non-pay review body staff are real. Since 1984, pay increases for staff covered by PRBs have been around 30 per cent. higher than awards to non-pay review body staff.

That has left, even after this year's pay offer, a graduate trainee medical laboratory scientific officer starting work on £9,400, compared with a nurse starting on £14,400. The comparisons with graduate salaries outside the NHS are even starker, but it is not only graduates who receive low pay. Many in the NHS work tirelessly for patients, both in direct patient care and behind the scenes, for very low pay. The Government need to take action to ensure that all NHS staff feel supported and rewarded in their roles.

The current division into pay review body and non-pay review body staff demoralises staff in the second group. It adds to the bad feeling created under the previous Government. Under their proposals for private finance initiative schemes, staff were divided into core and non-core staff. The latter were offered out to private sector contractors, giving the staff affected a feeling that they were peripheral to the NHS, when they clearly were not.

Again, the Government are to be congratulated on the fact that, while getting on and building hospitals under the PFI to see what they can deliver for patients, they have found a way to ensure that future PFIs do not have to classify staff as either core or non-core staff in that divisive way. However, I urge the Government to go further.

Staff pay can be affected by whether the service that they provide is done in-house or by a private contractor. Although the Government say that doctors and nurses are safeguarded from being transferred to private contractors, the Minister of State, Department of Health, my hon. Friend the Member for Southampton, Itchen (Mr. Denham), tells me that the Government are not dogmatic when it comes to support services, and that pay and conditions for those staff could be set by private contractors, who would be able to take over contracts for support services where they can offer greater value to patients. That again sounds like one rule and one lot of pay and conditions for one lot of NHS staff, and another rule for another group of staff.

Someone once described the NHS to me as a perfect illustration of the British class system, where groups are divided into categories whose members ostensibly live and work in the same world, but which actually do much to ensure that the dividing lines between them remain in place. Doctors defend their separate dining rooms with the utmost vigour and porters do not feel that they can make suggestions for improvements to services because

they will not be listened to. Those attitudes are changing, but they can still be found in parts of the NHS. It is only by changing those attitudes that we will maximise the benefits for patients.

I turn to some specifics of this year's and next year's pay rounds. Although the Government improved their original offer, the 3.25 per cent. award, with a pledge for next year of at least 0.5 per cent. above inflation, will not solve the problems of recruitment and retention for some groups of scientific and laboratory workers in particular.

I recognise that some of the worst paid staff benefited from much higher increases, but they affect only a small number of non-pay review body staff and still do not go far enough towards solving the significant recruitment and morale problems.

In my constituency of South Swindon, our hospital has 12 vacancies out of a complement of 50 lab staff. The resulting pressure on the remaining staff is unsustainable in the long term. The Government must therefore not allow pay awards for non-pay review body staff to fall further behind those of the review bodies.

Swindon is not unusual in that respect. The pressure in its labs exists in many other areas. That is why the MSF is lobbying Parliament today. It thinks that the proposed pay awards are inadequate and will not have a big enough impact on those problems. Those concerns are shared by many Members. There are 92 signatories to early-day motion 461 on the issue.

The Government must listen. A further deterioration in the situation must be prevented. In a sense, it seems unfair that, in three years, the Government are being asked to put right 18 years of the knocking down of public services by their Tory predecessors—it is unrealistic to ask for all the problems to be solved overnight, but the issue of low pay in particular for non-pay review body staff is a real one. There is a risk that, unless more can be done, the Government will alienate a loyal and long-serving staff from the NHS for good, with the consequent reduction in quality services for patients.

NHS staff who are not visible in the delivery of front-line care find it harder to attract media attention and to generate public sympathy for their cause. Their position is not as well understood. Subsequently, the pressure on Government to deliver change is considerably less, but pay awards should be decided on their own merits, not on staff's ability to command a high public profile, or to attract media attention. That is unlikely to be achieved if all NHS staff are not covered by the same pay review arrangements.

I recognise that the Government are working with the National Advisory Group for Scientists and Technicians to develop an employment environment that is attractive to and supportive of these staff, but that is a promise of jam tomorrow for them. Until more is delivered, many non-pay review body staff will not have the confidence that their needs will be met.

The recruitment and retention problems to which low pay contributes have serious implications in terms of costs to the NHS. Not only are vital services understaffed and overstretched, but an exorbitant amount is spent on agency staff. For example, a medical laboratory scientific officer at the top of the scale receives £360 a week, and a locum to fill a vacancy at that level costs £603 a week—a difference of about £13,000 a year. Such figures show that if a larger pay award were made to NHS staff, the NHS would have to rely less on agency staff, and that a larger award would be cheaper for the NHS than a lower one.

I know that in my constituency the spending on agency staff in laboratories is high, and hard-working NHS staff cannot understand why greater funds cannot go into recruiting and retaining NHS staff. They also find it ironic that while all UK staff have to be registered, overseas agency staff do not go through that process, so more is being spent on possibly less well-trained staff. It cannot make sense for so many trusts to be relying on agency staff to run labs when a better pay award would attract more NHS staff to the profession as trainees and full-time staff.

As the Government rightly point out when announcing pay awards, in the face of what sometimes seems like opposition by the Tories, there is not a straight trade-off between paying staff less and having more money for patient services. Of course there may be an element of that, but there is also a win-win element because paying staff fairly reaps huge benefits in increased commitment and less stress and sickness, and that leads to better patient services.

I have already mentioned the positive improvements to the pay system that the Government set out in "Agenda for Change". They state that

> modern forms of health care rely on flexible teams of staff working across traditional skill boundaries.

That strengthens the argument for going further than the document outlines and creating a single pay spine and a single pay review body for all NHS staff, facilitating and encompassing that extra flexibility.

Progress on pay should be matched by progress on harmonisation of conditions of service; it is illogical to address one without the other. One example would be to reduce the working week of ancillary staff.

It is essential that avoidable divisions in the work force do not undermine the Government's vision for a united, modern NHS. Different pay arrangements for different groups of workers cannot achieve that as effectively. NHS staff should not be made to feel that some are more important than others and some more dispensable than others. Every cog, however small, is necessary to ensure that this huge machine works well. I remember Frank Dobson describing the NHS as an oil tanker that needed to be turned around. Well, it is the staff who will turn that tanker around, and they are doing so. However, unless they pull together we will not turn it around quickly. Staff should not be set one against the other so that they pull in different directions and fight among themselves.

In spite of the divisions in the pay structure, there are many examples of staff in the NHS working well together in teams, and it is those smooth-running teams that produce the best patient care. However, to get those teams working better and to replicate that work throughout the NHS, we need an end to the divisive pay structure in the NHS.

Ultimately the aim is to deliver high-quality patient care, and that is what the Government want to achieve. Good progress has been made on NHS pay. The Labour Government are putting right many of the problems

[Ms Julia Drown]

created by the Tories, and staff and unions recognise and welcome that. However, as negotiations for new pay levels draw to a conclusion in the coming months, it is essential that the Government demonstrate their commitment to the vital staff outside the scope of the pay review bodies.

We know that problems cannot be solved overnight, but we need to know what steps will be taken to tackle the problems of recruitment, retention, low morale and inadequate pay, now and in the future. One united system bringing together all the staff in the NHS would send out the clear message of admiration and respect that all NHS workers deserve.

Mr. Deputy Speaker (Mr. John McWilliam): Order. I did not want to break the hon. Lady's flow, but, before I call the Minister, I must point out that the former Secretary of State for Health should be referred to in this Chamber as the right hon. Member for Holborn and St. Pancras (Mr. Dobson).

Ms Drown: I apologise, Mr. Deputy Speaker.

1.44 pm

The Minister of State, Department of Health (Mr. John Denham): I congratulate my hon. Friend the Member for South Swindon (Ms Drown) on being successful in the ballot for this debate and on deciding to raise the matter of remuneration for non-review body staff in the NHS. As my hon. Friend said, this is a very important group of staff, numbering more than 300,000.

NHS staff whose pay is not determined by the doctors and dentists review body or the nurses review body are a diverse and wide-ranging group covering many different occupations. As my hon. Friend said, it is often too easy to give the impression that it is only doctors and nurses who run the NHS. Non-review body staff play a vital role in delivering high quality health care to patients.

The largest of those groups is administrative and clerical staff who provide essential secretarial and management support and look after medical records and computers. Ancillary workers including cooks, cleaners, porters and maintenance staff such as electricians are essential to the successful running of every hospital. Ambulance staff, including paramedics and those working in the control room, directly contribute to saving countless lives each year.

Clinical psychologists, speech and language therapists and health care pharmacists directly provide specialised patient care. NHS scientists and other scientific and technical staff make a crucial contribution to patient care through their work on diagnostic techniques and treatment, playing vital roles in the treatment of people with life-threatening conditions such as cancer and coronary heart disease. I, too, want to begin by emphasising the importance of the work done by those different staff groups, all of whom deserve fair and affordable pay awards.

As my hon. Friend recognised, we have made a strong commitment to all non-review body staff groups. For the first time in the history of the NHS, we have been able to guarantee above-inflation rises not just for one year, but for three years.

In January, we offered all non-review body staff an innovative above-inflation three-year deal that gives special help to the lowest paid. We have made some progress, at least, because from this year no adult worker in the NHS on a national contract will earn less than £4 an hour. That is the first longer-term deal of its kind in the public sector. I believe that it does give staff the security of real-terms increases for the whole of that period. Last year's increase has resulted in a real-terms increase of 1.4 per cent. We project that by the end of our three-year deal, pay increases will amount to at least 9.25 per cent. against projected inflation of 6.5 per cent.

Those figures should be compared with the increases awarded by the previous Government. During their last five years in office, rises ranged from below the rate of inflation to a meagre 0.4 per cent. above inflation.

In January, staff were offered increases of 3 per cent. or £250, whichever was greater, from April 1999, 3.25 per cent. or £300 from April 2000 and a minimum of the underlying rate of inflation plus 0.5 per cent. for next year. As a result some 75,000 of the lowest-paid staff working in the NHS will benefit, including porters, messengers, storekeepers and domestic staff. They will receive an average 3.2 per cent. in year 1 and 3.7 per cent. in year 2.

In addition, as part of the long-term deal, our pay offer for April 1999-2000 makes special provision for some of the scientific, professional and technical groups. Junior health care pharmacists received increases of up to 12 per cent. All scientists have been offered at least 3 per cent., and about half of all biomedical scientists—some 6,000 in the lower grades—have been offered 7 per cent. to address special recruitment problems.

Trainee biomedical scientists have been offered a particular deal, too. There are about 1,000 of them altogether, and around 100 at the bottom end of the scale have been offered 26 per cent., and we have offered the rest increases ranging from 7 to 22 per cent. by restructuring their pay scale. In addition, we have offered to increase London weighting by 13.5 per cent. to restore it to 1995 values.

I do think that that is a fair offer in the current circumstances. We needed to target funds where the need was demonstrably greatest—to address recruitment and retention problems that would have damaged patient care. There is a problem in recruiting staff at the bottom end of the biomedical scientist scale, including medical laboratory scientific officers and path lab staff. We recognised that, and have offered larger increases to staff in that part of the profession. That means that some pathology staff will be getting more than many review body staff; biomedical scientists are receiving a rise of up to 7 per cent., and trainees up to 26 per cent. That compares favourably with the 4.7 per cent. awarded to most nurses in 1999-2000.

The current position is that unions representing about 75 per cent. of non-review body staff have now accepted our offer. Advance letters instructing employers to implement the pay increases have now been issued for administrative, clerical, ancillary and ambulance staff. I look forward to the remaining groups being able to benefit from this long-awaited award in the near future.

The offers have been made within the context of the current pay system, and it is worth pointing out that that system allows considerable flexibility to address the

needs of key groups of staff. There is, for instance, the provision within Whitley to restructure on-call and call-out payments to suit local service organisation. This and similar action has been taken by a number of NHS employers in order to pay staff more attractively to ensure that key services are provided when they are needed. One example that is local to my constituency is the Winchester and Eastleigh Healthcare Trust, where staff working in biochemistry and haematology may have their annual pay increased by £3,744 for providing on-call services twice a month.

More widely, there is also provision to offer local pay supplements of up to 30 per cent. in the London area and 20 per cent. elsewhere, specifically to address recruitment and retention issues where management considers that proven problems could be redressed by pay enhancement. That is one way of addressing the reliance on agency staff to which my hon. Friend referred.

I have set out the current offer and the flexibility that exists, but everyone accepts the need to modernise the NHS pay system, which is outdated and has become a barrier to modernising working practices. Too often, services have to be organised around the barriers created by the pay system rather than around the needs of patients. My hon. Friend rightly spoke of the importance of teamwork in the NHS involving different professional and occupational groups and across traditional barriers.

As part of its modernisation, we intend to make a substantial investment in the NHS to enable services to be more patient-centred. Staff need to be encouraged to work effectively in fluid and flexible teams to provide seamless care. They need to break down professional demarcation lines and work in partnership across professional and other occupational groups.

The problem with the current pay system is that it reinforces the barriers and the inflexible ways of working that the current system promotes by tying staff incomes to ways of working that go against team working and patient-centred care. It is also frustrating for staff because it is not always clear to them how the responsibilities of their jobs and the competences that they develop are actually rewarded in their pay at present.

Over the next five years, the Government intend to modernise the care system—health and social care alike—from head to toe. Modernisation of the system is necessary to secure a lasting improvement in people's health and to tackle inequalities.

Hon. Members will be aware that last week's Budget announced substantial injections of funding into the NHS—an extra £1.4 billion for the NHS in England plus additional revenue from taxation on tobacco. Those extra resources represent a huge opportunity to modernise the NHS and improve patient care. We must not waste that opportunity. No one should be in any doubt about what the public expect us to do with the money. If we fail to produce improvements in patient care where they are most needed to tackle ill health and inequalities in health care, we will be judged to have failed to deliver the changes the public and NHS staff expect and deserve.

We need to make sure that we can continue to make fair and affordable pay offers, to address recruitment and retention and—fundamentally—to invest in a pay system which rewards new and better ways of working. That is why on 15 February last year we published "Agenda for Change", which outlines our proposals for modernising the NHS pay system. We want a new system that is based on efficiency, fairness, flexibility and partnership and gives all staff better career progression and fairer rewards for taking on extended roles, widening their skills and working in teams. We want to give all staff modern conditions of service. My hon. Friend mentioned working hours and other issues that will inevitably arise in negotiations.

We also want to provide a fair basis for pay rises in the security of a national pay system. That will entail substantial changes to the current system in which staff are often defined by a combination of their titles, their pay and how they are trained rather than by what they do for patients. It means changing the existing conditions of service, with their range of arcane allowances which too often distort working patterns.

Over the past year, we have had positive and constructive discussions with trade unions, NHS health professionals and NHS staff on the proposals set out in "Agenda for Change". I genuinely believe that we are working in a real partnership with all the recognised unions to make sure that the concerns of all staff groups are properly represented.

"Agenda for Change" proposes three pay spines for doctors and dentists, an expanded healthcare professional group and a single negotiating council for staff groups whose skills are attractive to employers outside the NHS. Although we propose different mechanisms for pay uplift for those three groups, it is essential—and it is recognised in the agreements that we have reached so far—that there should be a means to ensure that future pay increases on the three spines do not result in different rates of pay for jobs of equal value which could not be justified under the relevant legislation.

We also recognise that, for various reasons—often rooted in history—some smaller groups of highly qualified health professionals are outside the remit of the nursing pay review body. Those groups could well be included, although it is not intended that there should be any change to the fundamentally professional character of the coverage of the NPRB. As I have said in several debates over the past two or three months, it is too early in the negotiations to be specific about proposals for particular staff groups, but the matter is under discussion. I am confident that pay modernisation will bring benefits to all NHS staff, whether or not they are covered by a review body.

We have the opportunity to change the pay system for the better so that staff can be rewarded fairly for the work that they do rather than the title that they hold. We need the flexibility to design jobs within the security of a national pay system, to offer better career progression and modern terms and conditions for all staff and crucially, to allow managers and staff to deliver the quality of services that everyone wants. A national

[Mr. John Denham]

system of job evaluation will allow creative approaches to job design to match exactly the redesigned care processes that are so important to patients. If our negotiations continue to be successful, I hope that we will have an agreed package by the summer so that we can move ahead to implement locally and nationally to an agreed time scale over the coming years.

Although pay is important, it is not the only thing that matters to NHS staff. The quality of their working lives is also important. My hon. Friend mentioned people not being listened to and feeling that their views were not of value because they did not belong to the right profession or group of staff. She will know that, over the past year or so, we have undertaken an extensive exercise on staff participation within the NHS and I hope that we shall be able to publish a report and the Government's response to the staff participation proposals in the very near future.

We recognised from the outset that it is important that all staff in the NHS should have the ability to contribute their views about how services should be run and the right to expect those views to be listened to and taken seriously.

We are not prepared to leave good employment practice to chance. We are developing more supportive, flexible and family-friendly working practices; we are extending and improving investment in lifelong learning and professional development; we are tackling violence and racism in the workplace and we are insisting that employers make those changes happen by setting clear priorities and targets to improve employment practice.

My hon. Friend has raised some important issues, some of which we have been able to address in the offers that we have made recently and others which we shall need to address in the context of wider change, but I am sure that we shall continue to make progress.

Question put and agreed to.

Adjourned accordingly at Two o'clock.

Westminster Hall

Thursday 6 April 2000

[MR. MICHAEL LORD *in the Chair*]

NHS Direct

Motion made, and Question proposed, That the sitting be now adjourned.—[*Ms Stuart.*]

2.30 pm

The Parliamentary Under-Secretary of State for Health (Ms Gisela Stuart): I am pleased to have this opportunity to mark the second birthday of NHS Direct and to share with hon. Members the Government's aims of improving health care delivery. People will look back on the past few weeks as a turning point in health care in this country. Arguably, it has been one of the most significant periods in the history of the national health service.

The service has faced enormous pressure and, sadly, some patients have not received the treatment that they deserve. That most have has gone largely unreported, and the tremendous efforts of NHS staff have sometimes been ill rewarded by those who are determined to pronounce the NHS past its sell-by date. My right hon. Friend the Prime Minister has made the historic declaration that, by managing the economy properly, we will be able to sustain increases in NHS funding that, in time, will bring the United Kingdom's spending up to the European Union average.

Mr. Philip Hammond (Runnymede and Weybridge): If I recall the Prime Minister's comments correctly, he said that if the Government managed the economy prudently, they would be able to bring NHS spending up to the European average as a percentage of gross domestic product within five years. However, the programme rolled out by the Chancellor of the Exchequer the week before last does not achieve that. Does the hon. Lady have any comment to make on that?

Ms Stuart: As a former Conservative Chancellor made clear in a previous health debate, we have clearly signalled the point at which we want to arrive. The Chancellor's statement was simply the first step.

Dr. Peter Brand (Isle of Wight): The Government signalled the point at which they want to arrive, but in fact there is no clarity about what that point is. Are we talking about a raw average of GDP expenditure in the European Union, or a weighted average?

Ms Stuart: I am reminded of the saying that there are lies, damned lies and statistics. We could spend the next three hours arguing the finer points of weighted and straightforward averages. We have not only given a commitment as to the point at which we want to arrive, but underpinned that commitment by announcing the largest ever cash injection into the NHS, which will provide sustainable development over the next three years at least. That is the important point.

Kali Mountford (Colne Valley): There has been an increase of 8.75 per cent. in expenditure in my constituency this year—a huge increase, well above expectations. What is important is that the money is spent wisely, to achieve the sustainable growth that is needed in the NHS.

Ms Stuart: That is one of the themes that I shall take up: it is not simply a question of the sums of money that go into the service, but of the price at which the money comes. That price is a combination of a change in the delivery of the service and modernisation.

That exchange about figures signifies the sad passing of the post-war consensus on health. The Conservative party has declared for private insurance at the expense of expanding the NHS.

Mr. Hammond: The hon. Lady would not expect me to let that comment pass without an intervention. My right hon. Friend the Leader of the Opposition took the trouble on Tuesday to go to Bournemouth, where he stated loudly and clearly that, despite the allegations of Labour Ministers, the next Conservative Government will not privatise the national health service, retreat to a core model of provision or introduce any form of compulsory private insurance. Will the Under-Secretary acknowledge that?

Ms Stuart: I am happy to acknowledge that, although the hon. Gentleman should take note of the extent to which nurses who were present at Bournemouth were reassured by his right hon. Friend's statement. I concur with the nurses' judgment.

We are in new territory. I believe that the principles of the NHS are right. Its health care service is delivered according to clinical need and it is publicly funded; it is not delivered according to contributions that have been made or to one's ability to pay. However, I am convinced that practices in the NHS have to change—the NHS needs modernisation. The public often assume that modernisation involves a reduction in services, but that is not always correct.

Our approach will change the way in which things are done, because standing still will kill the NHS. Over the past 50 years, the service reached the point at which it was responsive neither to changes in people's lives, nor to the way in which technology can allow progress to be made. We are now in a different ball-game—the public have different expectations, and there have been changes in demography and in the relevant technologies.

Investment plus reform is the key to achieving a sustainable NHS. In other words, the extra resources that my right hon. Friend the Prime Minister outlined for the health service have a price tag: more money means modernisation. People will not stand for anything less. If we poured in extra billions, but failed to meet the public's expectations for a modern NHS, we should run the risk of fatally wounding the public's support for a universal, tax-funded health service. The Government will not let that happen.

Our modernisation programmes have as their starting point people's aspirations for their own health. More than ever before, people place a high value on good health. We all want to know more about our health and, if we fall ill, we want services that are of the highest quality—fast, fair and convenient. That approach involves the reinvention of the NHS, what it does and

[Ms Stuart]

the way in which it is run and organised. That is what we want to do. We want to modernise the service from top to bottom and to do so across the whole system of care, from primary care and prevention to secondary treatment.

We are putting in place a new and modern model of health service provision—the building blocks are now in place. One of the most significant and publicly visible building blocks is NHS Direct, which is at the forefront of our effort to modernise the NHS. The service is already transforming many people's experience of the NHS and extending health care into the home. It is a responsive, modern and new service that allows people to take responsibility for their health and empowers them to become more proactive partners in their health care.

We cannot move ahead simply by doing what was previously done, but doing it faster; we also need to do things differently, and the use of new technology by NHS Direct allows us to do that. We know from the 750,000 calls that have so far been received that the service has changed people's lives. A lovely example occurred at the Bedfordshire and Hertfordshire site. A 70-year-old lady, who had made her prospective daughter-in-law's wedding dress, was about to attend her son's wedding, but, just before she went to church, she slipped on the stairs at home and fell. As her son was going to the telephone to dial 999, he saw a sticker on the fridge showing the phone number of NHS Direct. He rang the number. Nurses talked him through the problem and assured him that his mother was not in immediate danger; they said that she could get medical attention after she had attended the wedding, which she did. She was able to attend her son's wedding: the service changed her life because it allowed her to take the appropriate decision.

Mr. Hammond: The Under-Secretary has recounted a fascinating anecdote, but will she provide something more than anecdotes to back up her assertion that NHS Direct has changed people's lives. Does she have some hard evidence to that effect? The debate today will revolve around the evidence that NHS Direct is working, not the aspirations for it.

Ms Stuart: I certainly shall. A quick-response service, NHS Direct has the ability to upgrade a call to make it a blue-light emergency call for an ambulance. That has happened on 24,000 occasions, so it has made a real difference. I shall say more about evaluation of the service later in my speech.

NHS Direct is an example of the seamless service that we want. At a recent seminar, a health service manager spoke about her experience when, in the course of one day, she had had to call both British Gas's 24-hour line about a broken boiler, and NHS Direct about her three-year-old son's earache. She said that both services sorted out the relevant problem quickly. More important is the fact that, on both occasions, her problem was taken seriously: the people who answered the phone were calm and in control, and they made it clear that it was their responsibility to navigate the complexitites of their internal service to enable her to reach the desired result. She had rung up and she was given the complete soluion. That is the sort of response we need.

NHS Direct is also helping to broaden the role of nurses and thereby encourage them to stay in the NHS. In particular, it has given disabled nurses and those who have had to stop working on the wards a new opportunity fully to utilise their clinical experience and expertise. We have worked in partnership with local trusts to recruit and retain staff within the NHS, and we recognise local hotspots. Flexible placement schemes enable nurses to rotate between NHS Direct and local accident and emergency departments or walk-in centres. Not only does that allow staff mobility, but it helps to maintain those nurses' wider clinical skills.

Dr. Brand: Of course it is good to give people employment opportunities. However, the use of nurses who are not fit to do a hands-on nursing job has been quoted many times by various Government spokesmen, so will the hon. Lady tell me what proportion of nurses employed by NHS Direct fit into that category?

Ms Stuart: At this point it is important to recognise that, while NHS Direct—

Dr. Brand: How many?

Ms Stuart: May I finish?

NHS Direct employs the full-time equivalent of 600 nurses. Depending on how we count them, there are between 250,000 and 300,000 nurses in the system, so NHS Direct accounts for only a small core at this stage. Even so, we must recognise that it is a new service that is just beginning to be rolled out. All the early signs tell us that what I have described is a trend, and it should not be mocked.

Dr. Brand: I do not mock it. We have been told that the service employs 600 nurses. How many of those nurses could not fulfil another nursing role because of disability? The claim is repeatedly made by Government spokesmen, but if they want to claim credit for an enlightened employment policy, they should provide evidence.

Ms Stuart: Although it would be easy simply to count the small number of nurses who have a disability, a number come back after having a baby—

Dr. Brand: Five, 10, 15?

Mr. Stuart: We can certainly go back and examine the figures, but what is important is that we recognise that the service has been rolling out for two years, having started from small beginnings. It is to go national at the end of the year, and we shall build on such trends and opportunities.

Mr. Hammond: I suspect that many of the few hon. Members in the Chamber sympathise with the Under-Secretary's aspirations for NHS Direct. However, we are concerned about the lack of hard evidence to support the Government's assertions about its achievements. We will have a sterile debate if the hon. Lady cannot back with figures her argument that it is a success.

The hon. Member for Isle of Wight (Dr. Brand) is right to ask for the numbers. They might be low. Do the Government have any numbers? When the Under-Secretary asserts that NHS Direct provides a means of employing disabled nurses, is she merely voicing an aspiration, or stating a hard fact?

Ms Stuart: Perhaps we would have a more fruitful debate if I could get on with my speech, which will cover quite a few points that have been raised.

Kali Mountford: Will my hon. Friend give way?

Ms Stuart: I shall briefly tackle the matter raised, then give way. Fewer than half the hon. Members in the Chamber attended the last Labour party conference, but some of them may have seen on television a quadriplegic nurse from Yorkshire—one of the first to be employed by NHS Direct—giving an extremely moving speech.

Mr. Hammond: So there is one.

Ms Stuart: No, there are more.

I shall say more about the Sheffield review later, as we are extremely keen that there should be independent evaluation.

Dr. Brand: There is no mention—

Mr. Deputy Speaker: Order. This is a Chamber, not a Committee. Hon. Members may be tempted to make sedentary interventions, which can be helpful. However, it would help the Chair if they refrained from such behaviour and were a little more formal.

Ms Stuart: I promised to give way to my hon. Friend the Member for Colne Valley (Kali Mountford).

Kali Mountford: I cannot assist proceedings by providing figures, but I am interested to hear my hon. Friend's views on my visit to Wakefield NHS Direct. I did not count how many nurses working there had disabilities, but some told me that they had hurt their back lifting patients and could not continue in their former role. More importantly, however, four women there would not have returned to the NHS after having children had they not had the opportunity to work for NHS Direct. More regular and more certain working hours helped them to manage their family lives better. A goodly number of the nurses I met—there were about 40 in all—had come back into the service because NHS Direct provided a route back. We should welcome that.

Ms Stuart: I am grateful for my hon. Friend's contribution, which mirrors my own experience of visiting the sites.

I shall speak briefly about the nature of NHS Direct and how it has developed. The service was launched only two years ago. Initially, it covered only 3 per cent. of England, but it was extended last November to cover 40 per cent. of the population. Just before Christmas, the service covered 65 per cent. of the population. It has been extended at phenomenal speed, and we have been evaluating it continuously. As the service is rolled out, the evaluation ensures that it is always clinically safe, sustainable and growing at the right speed.

In many ways, the service has been allowed to develop organically. By the end of October 2000, the whole of England will be covered. I do not see any Members representing North Yorkshire or east Lancashire in the Chamber; those regions will be fully covered by the end of August. we have been able to expand the service because of the extraordinary dedication of nurses, call handlers, health information advisers and managers.

Over Christmas, NHS Direct showed its worth in the extraordinary number of calls that it handled, which was well above normal rates. Some of the new sites had started operating just before the Christmas period, and they coped extremely well. Sometimes, the pressure meant that the call handler had to take the first call and patients then had to be rung back. However, in the services in respect of which we carried out a satisfaction survey, we found that 90 per cent. of callers were satisfied or very satisfied with the service, with 80 per cent. very satisfied. Some 48 per cent. of callers were given advice by a nurse on how to look after themselves. Only 30 per cent. were advised to contact their GPs, compared with 48 per cent. who said that they would have done so if they had not rung NHS Direct.

Mr. Hammond: Before the Under-Secretary moves on from those statistics, does she accept that some of the 48 per cent. who said that they would have contacted their GPs—presumably the GP out-of-hours services—would, had they done so, have talked to a nurse who was operating a triage service, or to a GP on the telephone, rather than visiting the GP's surgery?

Ms Stuart: They said that if they had not rung up NHS Direct, they would have rung the GP out-of-hours service. They took a different route. It would be easy to start playing with the figures, because we are talking about small samples, but the trends are clear. The service—this brings us back to the purpose of NHS Direct—is showing signs of meeting the policy need for appropriate access.

Mr. Hammond: The reason I ask the question is that my understanding, derived from the literature that I have read, is that the cost of a telephone triage call to a GP out-of-hours service is approximately a quarter of the cost of a call to NHS Direct. If all the Under-Secretary is telling us is that people who would have rung the GP out-of-hours service for a telephone consultation are ringing NHS Direct instead, I am not sure where the benefit to the overall system comes from.

Ms Stuart: There are two points. The individual costs to NHS Direct are lower than those to a GP out-of-hours service. The purpose of NHS Direct is to provide a single gateway, which gives the right access to the next point. I recall answering parliamentary questions on that issue: if I remember rightly, the cost of a call to NHS Direct is about £8, while the cost of a call to an out-of-hours service is closer to £35 or £40. I might be wrong about the exact figures, but the cost of the NHS Direct call is certainly lower.

Only two thirds of the country is covered at the moment; economies of scale might become more apparent once the service is completely national. We are

[Ms Stuart]

talking about early figures. However, the issue is not saving money, but making sure that people access the NHS at the appropriate level and that the next step they take is the correct one.

I want to say a little about the independent evaluation. We have asked Sheffield university to provide us with an on-going assessment and evaluation. The first report was published on the first anniversary of NHS Direct, and the second was published a year later, in March. Those interim reports clearly show that the public perception of using the service is positive, and they confirm its increasing popularity and safety. Safety was initially a concern, and people asked whether the service was safe and reliable. The reports also showed that the service's successful introduction did not increase the overall demand on other services, which had been feared. Indeed, in one area, the researchers found that the introduction of NHS Direct was associated with halting the upward trend in demand for out-of-hours medical services.

In accident and emergency departments, we have seen year-on-year increases in attendance. Some people may not have accessed the service, and we hope that in future they do so before attending the accident and emergency department. Even if numbers continue to rise, there might still be people who should have used the service but did not do so. We need to be careful, but the overall increasing trend has been halted in certain sectors.

Dr. Brand: I have the second interim report, dated February 2000, which suggests that there may be a slowing of the rising demand for out-of-hours GP services; however, it provides no figures comparing trial areas with other areas that provide evolved out-of-hours services through GP co-operatives. We need a decent comparator to assess statistical significance. I hope that the Minister will urge the researchers, in their definitive report, to provide better evidence for their tentative assertions.

Ms Stuart: Although I do not claim to be a statistician, I recall the statistical discussions with Sheffield university. Comparative data started to be compiled in the early pilots to allow for continuous comparison. We were careful to ensure that advertising took place only in areas where the service was available. Data will be much more reliable when the service goes national and we can assess the knock-on effects. Nevertheless, current trends show the clear signs that I have mentioned.

Dr. Brand: That is hardly a scientific pilot study. If control is destroyed by dispersing research throughout the country, a new system cannot be compared with another system that was in the process of evolving. I am not necessarily against the service, but the hon. Lady has not provided scientific arguments in favour of it. Let us be honest and recognise that it is politically convenient for the Government to have NHS Direct; it is unworthy to use cod science to justify it.

Ms Stuart: I might have failed to make it clear that the researchers are trying hard not to destroy the basis of their research. Hon. Members should accept that the evaluation is independent, and that we have not even thought about political convenience. We want genuinely independent research. That is why—

Dr. Brand: Will the Minister give way?

Ms Stuart: No, I wish to make some progress. Hon. Members will have the opportunity to make their own speeches.

As I said, we have reached the evaluation stage and the trends are clear: NHS Direct is fulfilling the original policy intention of being a gateway to appropriate access to the health service and maintaining the confidence of the public. It is a success, but now the question is, where do we go from here?

A telephone service such as NHS Direct has the potential to achieve a range of objectives. Recently, NHS Direct demonstrated a new advantage. Last week, the Department of Health announced that some patients might have been exposed to hepatitis C, following the discovery that two health care workers were infected with the virus. Despite the fact that the risk of transmission was low, the patients identified as potentially at risk were sent a letter that explained what had happened and offered support and specialist clinical advice.

It became obvious that many members of the public were concerned about contact with the virus. An NHS Direct number was made available to the whole of England, so that anyone concerned about hepatitis C could gain access to 24-hour advice and information. I had long discussions about how that could be achieved. In areas that were not covered by NHS Direct, anyone ringing the NHS Direct number about hepatitis C was put through.

Hon. Members may regard what I am about to say as anecdotal, but it shows how NHS Direct can provide a service. In one four-day period, NHS Direct received calls about hepatitis C from more than 3,600 people. It was able safely to reassure 63 per cent. of the callers that they had no cause for concern, and to refer callers who might have been at risk to the NHS trust involved. That shows that, by working in partnership with other NHS services, NHS Direct can provide a fast, convenient response to concerned members of the public, while relieving pressure on the trusts, so that they can concentrate their efforts on the callers who most need their specialist advice and services.

At the recent Royal College of Nursing conference, I announced three new developments for NHS Direct. The first is the appointment of the first nurse consultant for NHS Direct, a post that is based at the Hampshire NHS Direct site. It is another example of the instrumental role of nurses being extended.

Secondly, as part of the roll-out of the national health service framework for mental health, the Government have made £1 million available to NHS Direct to provide a service responsive to the special needs of callers who want to ask about mental health. That has enabled us to establish a mental health lead for each NHS Direct site, supported by a specialist national project team. The focus will be on providing accurate and consistent advice—that is particularly important—about mental health concerns, information about local

mental health services and on making the necessary linkages to other services to enable the fast, effective delivery of care and services to groups who sometimes find it difficult to gain access to them.

Mr. Hammond: I listened carefully to what the Minister said about mental health services. In my constituency, an acute psychiatric unit has traditionally provided a helpline service to patients in the community who suffer a crisis. Can she give me an absolute assurance that such services, which are embedded in the acute psychiatric units, will not be shut down as the NHS Direct service rolls out?

Ms Stuart: Yes I can, because NHS Direct is being developed in co-operation with, and in addition to, the available local services and with the voluntary sector. As I said earlier about the consistency of advice, I am delighted that the hon. Gentleman's constituents have access to the service that he mentioned, but many people do not. Our intention is to ensure that the service is available whenever the need arises. Precisely how it will be delivered may vary from area to area.

The third development is the NHS Direct on-line service, which the Prime Minister launched in December. It provides the public with a gateway to the best of health information on the internet. Although the internet is easily accessible and can be the source of a tremendous range of information, it can also be extremely misleading. NHS Online will be a reliable source for further advice. It received 1.5 million hits on its first day and receives more than 100,000 hits on a typical day. Even more amazing to me were the favourable reviews it received in the computer press. *Internet Magazine* selected it as its website of the month.

On 20 March, NHS Direct ran its first on-line live discussion, with Professor Mike Richards, who is commonly known as the cancer tsar. It facilitated a discussion about the Government's plans to improve cancer services and proved to be a real interchange.

As with the telephone service, we are keen to develop NHS Online as the leading source of information. The site will be updated regularly and by the summer, we hope to provide access to searchable information about local services such as pharmacists. It will use model technology, which in this instance is international, to provide focused local information.

There has been tremendous grass-roots development of the service. A significant characteristic is the way local communities have taken ownership of it and developed services that are responsive to the needs of their areas. In some areas, we have integrated access to out-of-hours services. This has enabled NHS Direct nurses to pass callers on seamlessly to the out-of-hours doctor, or direct them to other services, if appropriate. The caller does not have to make two calls; there is only one call, which moves on behind the scenes. It also makes for cost-effective delivery of out-of-hours care.

GPs have expressed much concern. Some feel threatened by the changes, and I acknowledge that change is always unsettling, but the Government have made it clear that GPs should not feel threatened, and we have found no evidence that they are. NHS Direct is not intended to replace them or usurp their role; it is additional to what they already do.

Mr. Hammond: What studies have the Government commissioned to compare the cost-effectiveness of delivering telephone triage services through NHS Direct as opposed to through GP out-of-hours co-operatives?

Ms Stuart: It is part of the continuing evaluation of the service. A simple calculation is that an NHS Direct call at £8 is cheaper than the GP out-of-hours service. If as a result, only 50 per cent. of patients go on to talk to their GP, that is almost an indirect saving in itself.

In discussing this new service, I stress that to focus purely on the apparent short-term saving is not to focus on the right aspect. I said initially that we are putting more money into the NHS because more money is needed, and that the price tag that comes with the extra money is a reliable and convenient—but different—way of delivering services. NHS Direct plays a vital part in that. Of course part of the evaluation will be costs, but costs alone will not be an indicator of success or failure. I like to think that, even in basic business, cost cutting is not a long-term strategy. The strategy should concern whether the service is delivering something that is needed at a competitive price.

I return to the point about evidence from GPs because concern has arisen. There was a point at which, if one had relied solely on the professional journals, one could easily have thought that this was the biggest threat ever to general practitioners. I was interested to see recently in the letter pages of newspapers that GPs are stating that it is inappropriate to attack the service, because it is helping them.

I can always tell from conversations with GPs whether the service is available in their area. Similarly, with members of the public, I always know when they have used the service and when they have not heard of it. A lovely example occurred yesterday in the Room next door during a reception for about 30 GPs. Someone asked what sounded like a hostile question. Before I had time to answer, a GP who stood next to me, whom I thought was very brave, grabbed the microphone and said, "I am a GP and you really should not attack the service. We are using it in co-operation with our out-of-hours service and it works extremely well. We find that it actually makes our work easier." The Sheffield report also stated that experience on the ground is that the benefits of the service are beginning to show. It is working with GPs. In some areas, co-operatives are working; in others, it is not a step that people wish to take. It is a question of responding to local needs.

We should also consider the knock-on effects of NHS Direct in other areas. I will examine briefly other areas of integration. Last winter saw huge and increasing pressure on our accident and emergency departments. We should examine the reasons for that, and consider whether we can control the system better, so that the facilities of A and E departments are reserved for those who really need them. At present, if someone rings NHS Direct and it becomes clear, following consultation with the nurse, that it is an urgent ambulance call, NHS Direct can upgrade it to a 999 call. There is no provision to reverse that process when someone rings 999. Often, what appears to be a real emergency—and many people's first reaction is to dial 999—turns out not to need an ambulance.

[Ms Stuart]

In some of the pilot areas, as soon as a call comes in and the ambulance team has the grid reference and is ready to go, the call is placed in one of three categories—A, B and C. If the situation is life-threatening, or if the call is in category B, the ambulance goes. A category C call, however, does not need an immediate response. Such calls are transferred, without the need for a further telephone call, to an NHS Direct nurse, who will have the time and experience properly to triage the call and assess whether an ambulance is really needed. Although, at this stage, we do not know what the figures are, people on the ground are certain that there is scope for developing more appropriate use of the system. That takes us towards our aim of ensuring that the system is safe and robust and delivers appropriate access.

The outcome is similar in the case of developments such as more proactive outward calling by NHS Direct—for instance, reminding people to have a flu vaccination or attend an out-patient appointment. Proactive calling ensures that people are reminded about something that they needed to do and that service delivery is more efficient. In the long-term, there will be a role for NHS Direct in a more structured disease management programme for chronic conditions such as coronary heart disease or diabetes.

For too long, pharmacists, as professionals in the health community, have not been utilised as well as they could be. NHS Direct has played a significant role in bringing them to the forefront. They have tremendous experience, and one NHS Direct site—Essex, Barking and Havering—works in partnership with the National Pharmaceutical Association to pilot what they call an alternative end-point referring system, through which a caller can be referred directly to a community pharmacist. The Royal Pharmaceutical Society is involved in the pilot scheme, which went live this month. It is still at an early stage—before hon. Members ask for figures—but, so far, there is evidence that 5 per cent. of callers are referred to their pharmacist for specialist help and advice.

Mr. Hammond: I am entirely at one with the Under-Secretary in believing that pharmacists are a hugely under-utilised resource in our primary care delivery system. Does the Under-Secretary have any statistics on the percentage of callers who would have visited a pharmacist had they not called NHS Direct?

Ms Stuart: We do not have those figures. We have figures on the number of people who have done something differently as a result of their call, but they are not broken down in such a way that we would know what else they would have done or whether they would have gone to the pharmacist. Such figures might not be accurate. I have used NHS Direct twice—I refrained from saying who I was. The first time, I needed a malaria tablet and did not know whether I needed a prescription. I rang up, and was told to see a pharmacist. I do not know what I would have done otherwise—whatever was most convenient, probably. A figure based on asking people what they would have done instead may not be a reliable indicator. However, we have found an appropriate level of referrals to pharmacists. For example, the figures for people calling NHS Direct with flu-like symptoms over the winter, show that a huge number of people were referred to self-care. At the same time, there was an unprecedented jump in the number of flu remedies sold over the counter by Boots The Chemists. We cannot establish a statistical link, but that shows a clear trend.

Mr. Hammond: I am sorry to be persistent, but I must clarify the issue. The Minister said that we could not necessarily rely on what people say they would have done. Unless I am mistaken, earlier she quoted the number of people who said that they would have gone to a GP if NHS Direct had not existed. Is that figure a reliable indicator?

Ms Stuart: I was trying to say that going to a GP is a real choice. I could either ring up, or go to see my GP, sometimes in doubt about whether I could have gone to the pharmacist. I am simply suggesting that choosing to visit the pharmacist is not as determined a decision as that of choosing to go to a GP.

One of our aims with the pilot scheme is to give consistent advice. There is scope for more training for pharmacists, who give daily advice about the next appropriate step. If training is co-ordinated with NHS nursing, a patient's access route will not matter, because the advice will be consistent within the health framework.

We discussed people who do not, but should, have access to the health service. We are working closely with the Contraceptive Education Service, an agency that provides specialist advice on contraception and pregnancy, including teenage pregnancy. That is a subject that is close to my heart, and we must tackle it. I hope that the potential of making a confidential telephone call will encourage more young people to ask for advice. NHS Direct can refer callers who require specialist or in-depth advice to the Contraceptive Education Service's helpline. That is another example of an existing helpline that should not feel threatened by NHS Direct, because it provides an additional service.

We want to use NHS Direct to reach out to other groups who do not use the health service. In homeless shelters in London, we have set up two pilots using dedicated freephones. Homeless people often find it difficult to register with a GP, and the pilots give them access. We are working with the Royal National Institute for Deaf People to undertake an audit of NHS Direct to ensure that it can respond to the needs of callers with disabilities; and with interpreter services for callers whose first language is not English to ensure that everyone, irrespective of their first language, receives a reliable service. We use confidential interpreters, and so far, NHS Direct has provided help and advice in more than 30 languages. NHS Direct continues to work with services for black and ethnic minority communities, to take account not only of preferred languages, but of cultural difference and preference.

Now I will deal with a group of people who traditionally neglect their health, and who we think need to take more care of their health: men, who form the majority in this Room, and especially young men, although they are certainly in the minority here. They do not look after their health, and we want to ensure that they are better able to take responsibility for it. The

early stages of the scheme suggest that women, who have traditionally been the guardians of family health, are more likely to ring NHS Direct. Our research shows that women often ring on behalf of others, especially children. We hope that availability by telephone will allow men to use the service more to inquire about their own health. The on-line service on the internet may also appeal more to the young male audience.

Mr. Hammond: I intervene on the Under-Secretary again, first, because I am offended by her comment. Secondly, I accept that wanting to reach men who tend not to access medical services is a worthy aspiration, but does the evidence so far not show—as detailed in her written answer to my hon. Friend the Member for Aylesbury (Mr. Lidington)—that very few young men access that service? It is used primarily by women on behalf of children and young women on their own behalf.

Ms Stuart: The hon. Gentleman is right; that is what the current research shows. I come back to the fact that in a short period we have created a service that covers two thirds of the country; it is a national service. Now that it is set up, we must focus much more on reaching out to the people who need it. The percentage figures at this stage would not support the argument that that is already happening, but it is our aspiration to reach the groups that have not been reached.

Another figure that has not gone up—to pre-empt a further intervention—is that for the elderly population. We would expect that figure to rise and those people to use the service much more. The age profile has remained fairly static so far, but the service is available.

I have some anecdotal evidence for the success of NHS Direct. A 93-year-old gentleman told us that he had twice used the service, and that it was the best thing that had happened to the health service since 1948. It is encouraging for people to know that they can use the telephone when they need help, but really do not want to bother anyone. Elderly people, who have every right to use a service, sometimes do not want to bother anyone. Elderly people, who have every right to use a service, sometimes do not wish to cause any bother. When I spent a day with west midlands ambulance service, we made a call on someone who had had a stroke in the middle of the night, and whose wife did not want to bother anyone until 8 am because she felt that it would be antisocial to ring anyone so late. We are working towards extending the service to that kind of person. It aspires to be a safe service, provided to everyone regardless of age, gender, language, disability or culture, and it shows every sign of achieving that.

The modernisation programme, however, goes beyond NHS Direct, which is only one of the building blocks in the programme.

Dr. Brand: Before we go on to the wider issues, would the Under-Secretary tell us how much NHS Direct as she has described it will cost, after it has been rolled out over the country?

Ms Stuart: The current overall budget is £80 million. The huge potential for the service means that we have to choose which areas we want to focus on and take forward. My priority is mental health, provisions for which are already being implemented. Another priority is the category C triage on ambulances. We should consider whether that should be used on a one-off basis as in the hepatitis scare, and how best to roll out the programme. NHS Direct could be used for many services, but that is its current budget.

NHS Direct is a vital building block in the effort to make primary care services more accessible, given the way our lives and technology have changed. It is not only an on-line service; so far, 36 pilot walk-in services have been announced, and the total investment into that initiative will be £31 million this year. That means that 10 million people will have access to more flexible NHS care.

The key aim of the walk-in centres is to provide rapid access primary care to patients who are disadvantaged by not having access to the service immediately. That includes groups such as workers and commuters, whom we would not usually classify as disadvantaged. Members of Parliament, owing to the lives that we lead, are only too aware of the difficulties of getting in touch with our general practitioners. We in this Room are a prime target group for walk-in centres. They will also address the needs of those in deprived areas such as Tottenham and Edmonton, which have high economic and social deprivation and many refugees and asylum seekers. Since January, eight walk-in centres have been opened—in London, Sheffield, Birmingham, Newcastle, Norwich and Swindon. A further six will open this month and the remainder by December.

Primary care also needs to be modernised and expanded.

Mr. Hammond: On a point of order, Madam Deputy Speaker. Can you make it clear how wide you will allow this debate to range? I came here specifically prepared to talk about NHS Direct, which is the title of the debate. The Under-Secretary is now moving into a much wider discussion about primary care delivery, which I should be delighted to engage in but have not prepared for.

Madam Deputy Speaker (Mrs. Gwyneth Dunwoody): The content of hon. Members' speeches, including those of Ministers, is happily not a matter for the Chair. Otherwise, life might be even more exciting. The Under-Secretary has been generous about accepting interventions, and I am sure that she will bear in mind that the main subject is NHS Direct. If she is out of order, I can assure the hon. Gentleman that I shall draw her attention to the fact.

Ms Stuart: I recall, Madam Deputy Speaker, that the original title of the debate was "NHS Direct and Modernisation". I hope that you will find that my remarks relate to the modernisation of the NHS, using NHS Direct as the main example. However, hon. Members need not worry too much.

I want to come back to the point about GPs' fears about NHS Direct. One of the great advantages of the British NHS is the co-ordination of care that list-based general practice has brought about, which I understand the French, American and German systems are now seeking to replicate.

We must target access to primary care much more closely. The main role of GPs to deliver primary care will be expanded by the creation of the primary care

[Ms Stuart]

trusts and primary care groups. They will be the agents of change, because they are best placed to respond to local needs. We hope, over time, to have more primary care single sites, some of them as a result of public-private partnerships, where doctors, dentists, pharmacists, opticians and nurses all provide easier care and access. People with chronic conditions such as heart disease, asthma, diabetes and depression will again have much more regular help from a single health and social care team, which will allow them to maintain a full life.

Those developments mean that we need further advances in easy access to information and use of communication and information technology, but we must also meet the public's expectation for a responsive public service. NHSnet, which is the NHS private network, is one means of affording access. Although a patient may access a service, whether it be a walk-in centre or NHS Direct, the GP is still his case manager. Those new developments in technology allow the exchange of information.

We want to ensure that every GP has access to a desktop computer linked to NHSnet, which will enable and facilitate that exchange of information. We want the consulting room to be the place where out-patient appointments are made, operations booked, test results received and diagnoses carried out, using video and telelinks to hospital specialists. All that is emerging, and extraordinary work is being done in some areas. Recently, I visited Blackburn. Bolton, Bury, Blackburn and—there was another B?

Mr. Gerry Sutcliffe (Bradford, South): Burnley.

Ms Stuart: Thank you. Bolton, Bury, Blackburn and Burnley hospitals are linked together by a telemedicine system, whereby the maxillofacial surgeons in Blackburn and the other three A and E departments are linked up. The picture transmission quality is extremely high, which allows those specialists to assess whether a patient needs to be transferred. Again, we are using technology to modernise access to the service.

In conclusion, NHS Direct is one building block in the modernisation of the NHS, which is about redesigning the service that we deliver to patients and recognising that the public increasingly demand that all public services, including the health service, be responsive and place them at the centre of that responsiveness. In addition, it enables people to know where the right point of access is, if they do fall ill. All the early stages of evaluation have made it clear that NHS Direct is well on the way to delivering on those aspirations. The service will be available nationally by the end of the year. Piloting is going on, as is outside evaluation, which will allow us to make the right choices about how to move on. So far, NHS Direct is sending a clear sign of our commitment to a national health service that meets the challenges of the new century and the expectations of the public. This building block is showing every sign of delivering.

3.31 pm

Mr. Philip Hammond (Runnymede and Weybridge): The full title of the debate is "Second Anniversary of NHS Direct", and I shall seek to stick rigidly to that theme. I will start by reassuring the Minister and other hon. Members that I have no objection in principle to the concept behind NHS Direct. Indeed, my right hon. Friend the Member for Charnwood (Mr. Dorrell) claims some ownership of it as a result of the pilot schemes of telephone triage that were set up in Wiltshire under the previous Administration.

However, I have some suspicion, which is mirrored in the medical community, about the Govenment's motives. Is the service intended to replace the GP out-of-hours co-operative system? Is it intended, through the use of what is euphemistically termed an integrated access route, to become the only gateway to accessing primary medical services? Is it intended to replace the 999 ambulance service? The Under-Secretary will have reassuring answers to all those questions, but I ask her to understand that there is a background of suspicion about the Government's motivation. It arises not because of the Government's espousal of the concept of a telephone triage system, but because of the unseemly haste with which it has been rolled out and the apparent reluctance to wait for the evidence that would support that roll-out.

The Sheffield report mentioned by the Under-Secretary sets out four objectives of NHS Direct:

> to offer the public a confidential, reliable and consistent source of professional advice on healthcare, 24 hours a day . . . to provide simple and speedy access to a comprehensive and up to date range of health and related information . . . to help improve quality, increase cost-effectiveness and reduce unnecessary demands on other NHS services—

and—

> to allow professionals to develop their role in enabling patients to be partners in self-care.

Those objectives constitute uncontroversial aspirations, and I think that we would all share them. However, I hope that the Under-Secretary will accept that there is a requirement to measure whether the service is delivering on them. To use the scientific jargon, there is a requirement to have a base of evidence to support the continued roll-out of NHS Direct. Our debate is about whether that base of evidence exists and whether the Government's roll-out of the service is justified by the published evidence in relation to the stated objectives.

I detect a touch of defensiveness in the Government's position. On 22 February 2000, I tabled a written question asking the Secretary of State for Health whether he would

> place in the Library a copy of the report his Department has received from Sheffield University on NHS Direct.

That report, which was mentioned earlier, is dated February 2000. The Under-Secretary replied:

> Sheffield University's interim report is in the Library. This was published in March 1999. Sheffield university's final report on NHS Direct is expected shortly. Copies of the report will be placed in the Library.—[*Official Report*, 22 February 2000; Vol. 344, c. 903W.]

She did not mention the further interim report, which was on Ministers' desks at the time. Why was she anxious to throw me off the trail?

On 13 March, I tabled a written question asking the Secretary of State for Health about the

> studies he has commissioned to establish how many users, as distinct from individual calls, there are of NHS Direct.

The Under-Secretary again answered my question, on 14 March—a commendably speedy response. She said:

> We have not commissioned any studies to establish how many users, as distinct from individual calls, there are of NHS Direct.—[*Official Report*, 14 March 2000; Vol. 346, c. 134W.]

Her answer is rather strange. If she had read the Sheffield report that her Department commissioned, she would know that that matter was analysed in the report. There is an interesting result relating to the number of multiple callers to the Milton Keynes site. That was the point that I wanted to establish and to which I shall return presently.

I have no problem with the suggestion that a sensible set of aspirations lie behind NHS Direct, or with the idea of rolling out the service when it has been proved that it can do what the Government wants it to do. However, in view of the scarcity of NHS resources—I am sure that the Under-Secretary and I at least agree that however much funding the Chancellor finds for the NHS, money will always be a scarce resource and hard allocation decisions will always have to be made—I have a problem with spending money before we are sure that it is being spent effectively. The £80 million that the Under-Secretary said would be spent on NHS Direct could put an additional 4,000 nurses on wards in hospitals. We must continuously test the cost-effectiveness of NHS Direct against such alternative uses of the money.

Earlier, I quoted the objective that involves wanting to

> reduce unnecessary demands on other NHS services.

One of my concerns about the Sheffield university report and the relevant published information involves the absence of controlled studies or comparisons between the situation in NHS Direct and that in other parts of the service. The hon. Member for Isle of Wight (Dr. Brand) alluded to that concern in an earlier intervention. In order to evaluate objectively the success or otherwise of NHS Direct, we need to know about its impact on other parts of the service. To do that, we need to carry out controlled studies, which necessitates comparing the areas that have NHS Direct with those that do not.

The Under-Secretary gave us some anecdotal evidence—she cited GPs' views of the service. At the risk of offending the hon. Member for Isle of Wight, I should not for a moment suggest that GPs' views should be considered conclusive in this or any matter. However, as reducing the demands on GP services is clearly one of the intentions of NHS Direct, their views of it are informative. To the extent that NHS Direct may be seen as a direct competitor of out-of-hours GP services—both offer a telephone triage service, one run by nurses, the other primarily by doctors—it is relevant for us to consider what the doctors think about it and the relative costs of the two services.

I shall return to costs in a moment, but I am sure that the Under-Secretary, and indeed you, Madam Deputy Speaker, will indulge me a little if I quote one or two comments reported in the professional press by doctors. *Pulse*, a magazine widely read by practitioners and, I should say in fairness, widely quoted by me in Standing Committees considering health Bills and related material, said on 1 April:

> Results of the survey of more than 200 GPs show that in GPs' experience NHS Direct caused unnecessary distress and wasted NHS resources . . . More than half thought patients had had their anxiety levels raised unnecessarily and 56 per cent. thought patients had been given inappropriate advice . . . Nearly a third of GPs have refused to give the service any publicity in their surgeries.

On 17 March, *Pulse* said:

> GP co-operatives have a clear message for the government—they do not want further integration with NHS Direct. The co-ops argue that prime minister Tony Blair's "unproven pet project" is not efficient or flexible enough to join GPs' highly developed out-of-hours systems.

Ms Stuart: Given that we are all greatly concerned about surveys and data being reliable, will the hon. Gentleman agree that a survey in *Pulse*, based on a response to a cut-out coupon in a previous edition of *Pulse* from a self-selected group of 200 people who were unlikely to write in with any positive comments, may not be a good statistical basis?

Mr. Hammond: I would not suggest for a moment that I am quoting a statistically relevant sample; it is anecdotal, but the Under-Secretary herself relied on anecdote to a fair extent. I deliberately prefaced my remarks by saying that I am not seeking to use GPs' anecdotal comments as fatal to the cause of NHS Direct. I merely think that in the ideal model, if the service were working as intended, GPs could be expected to be huge beneficiaries of it and waving their little flags. The fact that many GPs and GP representative organisations express scepticism should give us pause and cause for concern.

I shall not read extensive quotes, but I suspect that the problem relates almost entirely to the speed of the roll-out. From discussions that I have had with general practitioners and their representative organisations I doubt whether they would be as concerned if the roll-out had been more measured and if it had been clear that the Government were waiting for the evidence to support the scheme before rolling it out.

Whatever the Under-Secretary tells us, she will not be able to dissuade me and, I suspect, many others from believing that, although the Government have commissioned studies to look at the effect of NHS Direct, they have already taken the decision to roll it out nationwide before they see the evidence for or against it. That must lead us to question whether the motivation is as objective as the Under-Secretary has sought to suggest.

Dr. Brand: Does the hon. Gentleman agree that the very fact of rolling out NHS Direct throughout the country means that studies to compare the effectiveness of the NHS cannot be done, because the comparators are being destroyed?

Mr. Hammond: The hon. Gentleman is right: he has made the point before that proper controlled studies will become impossible. However, as I understand it, no studies are even being done to measure the impact on other parts of the national health service. GPs' hostility may derive partly from what they may perceive as the Government's hypocritical attitude in asserting their commitment to evidence-based medicine in the NHS generally, but acting in this case in a way that is clearly not evidence-based.

[Mr. Hammond]

The key issue is not whether NHS Direct is appealing as a concept. Of course it is. It strikes all of us as a good idea to have an easy, convenient and relatively cheap way of accessing the system. The key issue is whether it is effective and cost-effective. The Minister might recognise those terms of reference, which the National Institute for Clinical Excellence is required to take into account in evaluating a drug. Is the drug clinically effective, is it cost-effective and is it affordable with regard to the overall level of resources available to the NHS? In other words, is it good value for money where it is clinically and cost-effective? I hope that the Minister would agree that the criteria applied by the Government to other services and treatments should also be applied to NHS Direct, and that to get a tick in the box on its second birthday, NHS Direct must pass muster against those tests.

What evidence would be required to satisfy those questions? Indeed, what studies have the Government commissioned? The Sheffield study, admirable though it is, looks narrowly at what is happening in the three initial NHS pilot sites. The KPMG study will examine nine NHS Direct sites. What worries me—

3.46 pm

Sitting suspended for a Division in the House.

4 pm

On resuming—

Mr. Hammond: I was trying to elicit from the Minister whether the Government have commissioned wider studies that will consider matters within a broader spectrum than the NHS Direct sites. Are there studies that will compare related NHS facilities with the NHS Direct sites and with GPs' out-of-hours services?

If we accept that NHS Direct must pass the hurdles that the National Institute for Clinical Excellence would apply in looking at a new procedure or process, we must consider whether NHS Direct is a clinically effective solution and then whether it is cost-effective.

The Minister was sceptical about the views of doctors; as I said earlier, GPs do not always have the answer to every problem. However, she would be disappointed if I did not quote from the *New Statesman* of 20 March 2000, in which a relative of the Prime Minister expressed serious concerns about NHS Direct. The article is headlined, "The idea of NHS Direct was to cut GPs' work in half by offering patients easy access to advice. When Lauren Booth tried it, she very nearly died as a result." The article is not only about her experience; it quotes some well-respected doctors, and says about one of them that

like all those in the UK, her practice is already contracted to provide a 24-hour service to its patients. NHS Direct, she feels, is duplicating an under-funded service that has existed for years—a service run by better-qualified staff . . . Many calls to NHS Direct get referred on to GPs anyway.

The article continues:

This means that a loop is formed with distressed patients being asked to wait for an available GP to call them back. The current favouritism for this project also leads to less important cases being passed on as "urgent" when they are not . . .

The GP continues:

I must then bypass all my other waiting patients to answer these calls simply because they come via NHS Direct.

The article reports:

just as some cases labelled urgent by the computer programme used to assess each call are not urgent, so some seriously sick patients can be misdiagnosed and left at home.

An NHS consultant is quoted, stating:

one man was prescribed paracetamol when he called NHS Direct; he had a serious case of malaria. Another man was told to go to bed and rub Vick's vapour on his chest; he nearly died from meningitis.

The report continues:

All GPs know from experience that prescribing and diagnosing over the telephone is one of the most dangerous things you can do.

The article highlights questions about the quality of triage that can be carried out over the telephone. The first question is about the quality of telephone triage as compared with personal triage. GPs to whom I have spoken and comments that I have read in the available literature suggest that the visual clues that the GP or clinician gets from the patient are important in making the correct diagnosis. We should not ignore doctors' views on the dangers of making telephone diagnoses.

The Minister proudly tells us that NHS Direct has been made available in many languages, and I have seen that in action at the NHS Direct site in Surrey, where, an interpreter is used when the caller's first language is not English. However, if it is difficult and dangerous to make a diagnosis by telephone when the doctor and patient both speak English as a first language, how much more dangerous and difficult must it be to make that diagnosis third-hand over the telephone, via a non-specialist interpreter who is trying to interpret the words of a frightened and confused patient who is speaking to a doctor in a foreign language? I can understand the reason for providing such services, but I would like to see hard clinical evidence that the benefits of immediate access that the telephone triage service offers fully outweigh the inevitable risks and downside.

We must ask for evidence that a nurse-led telephone triage service provided in dedicated centres is as good as, or better than, a GP-led triage service provided by out-of-hours services or co-operatives. I accept that the quality of services provided out of hours by different groups of GPs varies and that there might be arguments for improving them, but I wonder on what evidence it was decided that £80 million could not be better and more effectively spent beefing up GP out-of-hours services than on NHS Direct. Data on the quality of triage offered via telephone are insufficient to enable a sensible analysis of what is happening to be made, or to form the basis for decisions that the Government have already made in terms of committing themselves to rolling out NHS Direct across the country.

The critical question we must ask ourselves is whether NHS Direct is achieving better outcomes? What do the Government propose to do about the wide discrepancy in next-referral patterns? Between just the three sites covered in the Sheffield report, we see significant variations in the percentage of patients who are referred to GPs, A and E and self-medication.

Has the Minister undertaken any work to discover how many callers to NHS Direct are seeking a second opinion after a GP visit? I was told anecdotally—I am

afraid that all we have is anecdotes, because the statistics have not been published and the Government might not even have asked for them—that a significant proportion of the calls to the NHS Direct site that I visited were from patients who had already visited a GP and were seeking confirmation of what the GP told them.

In how many cases is NHS Direct merely an extra step in accessing the same care? The Minister told us, and we know from the statistics, that 40 per cent. of NHS Direct calls result in a referral to a GP. We need to know how many of those people would not have gone to the GP if they had not called NHS Direct. We also need to know what the others would have done. How many of those who were referred to self-medication would have gone to a pharmacist or self-medicated without doing so? In other words, we must evaluate on a properly controlled basis the extent to which NHS Direct changes people's behaviour patterns. The information quoted by the Minister does not come close to enabling us to do that.

What impact has NHS Direct had on waiting times for a GP appointment? If the system were working optimally, people who do not need to clutter GPs' surgeries would be dealt with on the telephone; conversely, those who need an appointment would be seen more quickly by their GP, instead of having to wait two, three, five—or in some places, 10—days for a routine appointment. No evidence has been adduced to suggest that the position on seeking a GP appointment has improved as a result of NHS Direct.

What impact has NHS Direct had on waiting times in accident and emergency departments? We may assume that some people would go to their local A and E department if they did not have the option of calling NHS Direct. If so, waiting times in A and E departments should improve in areas where the service is running, which would be a good thing. I reiterate that my criticisms are not intended to be negative. There may be good news in all cases, but the evidence is not available, so we simply do not know. I have not yet seen anything to reassure me that studies are being undertaken.

The Under-Secretary said that the GP is still the case manager. How does that work in practice when a patient rings NHS Direct? Under the current system, how does the GP get information about that call? In the ideal world mentioned by the hon. Lady, it would be possible to link all GPs on NHSnet and to hold electronic patient records somewhere in the ether. At the moment, however, NHS Direct, like GP walk-in centres, is eroding continuity of care, which has been a keystone of this country's primary care.

Turning to cost-effectiveness and value for money, we must ask whether NHS Direct delivers a given outcome more cost-effectively than any other available means: the issue needs to be viewed in the context of competing demands and offering an additional service. I have seen data showing that 40 per cent. of NHS Direct callers are referred to their GP, and a further 7 per cent. to an accident and emergency department. Therefore, in almost half the cases, the cost of the NHS Direct service is a net additional cost to the cost of dealing with the patient. Substantially better clinical outcomes in the remaining 53 per cent. of cases, or some other saving in the system, are needed to justify that cost. Is the service simply an extra tier? What evidence is there that we are saving money or improving the national health service—two sides of the same coin—by channelling callers through NHS Direct?

Earlier, the Under-Secretary and I discussed the relative costs of providing different services. I suspect that we had a slight disagreement, and I should like clarification. The hon. Lady said that the intended cost of NHS Direct, when fully rolled out, is £80 million per annum. We are told that there is NHS Direct coverage of 65 per cent. of the country, and that an average of 8,000 calls are made every day. Arithmetic was never my best subject, but that suggests that 2.92 million calls per annum are made to the service in its present form. If we extrapolate on the basis of 100 per cent. coverage, it would equate to 4.5 million calls per annum.

At an overall budget of £80 million, my rudimentary arithmetic suggests that the cost per call to NHS Direct is £17.77, not the £8 that the Minister cites. To get to her £8, she must assume that the number of calls per 100,000 people covered will more than double as the service is rolled out nationally. I am not sure what her grounds are for believing that. Perhaps when she winds up she will put some flesh around the figures.

Let us take the Minister's figure of £8 for telephone triage via NHS Direct. In a written answer to my hon. Friend the Member for Aylesbury (Mr. Lidington), she states:

> We envisage the cost of NHS Direct to be approximately £8 per telephone call. This compares favourably to the cost per accident and emergency attendance £42 (1997–98) and cost per general practitioner contact £10.55 (1996–97),—[*Official Report*, 22 February 2000; Vol. 344, c. 902W.]

Is that true? If it costs £8 for a patient to be diagnosed by telephone, which means that the person carrying out the diagnosis has no ability to assess the patient's symptoms visually, and it costs £10.55 to visit the surgery of a GP who can pick up the visual clues, does £8 represent a value-for-money outcome?

The Minister also took issue with me over the costs of GP out-of-hours co-operative contacts, saying that they were more expensive than NHS Direct contacts. I do not have figures here and I should be grateful if the hon. Lady could provide them. I can say that the chairman of the National Association of GP Co-operatives appears to disagree with her: he believes that GP co-ops handle twice as many calls as NHS Direct, and that their total cost is roughly half that of NHS Direct. That suggests a cost per telephone call handled that is a quarter that of NHS Direct.

Two things need to be clarified. First, if we are comparing apples with apples and we are comparing telephone triage with telephone triage, is NHS Direct really cheaper than GP out-of-hours services? Does a nurse-led dedicated service provide better clinical outcomes than a GP-led service embedded in the overall GP service, in which continuity of contact with the patient is maintained? Secondly, if the relative costs are £8 for an NHS Direct telephone contact against £10.55 for a GP consultation, does the NHS Direct contact represent value for money?

I also asked the Minister about the number of callers versus the number of calls. Modern technology obviously makes it easy to log the number of calls to NHS Direct, but I should like to know how many people are using the service. There has been an investigation

[Mr. Hammond]

into that question by Sheffield university, notwithstanding what the hon. Lady said in her written answer to me. It made an astounding discovery: apparently, 10 users made over 6 per cent. of all the calls to the service at Milton Keynes.

It could be argued that those people might have attended every day at the local surgery and used up GP's time—that would be a perfectly plausible counter-argument—but we need evidence. We need to know whether NHS Direct is generating demand from people who are perhaps, and I use the term with some trepidaton, abusing the system. If we are to measure the service being delivered, we must have evidence.

I spoke earlier about the objectives of the system. I reiterate my concerns that the Government have hidden objectives additional to those announced publicly. The Under-Secretary's statement about the 999 ambulance service has given some credence to my belief that the Government are anxious to put the structure in place because they have grander designs for it.

People are worried about the clinical outcomes of NHS Direct contact, but we cannot conclude definitively whether those concerns are justified until we have the evidence. There are real concerns that the expected reduction in the burden on the other parts of the health service is not happening and will not happen. The Under-Secretary supplied evidence to show a reduction in the upward trend of calls to GP out-of-hours services, but that was the only identified reduction in service demands in the Sheffield study, and it occurred in only one of the three sites. Clearly, the evidence for a reduced burden elsewhere is by no means conclusive. There is no evidence of reduced GP consultation, no evidence of reduced accident and emergency use and only limited evidence of a slowing of the rate of increase in telephone triage provided by GP out-of-hours services.

No one who evaluated the available evidence could conclude that there was an overwhelming case that NHS Direct will be both clinically effective and cost-effective. On the basis of the evidence, no one would decide to roll it out across the country. I do not reject the possibility that NHS Direct will provide benefits, be cost-effective and be affordable within the national health service budget, but there is no evidence to support the decision to roll it out nationwide.

Will the Minister explain what the Government are doing to collect the necessary evidence? The Sheffield and KPMG studies will not produce the comparative data needed to compare the cost and performance of NHS Direct with that of other potential methods of delivering a similar service. Why did the Government, with all their emphasis on evidence-based medicine, decide to roll the service out without waiting for evidence from the pilots? That decision goes against all good management practice and everything that the Government said.

The Government's attitude encourages two types of sceptic. A sceptic of the first type sees a hidden agenda, believing that the Government are anxious to get the system up and running in order to use NHS Direct to undermine GPs' independent contractor status, to undermine the 999 ambulance service, and to move towards a single integrated gateway to primary care. The second type of sceptic thinks that NHS Direct has been rolled out quickly because it provides a good soundbite. That is why the Government did not wait for evidence before announcing the nationwide roll-out, and why they failed to make the roll-out conditional on any of the stringent criteria that are set for drugs and treatments evaluated by NICE.

The Minister know that I am a reasonable person. I see the potential of a telephone triage service, but I am not convinced that a dedicated service separate from the GP service is necessarily the way forward, nor am I convinced that the Government have explored adequately the possibility of working within the existing GP out-of-hours service, with all the benefits of contact and continuity that that delivers. I must therefore question the Government's motives in setting up a separate service that was bound to cause friction with GPs—one that, in addition, produces a less well-qualified level of triage at a higher cost. I accept that my final words are contentious but that is how it appears to me.

The bottom line is that we have not established today—nor have the Government in the evidence they have allowed into the public domain—that NHS Direct represents the best way to spend £80 million of public money in an attempt to improve access to the national health service. The jury is out on NHS Direct. Ministers have not inspired my confidence or that of others: there is no evidence that they genuinely intend to evaluate the success or otherwise of NHS Direct, or that they are willing to probe its success or otherwise. I fear that they intend to roll it out anyway if it complies with their own criteria for measuring effectiveness in the NHS.

There is a deep suspicion that NHS Direct is a pet political project of the Prime Minister and that it would indeed be a brave Health Minister who commissioned the sort of in-depth, probing, objective analysis that might reveal that NHS Direct was not a good way of spending national health service money. I urge the Under-Secretary, in the interests of her credibility and that of Ministers at the Department of Health, to ensure that proper evidence is gathered and proper objectives undertaken, and that the service is not rolled out regardless of the evidence that the results produce.

4.26 pm

Dr. Peter Brand (Isle of Wight): I will try not to demonstrate that the length of a speech must meet the time available because we are beginning to run into time constraints.

I had to look twice to see who initiated today's Adjournment debate. I was somewhat surprised that it was the Government, because there is little to discuss. There is a service that is on probation still and being rolled forward. We have heard very little evidence, and the Minister's contribution was not as enlightening as I had hoped it would be.

I am grateful that we have been given a summary of objectives for NHS Direct. No one who works in the NHS or uses it objects to any of the objectives given as the leading role for NHS Direct, which is to offer the public a confidential, reliable and consistent source of professional advice on health care, 24 hours a day; to

enable people to manage many of their problems themselves; to provide a comprehensive service, which is an excellent goal, to help to improve quality and cost-effectiveness—a subject to which I may return—and to allow professionals to develop their role of enabling patients to be partners in self-care. But that has been going on for many years.

The objectives in the Sheffield study have been shared by the wider NHS team for certainly half my professional lifetime. Doctors tried to lead everything and there was a paternalism among adminstrators who thought that they knew best. We now know that team work is important and that unless we take patients with us we will not get anywhere. The objectives are excellent, but there is a great need to do something about consistency, especially in primary care. I will not be anecdotal, but all of us know that there are places where it works and others where it does not. There are models that work in stable populations where there is a maximum turnover of practice population of, say, 10 per cent. a year, as against populations with a turnover of population of 60 to 70 per cent. a year. It makes a difference whether people work within five miles of their doctor's surgery or whether they are weekly boarders, as most Members of Parliament are. Different solutions are therefore required to meet the laudable objectives of the programme. Although I would not necessarily want to extend the use of walk-in clinics to rural areas or run them in parallel with traditional primary care surgeries, they make a tremendous amount of sense in commuter areas and inner cities. There must be local solutions to the delivery of a national agenda that brings quality and access.

It is therefore disappointing that the NHS Direct initiative has been heralded as a great turning point, a new territory and a new beginning. Many people in the national health service have strived to achieve those very objectives over many years, and many have succeeded. The previous Government should be commended for the initiative that funded some of the out-of-hours costs for GP co-operatives, because that gave people in the profession the enthusiasm to set things up locally, to try them out and to make them work. That also involved telephone triage, partly through doctors but also through the use of nurses and computer programmes. That idea is not new, therefore—NHS Direct has built on a lot of the experience that was obtained in primary care under previous arrangements. Some of those solutions failed and had to be bailed out, but most of them developed into successful services, and they succeeded because they were local.

My professional colleagues felt not so much anxious about, or threatened by, the Government's new measures as irritated. Having slogged their brains out to get something off the ground, they were suddenly told, "We are going to impose something from above. This is what we are calling it. It is our new initiative, and this is what it will be." That initiative is either new or a very expensive rebranding exercise. There is anxiety among the profession that a new, nationally imposed initiative may not necessarily work alongside all the excellent co-operative work that is done in many localities.

Liberal Democrats very much supported the transformation from individual fundholders to multi-funds, and we support the subsequent change to primary care groups and primary care trusts, provided that there is democratic accountability at trust level. We support health improvement programmes that give communities the opportunity to work together, and allow us to integrate social, environmental, some secondary care and primary care services—especially at the acute, out-of-hours, emergency point.

A lot of work has been done over the past couple of years to bring that together. In my own constituency we have a GP out-of-hours, on-call service which has nurses and outreach workers attached to it and employed by it. We have a mental health crisis intervention service and a social services immediate response unit. People wander around with little buttons around their necks and get instant access to emergency services—and very helpful that is, too. We have the ambulance service and the voluntary sector, which provides a lot of advice through helplines.

The Government had a golden opportunity to give some seedcorn money to bring some of those services together. Instead, we are getting a regional service that will take and filter all the calls and then perhaps send them down to the people who have to work together in their locality. It would have been much more sensible for a Minister to tell the people who have to write the health improvement programme, "We expect you to deliver the objectives that we want provided through NHS Direct. Those include access, consistency and the ability to demonstrate that the service is cost-effective." Those people would have got on and developed their own local solutions. What is more, their output could have been monitored by Ministers and audited for effectiveness. Unfortunately, that does not seem to be the pattern that is on offer. People in different parts of the country—my constituents in Hampshire are not unique in this—are told, "No, you've got to start. In time, you might be able to have more autonomy locally." I hope that that is not pathognomonic of a Government who want to control everything, because the solutions that work tend to be local ones.

We have heard of the study that was carried out, and I should briefly mention it. I am amazed that Ministers claim that the interim reports of December 1998 and February 2000 are evidence of anything. They simply set out how much the service is used and whether people like it. They managed to find two disasters in the whole trawl. Although those were very sad and should not have happened, such a trawl is not a scientific piece of work.

It is also amazing that the evaluation of NHS Direct makes no reference to the cost or even the comparative cost of other services. That is not an evaluation of the service. I wonder whether there should be a requirement for Departments that employ outside organisations to evaluate Government activity and initiatives to refer to the Audit Commission or to someone with experience in assessing Government activity before they commission what are, no doubt, expensive studies. It would have made sense in the early pilots—they are the only ones having their second birthday today—to have sensible, hard information from which conclusions could have been drawn about how we reach the objective that we all share. As the hon. Member for Runnymede and Weybridge (Mr. Hammond) said, there is no argument about the objectives for NHS Direct. They are those for the national health service—to provide a good, cost-

[Dr. Peter Brand]

effective service. However, there is no evidence in what we have before us of whether the imposed solution is the most appropriate.

Mr. Hammond: The hon. Gentleman has inspired a thought in my mind. Would it not be preferable for the Government to ask the Audit Commission to undertake an investigation into the cost-effectiveness of NHS Direct? If the Government were not minded to do that, would the hon. Gentleman join me in taking a bipartisan approach to the Public Accounts Committee to see whether we can get the National Audit Office to examine the matter in terms of the value for money offered?

Dr. Brand: I am grateful for that intervention. That would be an excellent idea. I suspect that the Government have a lot of figures that would help the Audit Commission in such an investigation.

We are not against what NHS Direct is about. It is right that people should become more knowledgeable about their illnesses and possible treatments for them. That is empowerment of people, which is absolutely correct. The use of the internet is imaginative and will definitely take off in the future. However, I am anxious about having a centralised set-up such as NHS Direct and about whether that will lead to a more centralised and formulated national health service which will try to control not only outcomes—we all want those to be excellent—but the methods by which people use the service. If it is a policy option, it may be sensible to have a national common gateway to services, because they vary in each part of the country. However, I would prefer a gateway that was tailored to localities.

The Minister has not touched on the other primary care role—gate keeping—that has probably kept the national health service from collapsing during the past 10 years when it has been starved of funds. It is difficult to maintain a gateway service without some gate-keeping responsibility, but out-of-hours co-operatives appear to have found a working solution. The nurse on telephone triage has immediate access to a doctor, and decisions can be made on clinical grounds and resource allocation grounds. If only one doctor is on call and the other has to be got out of bed, a decision must be made about whom to see first and who can come into the hospital or the accident and emergency department. Such important decisions can be made only by an integrated team whose members know each other and, preferably, work in the same place. That would be extremely difficult to deliver from an NHS call centre that was 150 miles away and manned by people whom one had never met. I must flag up that concern.

I know that the Minister believes in what she is doing. I respect her a great deal, but I wish that she would produce more evidence to justify her faith in the service. We all have faith in the national health service, but the past few years have demonstrated that we cannot live by faith alone. The money is welcome, but we would also like management that can be seen to be in the interests of the service and can deliver in the most cost-effective way.

More important, the service should bring together all the elements that constitute health care. The Minister would agree that health care is about more than just ensuring the absence of disease. Much of NHS Direct's work will be reassurance. I started my professional career as an honorary granny on a housing estate in which everyone had two children and £2,200 a year, which fact dates me somewhat. None of those people had family support. Many people remain in that position. A service such as NHS Direct is valuable, but it must fit into the panoply of support. The central initiative arises at a time when local integration is taking place, and it risks stopping rather than promoting that integration.

I do not want to start talking about money, but £80 million could have been used imaginatively and to great effect to improve existing structures that were delivering the services and meeting the objectives. Instead, it will be used to set up a parallel service, which the Minister described as an addition, and that may not be the most cost-effective way of meeting the objectives that we all support.

4.43 pm

Mr. David Tredinnick (Bosworth): I am not sure whether we can describe the debate as heated, but before you took the Chair, Madam Deputy Speaker, the Chamber was certainly heated. As you will be here throughout the summer, it might be in your interests and those of hon. Members to know that the central heating system has broken down and that there are problems with the valves. Having served on a Committee that used the Room for a year during the previous Parliament—perhaps the last to consider a private Bill, a railway Bill—I can assure you that this is a hot Chamber in the summer, because of the heat generated by the roof. I am sure that you will want to investigate that.

I am especially delighted to have been called, because I have a long-standing interest in health matters, particularly complementary medicine. It is a pleasure to take part in a debate with the Minister, the hon. Member for Colne Valley (Kali Mountford), the hon. Member for Isle of Wight (Dr. Brand)—a medical doctor—and my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond).

We are talking about a new initiative with a budget of £80 million. I support what the hon. Member for Isle of Wight said and I support the service's objectives. The four principal objectives are to provide advice on health care 24 hours a day, provide simple and speedy access to information, improve the quality and cost-effectiveness of health service provision and—perhaps the most important in the long term—encourage patients to be partners in their own health care. That is an important concept, although I am not sure whether it is original—I think that the Conservatives introduced it. However, NHS Direct is an important initiative.

I support my hon. Friend the Member for Runnymede and Weybridge, who said from the Conservative Front Bench that the key issue is cost-effectiveness. Is the service affordable in the context of other demands? Does it represent value for money? I am not sure that the Minister has answered that question yet.

I also support what the hon. Member for Isle of Wight said: the Minister could perhaps have said a bit more in her opening speech in support of the new initiative. In

fact, he questioned whether she really believed in it at all. The Minister referred to the expectations of the public and the extra billions that were being put into the health service. She called it the reinvention of the health service and said that the stakes were going up and that there were 750,000 calls a day to the service.

The Minister told a lovely story about a lady on her way to a wedding, who had a problem that was solved by NHS Direct. She could also have referred to the problem that Elizabeth Thompson faced: she rang NHS Direct, saying that she was suffering from indigestion, and was diagnosed with the symptoms of a heart attack. Those two stories illustrate not only the potential benefits of the new system, but the potential problems.

Another key issue which the Minister mentioned concerned how we should broaden the role of nurses. My hon. Friend the Member for Runnymede and Weybridge perhaps did not refer to that, which might leave me to deal with it. At Bournemouth, we heard the Government announce that some grades of nurse should have more responsibility. I will not speak for long, because I know that the hon. Member for Colne Valley is anxious to contribute. As a Back Bencher, I know what it is like not having an opportunity to speak when one has waited for a long time.

What advice do the carefully selected nurses on the line at NHS Direct give? If the role of nurses is broadened to give them more responsibility, presumably they can talk about more things. If patients are going to get into a partnership with the NHS through NHS Direct, they want to talk about what they want to talk about.

There is increasing evidence that the public—4 million to 5 million people a year—are talking about and acting on complementary medicine. The Government have really missed a trick. If ever there were a case for new Labour showing that it was progressive and concerned about new things that people outside the House are worried about, surely it is complementary and alternative medicine. One can hardly pick up a Sunday or daily newspaper without a complementary or alternative therapy being described.

The number of patients attending complementary practices represents about 20 per cent. of the public, and about 75 per cent. of the public support NHS access to complementary medicine. The reasons for that are a continuing scepticism about drugs and side effects, a continuing media optimism about and support for complementary therapies and, as a study has shown, the public's growing wish to take more responsibility for health choices. Surely that is identical to the objective set out by the Under-Secretary. It is borne out by evidence on doctor attitudes, which shows that 28 per cent. of GP practices in my own county of Leicestershire provide complementary services in the health service. I should point out that that was under the previous Administration. The figure may have gone down since then, but I must not engage in political knockabout, as we are short of time. Evidence also shows that 20 per cent. of nurses in Leicestershire and 34 per cent. of midwives use complementary therapies.

How does that fit in with NHS Direct? The Under-Secretary may say that we must put safety first. Huge strides have been made in regulating complementary and alternative medicine. Now, if ever, is the time for the Under-Secretary to examine how nurses may use alternative services and reduce the pressure on conventional services. The hon. Member for Isle of Wight, who practised as a doctor before he was elected, used to provide such services: perhaps he still does—I do not want his entire patient list to collapse as a result of my remarks.

How can alternative services be used by NHS Direct to reduce the burden on doctors? I picked up from a House of Commons cafeteria a leaflet stating that powerful stress relief is freely available to Members of Parliament in the form of acupressure treatment, one of several complementary therapies offered at Westminster gym. If that is available to hon. Members, should it not be available to the public?

The British Complementary Medicine Association confirms in a press release its intention to keep improving standards, backing the Department of Health's submission to the Lords Sub-Committee on Complementary and Alternative Medicine. It complains that some further education teachers of such therapies do not have sufficiently high standards. It offers a general advice service on complementary medicine. I am trying to be generous and wish to make a couple more remarks, but I do not want to take too long.

Madam Deputy Speaker: Order. I am not seeking to limit the hon. Gentleman's remarks. I do not think that he has an interest in that matter and know that he will be careful about commercials. It may help if he avoids reading certain things into the record.

Mr. Tredinnick: I completely misunderstood you, Madam Deputy Speaker.

Madam Deputy Speaker: You are not the first man to do that.

Mr. Tredinnick: Having served with you on the Liaison Committee, Madam Deputy Speaker, I am appalled to have made such a mistake. I certainly was not trying to make a commercial—that is the last thing that I want to do. I have no interest—registered or otherwise—at all in the British Complementary Medicine Association, but it does represent complementary medicine outside the House. I did not wish to promote it; rather, I was pointing out that regulation is improving.

Homeopathic doctors have been regulated since 1950. Osteopathy has been regulated since 1993, when the Osteopaths Bill was enacted—I was a member of the Committee that considered that Bill. I also sat on the Standing Committee that considered the Bill that became the Chiropractos Act 1994.

A range of measures are being taken to make complementary therapies safer. The Anglo-European College of Chiropractic is applying for designation as a fit and proper institution to receive public funds from the Department for Education and Employment. Shiatsu uses finger-pressure treatment to stimulate the body's energy, described by the Chinese as chi. The Shiatsu Society has high standards and was established in 1981 and has nearly 1,700 members. It has an assessment panel and code of ethics, holds a practitioner register and requires practitioner insurance.

[Mr. Tredinnick]

That is another example of improved standards. Indeed, the previous Government facilitated approved standards for reflexology, aromatherapy, and hypnotherapy. There are now new standards for homeopathy. Last week, at the homeopathic college in Regents Park—

Madam Deputy Speaker: Order. The debate is about NHS Direct and I hope that the hon. Gentleman will remember that.

Mr. Tredinnick: I certainly will, Madam Deputy Speaker. I merely wanted to draw attention to the fact that five homeopathic bodies have come together with a new form of regulation. The Minister should have some confidence about allowing NHS Direct nurses to refer certain cases to complementary therapists. Complementary therapy has a role to play. For example, stress can be reduced by lavender drops; arnica relieves back pain; Optrex, which contains witch-hazel, helps to relieve eye problems; and breathing exercises can help various ailments. There are tremendous opportunities for nurses, some of whom have experience of such complementary remedies. The next question is whether they will be allowed to use it.

Dr. Brand: There is a problem about legal liability. The hon. Gentleman has explained that some alternative practitioners are registered and may carry insurance, but if an NHS Direct nurse advises seeing an alternative practitioner, the problem is whether she will be liable if the advice proves inappropriate.

Mr. Tredinnick: The hon. Gentleman makes a good point. Another issue is whether there should be a national register of complementary therapists, but we had better not go over that ground.

Many nurses on the NHS Direct helpline have experience of complementary therapies. The Minister should find out what they are and establish whether such nurses could make some referrals. That could relieve the pressure on the surgery of the hon. Member for Isle of Wight and those of other doctors. The Government should not miss this trick. It is really worth exploring. So many people could be helped.

4.56 pm

Kali Mountford (Colne Valley): I thank the hon. Member for Bosworth (Mr. Tredinnick) for being generous with his brevity. We started the afternoon seeming as if we had time for a meandering stroll, but I am now in the 100 yd dash, so I shall attempt to keep my remarks as succinct as possible.

I do not know whether I am the only Back-Bench Member with NHS Direct in my constituency, as I have not studied the constituencies of all hon. Members present. I wish to talk about the experience of patients using NHS Direct and about modernisation of the NHS more widely.

My first point of call has to be the opening of NHS Direct in Wakefield, which serves my constituency. I had the honour and privilege to attend it with the former Secretary of State for Health, my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson). It was an eye-opening experience. The service had been running a little while. Its staff obviously wanted us to see them at their best, but I cannot believe that anyone who attended that day could fail to be impressed by the professionalism of the staff and the experience that they brought to their work. The nurses drew on more than their experience of being nurses; their life experiences were important too. When I attended, there was only one male nurse, and I noticed that all the nurses were a little older, had families and a rich experience of life as well as of the NHS, which made them so suitable for this work.

The new technology was also interesting and I was allowed a little practice. I cannot profess to have been good with it, but it gave me some comfort to know that it worked. For example, I had recently had a tiny accident with my finger, so the staff suggested demonstrating what would have happened if I had called them. It was an enlightening experience. The advice that I would have got, had I been sensible enough to take it, would have made my finger better a lot quicker. As it was, I had a huge finger which throbbed unnecessarily. The process was so logical and precise that even someone like me could avoid making a mistake. The nurses brought their own wealth of experience to the system. Although they used it far better than I could have done, the technology was impressive.

I was particularly impressed by the technology that was used for interpretation. While I was there, a call came in from someone who had English as a second language. The service was very effective, certainly a more effective service than my GPs have available to them. They have to ring the local authority, which has some interpreters available and loans them out from time to time to people who need them. They may have to be booked two weeks or a month in advance because there is such a high demand for interpreters who can do such work. The hon. Member for Isle of Wight (Dr. Brand) shakes his head. I can only tell him of my own experience.

Mr. Hammond: I may be mistaken, and no doubt the Minister will correct me, but my understanding from my visit to NHS Direct was that the interpretation service is that provided by BT and available to anyone. Indeed, the GPs in the hon. Lady's constituency could make use of it, if they wished to, but it is not cheap.

Kali Mountford: That is obviously true. But the hon. Member for Runnymede and Weybridge (Mr. Hammond) was arguing that, when people went to see their GP, they had a one-on-one experience. Clearly it makes sense for a telephone advice line to use another telephone advice line because the conversation takes place on a linked network. The same would not be true in a GP's surgery. I cannot speak for every practice in my constituency, but few GPs at my practice would do that. They would wait until another individual could attend or refer the patient elsewhere.

A number of people in the local hospital can give such advice and when I attended hospital recently I witnessed that, too. That obviously is beneficial in those circumstances. But we cannot simply denounce the fact that interpreters are available through BT who are

accessed directly by NHS Direct. There is a definite benefit to that individual whose conversation I witnessed. The hon. Gentleman did not seem enthusiastic about the service earlier. Having seen what I saw, I am.

Hon. Members have taken us on a debate about qualitative studies and hard scientific studies. It has almost been like being back at college and having debates with hard scientists, as I did as a social scientist, about the quality of data and what can and cannot be accepted. I still defend my position that there is genuine benefit from looking at so-called soft results. [*Interruption.*] The hon. Member for Isle of Wight was quite disparaging about the Sheffield study. Sheffield university is a highly thought-of university. Its study gives some genuine results. It does not give the sort of hard data that hon. Gentlemen want, but numbers are not the only issue. People's experience has some merit.

Dr. Brand: I was disparaging not so much Sheffield university's study as the parameters that were set for it. It excluded all costs. Is the hon. Lady really telling us that the NHS should be run on a touchy-feely, feel-good basis or do we need hard information? Why do we have NICE in that case?

Kali Mountford: Obviously there is a place for all sorts of data. I had the impression from the debate so far that the hon. Gentlemen disparaged soft information which could add much to people's experience of the NHS and has a value. That does not mean that we do not have to count the heads too. There is some hard evidence—as a social scientist I would count it as hard evidence— that there has been a genuine change in people's behaviour and their experience of the NHS. Anecdotal evidence may not be what the hon. Gentlemen have valued so far in the debate, but I will give some nevertheless. It is not often that people come foward with thank yous.

Mr. Hammond: Will the hon. Lady give way?

Kali Mountford: Time is short, but I will.

Mr. Hammond: It does not seem that short to me. The hon. Lady is making a big issue about hard versus soft evidence. The Government have set out a series of objective tests that institutions such as NICE must use. Does the hon. Lady not think that the right way to allocate scarce resources in the NHS is to ensure that anything that we do is clinically and cost-effective?

Kali Mountford: I have already made this point. There is a place for both. Although I accept that cost-effectiveness and clinical effectiveness must be measured, those are not the only data that should be examined. The evidence shows that there have been some genuine benefits in a fairly short time and I suggest that that is of value.

Dr. Brand: Would the hon. Lady therefore agree that the Audit Commission might consider this matter, because additional soft evidence is excellent, but is of use only if it is additional to hard evidence, which must include costs?

Kali Mountford: That is an interesting point and not one that I would necessarily throw away with the bath water, but it was not the point that I was trying to make. Because they have the Sheffield report in front of them, the hon. Members for Isle of Wight and for Runnymede and Weybridge have concentrated heavily on it. The hon. Member for Isle of Wight made a suggestion that had some value, but that does not mean that we can simply take the report apart, disparage it and say that it offers nothing to the debate. I do not believe that it does.

I will return to the anecdotal evidence of my constituents who, when a new service is introduced by the Government, do not generally ring me up to tell me about their wonderful experiences. The difference here is that NHS Direct is extremely popular. I do not suggest that everything that Governments do must be popular, but it would be ludicrous to deny that popularity is a measure of success.

Mr. Hammond: The hon. Lady, no doubt inadvertently, has precisely made my case for me. The concern is that the Government have rolled out NHS Direct without sufficient hard evidence of its effectiveness because it is popular and will help them to curry favour with the electorate. That is my concern.

Kali Mountford: The hon. Gentleman talked earlier about sceptics. That was rather cynical. Popularity in itself is not the only thing that should concern us. However, when the first feedback that a Member of Parliament receives from her constituents is a flurry of unsolicited responses about their marvellous experiences, I, for one, will not ignore it. That does not mean that it does not need to be backed up with further evidence. I should be quite surprised if in this, as in all things, the Government do not check progress and continually monitor the service's effectiveness.

This afternoon's debate about the introduction of NHS Direct and what it is doing shows us that we must consider our constituents' response to that service. I shall tell hon. Members about three people. In their different ways they illustrate some points. The first concerns Shirley. She went to her GP. It was her first port of call. She went to the surgery with an ordinary appointment because, like me, she had a swollen finger. It did not seem important or too worrying, but it did not seem to go away and she did not feel too well. The GP precribed some drugs, and she went away feeling happy. Unfortunately, her hand got significantly worse.

Shirley was in agonising pain by the middle of the night, which is when people get especially anxious, having left things all day, hoping that they will feel better. She did not want to disturb anyone and, anxious not to waste anyone's time—many constituents who contact me feel the same—she called NHS Direct. She was told, "You must go to the A and E department in the morning, or even now if the pain is too bad. You are not having the sort of response that we would expect from the treatment that you had. You really need to be looked at again." She went to the A and E department and was admitted with a blood disorder that had not been detected. She stayed in hospital for a fortnight before Christmas and has still not fully recovered.

NHS Direct gave Shirley valuable advice. She might not have taken it; instead, she might have wrapped her hand in ice, thinking that she had something in it and that that was what she should do. We do not know what

[Kali Mountford]

the outcome would have been if she had done that and waited until she could get another appointment with her GP a week later.

Mr. Hammond: The hon. Lady has introduced a new element into the debate. Hitherto, we have been talking about NHS Direct as a first point of contact. However, the hon. Lady seems to be advocating that a patient who is already under the doctor and not responding to treatment should go to NHS Direct instead of going back to the doctor. Is that really an appropriate way to build on the continuity of care in our GP service?

Kali Mountford: The hon. Gentleman misses the point. Patients will make their own decisions. We can tell them, "This must always be your first point of contact," but they will do what they think best in the circumstances. We have talked about NHS Direct as an addition to out-of-hours services, and that is how Shirley was using it.

The second patient to whom I want to refer is Victoria. Hon. Members have already observed that many of the people who call NHS Direct are women, and all three of the cases to which I shall refer involve women. Victoria thought that she had had indigestion for four days. It was very troublesome, and she finally rang NHS Direct, thinking that it was so trivial that she should not disturb her GP but wanting advice about whether to go to the pharmacy to get something like Gaviscon. NHS Direct quickly got an ambulance to her because she was having a heart attack. She was admitted to hospital for some time. Although she is now fully recovered, she must have continued coronary heart care. Her words to me were that NHS Direct had saved her life, because she was going to ignore the gathering pain.

The next story is fairly typical, and concerns my grandson. There was a bad flu epidemic over Christmas, and my daughter thought that her son had flu, like everyone else. He got worse and worse, and she got more anxious. She could not get hold of me because I was here, so she rang her GP. She could not get a response because it was late at night. Three or four calls later, she had spoken to no one at all, just an answering machine. I do know why that was, but she did not feel that was an adequate response.

Dr. Brand I would be concerned if my colleagues were breaking their terms of service. I hope that the answering machine gave a number that she could have rung to obtain out-of-hours advice.

Kali Mountford: The sorry tale is that, when she called that number, she spoke to a person who said that he could not deal with her call for some hours. She was very anxious about her son, who was feeling very poorly by this time. Again, NHS Direct referred her son quickly to a hospital, and he was admitted. He stayed there for a week, having contracted a serious virus. He was very poorly for some time.

Mr. Tredinnick: The hon. Lady has spoken eloquently. I sat down a little early in the hope that she would have an opportunity to speak. All of us hope that the Minister will respond to the points raised. I hope that the hon. Lady will bear that in mind.

Kali Mountford Of course I will. I was trying to raise some points, but I have taken many interventions from other hon. Members. I am sure that, had I not done so, I would have finished speaking earlier.

The point of all those cases—I could quote dozens of similar stories from my constituency—is that they are typical of the fact that people got a service, often late at night, that they felt was not available to them in some other way and they took different decisions from those that they might have taken. That made a real difference to their life and health. Surely that is what the health service should be about. I am disappointed—[Interruption.] Does the hon. Gentleman wish to intervene?

Dr. Brand: No.

Kali Mountford: I am sorry, but I thought that the hon. Gentleman wanted to intervene. It was obviously a trick of the eye.

My enthusiasm for NHS Direct has grown out of not only my experience, but that of my constituents. Obviously, if people want to take the line of hard evidence so that we can add up the number of people employed and the number receiving the service, there is a role for that. But some of this afternoon's evidence caused me some concern. At one point the hon. Member for Runnymede and Weybridge said that he was comparing apples with apples. To do that, one has to be sure that what constitutes apples is identical, but, in the case of which he spoke, that was not at all clear. After all, in any attempt to compare the cost of the delivery of the service with the delivery of an out-of-hours GP service, I should have to know what was included in the cost make-up. For example, it would make little sense to me to suggest that the cost of a nurse's time is greater than that of a GP's time. The last time that I looked at pay scales, a nurse's salary was significantly less than a GP's. Although that is not the only item included in the scale of costs, it is significant.

Mr. Hammond: I thank the hon. Lady. The point is that GPs are not paid overtime for providing their out-of-hours service. There is a fixed cost to the NHS. Although I understand entirely what the hon. Lady says, does she accept that the Government have identified a need to look at the clinical and cost-effectiveness of any service that the NHS proposes to introduce before valuable and scarce NHS money is spent on it?

Kali Mountford: We return to the issue and the answer is the same. I have never said that that would be a bad idea. What I do think is that, with new NHS Direct pilots—I am not sure whether we can call them that—less than two years old, we ought to rejoice in the experiences of people who have been helped by NHS Direct. Simply focusing on the bums-on-seats approach does not allow a true evaluation of the service so far. We shall have to wait until people tell us that they would have made a different choice. People in the three cases that I outlined earlier benefited from the service.

The Minister said that evaluation of the NHS in general is not always only about money. I should be most disturbed if the time ever came when NHS Direct could be evaluated only by its cost-effectiveness and emphasis on cost. Effectiveness and experience, yes. Cost must play a role; it would be ridiculous to spend money unwisely. Having said that, focusing on cost alone gives me concern and pause for thought.

Dr. Brand: Does the hon. Lady not recognise my frustration in having to cut exercise programmes on prescription, hydrotherapy on prescription and some alternative therapies available on the NHS purely on cost grounds? Costs cannot be isolated, however worthy one's objectives.

Kali Mountford: I am tempted to go on a detour in my meandering to address that point. We would have to examine existing problems in the NHS and establish why budgets have been so strained and constrained in recent years, and then determine what could be done as a result of the recent Budget.

Mr. Tredinnick: May I tempt the hon. Lady into the 15 minutes' injury time which is available because we voted in the Chamber earlier? Are not many complementary and alternative therapies much cheaper than the drugs offered in the health service?

Madam Deputy Speaker: Order. I hope that hon. Members will not relax too much on the basis of injury time. I must point out again that the subject of the debate remains NHS Direct.

Kali Mountford: Thank you, Madam Deputy Speaker, for rescuing me.

We spoke earlier about measuring effectiveness, but there has not been much of that in respect of complementary and alternative medicine. The hon. Member for Bosworth talked about regulation, but no one wants an unregulated health service. NHS Direct is regulated and I should like to redraw hon. Members' attention to my own experience of seeing it work for myself. I recall the true professionalism of those nurses, which was equal to that of any others in the health service. They gave me the comfort of knowing that the service would be beneficial and valuable.

I also experienced the service as a whole, rather than just in relation to individual patients. My own grandson was taken ill during the flu epidemic. People were reading newspaper reports of dreadful stresses on NHS Direct. In my own constituency, I undertook to phone around a few GPs, as did the local newspaper. The paper sought stories of disaster, but I sought to find out what was going on. I heard about GPs sitting by the phone waiting for calls. NHS Direct had already taken people to the right place for the right treatment—at the pharmacy, unless their condition had developed to the extent that extra intervention was necessary.

Most flu epidemics can be controlled by proper use of over-the-counter drugs. Not everyone needs a GP in those circumstances. Fluid treatments are well understood in most families, yet people become anxious. The calls to NHS Direct saved a lot of strain on GP services and helped accident and emergency services in hospitals to manage the unexpected winter crisis. In my constituency, the crisis never arrived.

Only last Friday I discussed a range of issues with my area health authority. I shall not trouble the Chamber with the details this afternoon, but one important point emerged. Although it had not made its own detailed evaluation of what happened that winter and whether NHS Direct made a lesser or bigger contribution, it was clear that the winter period had been managed well. The health authority acknowledged that NHS Direct had made a significant impact on the management of the treatment of patients over that time.

Mr. Hammond: I sense that the hon. Lady is coming to the end of her speech, so I wish to try one more time to establish whether she supports the Government's initiative in introducing the National Institute for Clinical Excellence and the criteria set by the Government for measuring the appropriateness of treatments and processes in the NHS. If so, does she accept that the same criteria must apply to evaluation of NHS Direct?

Kali Mountford: The hon. Gentleman seems to suggest that different forms of evaluation are mutually exclusive. I can only repeat what I have said already. I do not know why the hon. Gentleman is trying to extract a different reply now from the one that I have already given.

The Minister referred to the development of NHS Direct. When my right hon. Friend the Member for Holborn and St. Pancras was the Secretary of State for Health, I raised a point with him about the further development of NHS Direct's links not only with GPs—those links are already in place—but with the wider community. At that time, there was a meningitis scare in my constituency, and I saw a role for NHS Direct in providing a service to anxious parents.

I was fascinated by some of the Minister's comments about examining what more could be done with pharmacists, and what could be done to deal with teenage pregnancies. Tackling local crises such as meningitis outbreaks, or, as is common in my constituency, cryptosporidium problems relating to spring water, may be part of NHS Direct's future. That would add to NHS services, and I hope that NHS Direct will develop in that way. Notwithstanding what hon. Members said about wanting hard data, my experience of NHS Direct has been good, and my enthusiasm for it remains.

5.25 pm

Ms Stuart: This has been a fascinating debate, which has at times reminded me of a letter that I read in *Pulse* from a Scottish general practitioner. He went to great lengths to say that NHS Direct was a total waste of time and effort, and that it had made absolutely no difference to his practice. Then I read his address and I thought, "Yes, of course, it wouldn't have, because they don't have NHS Direct in Scotland."

In the light of some of the comments that were made, I want to remind hon. Members what NHS Direct is about. Some may remember the notion of cards. A nice little NHS Direct card says that

NHS Direct is a 24 hour nurse-led confidential helpline providing advice and information on: what to do if you're feeling

[Ms Stuart]

ill; health concerns for you or your family; local health services; self-help and support organisations.

I suggest that one could not attempt to give that card to NICE to assess with its clinical evaluation criteria. We are not comparing apples with apples. The effectiveness of NHS Direct services is assessed while they are used and rolled out, and that means a long time scale.

The hon. Member for Runnymede and Weybridge (Mr. Hammond) was absolutely right to say that we need assessment, but that must be carried out in a controlled way which gives proper perspective. All the concerns that the services are changing behaviour need time to be examined. We need longitudinal studies as well as localised in-depth studies. Several assessments are being undertaken. Over Christmas, for example, we picked three sites in which to assess satisfaction. In the west midlands, NHS Direct undertook a study that showed that 95 per cent. of referrals to GPs were appropriate. All those actions must be considered.

Mr. Hammond: Will the Minister give way?

Ms Stuart: I will, but I will not be so indulgent in allowing interventions as the day goes on, because I must put right several misconceptions.

Mr. Hammond: The point that I have tried to make throughout the debate is not, as the Minister said, that I am hostile to NHS Direct as a concept. By piloting a scheme, the Government imply that they will examine the results and appraise the evidence, and base their decision on that. I have asked the Minister to tell us how that is being done, and to present evidence, because we have not seen any in a form that could justify the decision to roll out NHS Direct nationwide.

Ms Stuart: The concept of using the telephone line as NHS Direct does, and of using nurse triage over the telephone, is extensively established in the United Sates, where it has been tested. It is inappropriate to assume that the service was started without any background. Commercial call centre experience can help in dealing with telephone calls, and clinical experience can also be relied on. The service has been tested for clinical safety, and its record on clinical accidents is exemplary.

At the moment, NHS Direct projects starting up may use call handlers, or have a link with a GP co-operative or ambulance trust. The roll-out is an extension and is responsive to local needs. As we move on and as national procurement is made, we have to decide whether, for example, regional centres should interact with local centres. The roll-out is extremely controlled and project managed, and is continually assessed.

It was argued that the Sheffield evidence was insufficient and that unconvincing data demonstrated that the programme had not been carefully tested. I got the impression that hon. Members believe that NHS Direct should not be on offer because it cannot be measured, even though they accept that NHS Direct is working, the public understand the advice and the service is used extensively. Let me assure hon. Members that the roll-out and triage are tested.

Comments were also made about the scepticism of some GPs. The service is completely new, and it is always difficult to explain such a thing to someone who has not worked with it. There is a tendancy to liken the service to out-of-hours services and so on. It is, however, an additional service, which brings me to the comments of the hon. Member for Isle of Wight (Dr. Brand), who is a responsible general practitioner who feels that he has been doing such things.

Unfortunately, however, not all the hon. Gentleman's colleagues are like him. Some doctors do not have access to such a service, and hon. Members requiring evidence on that should refer to the last edition of the patient survey. The chances of getting out-of-hours service, a GP coming out to visit and access to information vary tremendously across the country. It is not helpful to be told that something would have happened if the money had been granted.

The hon. Member for Isle of Wight rightly said that the NHS has always had such ambitions and aspirations. For 50 years, however, no such service was implemented, but it is now being put into operation coherently. Good advice and good systems are available, and there are good examples of integration with the mental health service, as the hon. Member for Runnymede and Weybridge said. We want a health service with national coverage that is responsive and delivers 24-hour service, regardless of where those using it live. Salami-slicing remarks suggesting that such a service was already available are therefore untrue.

There is a misunderstanding about whether the system is diagnostic. The system does not tell people the nature of their disease. If offers a risk assessment of their symptoms and suggests appropriate follow-up and advice. That brings me to a certain *New Statesman* writer, to whom I shall respond by saying that anyone who rings NHS Direct is at liberty to take or refuse the advice. If people choose not to see their GP, even though advised to do so, that is their choice. Criticising the service is not appropriate if one has not followed its advice.

All the evidence is that those who ring understand the service. When I read the Sheffield evaluation stating that 98 per cent. of NHS Direct callers understand the advice that they were given, my initial reaction was to wonder why that was so remarkable. However, I reconsidered the matter, and my thoughts are relevant to the question about NHS Direct being used as a second opinion. Often, patients seeing their GP do not have enough time or do not take in information fully—a position with which we are all familiar. NHS Direct is sometimes used to get reassurance.

There is nothing wrong or inappropriate in that, but it is not true to say that such seeking of second opinion does not already take place. I talked to an A and E doctor last weekend who, when he worked as a GP and did Sunday duty, would sometimes run into patients who had visited him during the week and had come to the A and E department for a second opinion.

I come now to the NHS Direct cost analysis. We have made extensive use of the experience of commercial call centres. One could make an easy analogy and ask,

"What does it cost to call the telephone banks, and how does that compare with NHS Direct?" That would not be an entirely accurate comparison, however, because the strength of NHS Direct is that it brings together commercial call centre experience with qualified nurses who take the patients seriously. The nurses have time to speak to the patients at length—the call can last five minutes or half an hour. A mother can ring and say that her child is unwell, and the nurse can ring back half an hour later and ask whether the child is all right. The mother may say that the child still has a high temperature or that he is all right and watching television. That kind of responsiveness, and that ability to give time to the patient, is often overlooked in the delivery of medical services.

That brings me on to the point made by the hon. Member for Bosworth (Mr. Tredinnick). Medicine means more than just traditional medicine in the accepted sense—an important part of a decent health care system is the element of care. Patients like NHS Direct because the nurses are responsive and because the programme uses nurses' ability to communicate, which is one of their strongest points and should not be underestimated.

The hon. Member for Bosworth was worried that we were overlooking complementary medicine, but a nurse would never neglect to advise a patient to contact his or her GP or pharmacist, for example, or to see the A and E department. NHS Direct links in with the health information service, which provides the best advice on what complementary medicine is available in which area. Although the nurses cannot perhaps recommend a specific course of action, they can recommend a next step. Nurses on NHS Direct can also provide advice to someone who rings about a bereavement, because they have links with Cruise and the Samaritans.

That brings me to the point that was made about repeat callers. I do not have the statistics in my head, but the percentage of the population that takes up GPs' or acute health service time represents a narrow band. Surprisingly, it almost contradicts the principle that 20 per cent. of the population uses 80 per cent. of the resources. Some repeat calling is appropriate, but there are people who call only for the support and may have mental health or other problems. Again, NHS Direct channels such calls either to the statutory or to the alternative service; and again that is right and proper.

Mr. Hammond: What the Minister says makes sense in a world that is not resource constrained. Given that there are those constraints in the NHS, does the Minister agree with the point that I have tried to make before, that the Government's own criteria of clinical and cost-effectiveness must be applied? The onus is on her to demonstrate that those criteria have been applied in rolling out NHS Direct.

Ms Stuart: Of course, there has been a cost evaluation, and the cost of the calls provided and of billing, the ratio of staffing and the levels of efficiency have been compared with those for other services. However, it is an additional service that will continue to be assessed.

I will not give way any more because a couple of important points must be addressed. My hon. Friend the Member for Colne Valley (Kali Mountford) gave her moving account of her own and her constituents' life-changing experiences. We should remember that the protocol used by nurses is not like the out-of-hours service, whereby GPs use their long years of experience to give advice. NHS Direct nurses follow a protocol, which is repeatable and clinically safe, to give advice.

My hon. Friend also mentioned meningitis. As anyone who works in the health service knows, meningitis is one of the most fiendishly difficult diseases to recognise in its early stages. It also progresses incredibly quickly. A GP may see a child at 3 pm with just a high temperature. Half an hour later, that child may show the classic symptoms of meningitis. That is accepted. I was taken through how a nurse would explain to a mother how to carry out the glass test for suspected meningitis. A mother would not go to a GP at 5, 6, 7 or 8 pm, but she would be happy to make regular calls to NHS Direct. Therefore, it does provide something new, which the technology simply did not provide previously.

My hon. Friend gave valuable insights into the psychology of the issue. That is for the long term. She drew on her experience as a social scientist. This is hard science, but it is also social science. We operate clinically based, evidence-based medicine. However, we are also irrational human beings; we have fears and uncertainties. NHS Direct is partly aimed at empowering patients to have the confidence to take the next step. We need to focus more on giving people some responsibility for their own health. That means that extra advice is sometimes needed. People need the confidence sometimes to consult their pharmacist, to administer a self-remedy, or to know that it is safe to say, "I'll just stay in bed and see how I feel tomorrow." At the same time, people need the means of checking whether something sounds more urgent. It will no doubt take time to achieve all that, and integration with other services.

The extension of NHS Direct was also mentioned. In Essex, a pilot scheme has begun, whereby NHS Direct and social services work together. The provision of health services must be much more seamless. Health services and social services have to work much more closely together, so NHS Direct is bringing that about as well.

The debate has been extremely valuable, and I hope that hon. Members have listened. I urge anyone who has not used NHS Direct to do so, to gain an understanding of what it is all about. The health service has reached a stage at which the status quo is not acceptable. We need to change. Life styles are changing.

Mr. Tredinnick: One of the things which I wanted to tease out concerns the complementary services. We have nurses in Leicestershire who are trained in aromatherapy, because there is a big centre for that in my constituency, and who can offer sound advice on how to relieve stress and other ailments. What happens when they pick up the telephone? Do they have to go through the health information service, or refer people to A and E, pharmacists, or GPs, or can they make suggestions?

Ms Stuart: They would not make suggestions. People would either ask, for example, where they could access aromatherapy, or say that they needed to see a doctor and ask what was the next step. NHS Direct is a way of modernising the service. It is a telephone line, supported by NHS Online and the printed NHS guides that form a book, produced as a result of the 20 most common symptoms presented, which gives advice. NHS Direct is one vital building block in modernising the NHS, empowering the patient and delivering a fast, reliable and modern service.

Question put and agreed to.

Adjourned accordingly at seventeen minutes to Six o'clock.

Written Answers to Questions

Monday 27 March 2000

HOME DEPARTMENT

Crime Fighting Fund

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department if he will provide further details about the additional money for fighting crime, which was announced by the Chancellor of the Exchequer in his Budget Statement on 21 March; and if he will make a statement. [116484]

Mr. Straw: As a result of the funding decisions outlined in the Budget statement, there will be a significant injection of £285 million for tackling crime and the causes of crime. This comprises capital modernisation funding of £185 million for a range of projects and a £100 million fund for modernising policing, of which around £91 million is for England and Wales and £9 million is for Scotland. £14 million of expenditure under the capital modernisation fund has been previously announced in respect of DNA. The rest represents new money.

This funding will be used to step up the fight against crime in four key areas. It will speed up the recruitment of new officers; create more opportunities for local partnerships to tackle crime and disorder; provide further scientific and technological support to increase their effectiveness; and will develop and modernise the Criminal Justice System.

Crime Fighting Fund

The first deployment of resources from the £91 million fund for modernising policing will be utilised to enhance the crime fighting fund. Under the crime fighting fund, police forces have been allocated their shares of the 5,000 additional recruits over the next three years. This programme will now be brought forward with the aim of delivering all 5,000 within two years. Doubling the number to be recruited during the coming financial year will cost in the region of £11 million, above and beyond the £35 million which has already been provided for the current allocation. A further significant portion of the new £91 million funding will be used to assist the Metropolitan Police and other forces which are having particular difficulties with recruitment and retention, including the development of a national police recruiting campaign.

Partnerships

This new fund will also be an important contributor to strengthening the services which the police deliver including cutting crime. In that context, I will also want to look closely at the resources available to support the work with which the police are involved on local partnerships for tackling crime. In particular, I want to look at the resources to deal with local problems of anti-social behaviour, to improve information sharing between partner agencies, and to provide more effective training in the development and implementation of local crime reduction strategies. One specific new development in this area is that capital modernisation fund monies will provide £950,000 to Operation LION. This is a programme being piloted in London which will encourage the development of integrated strategies to reduce crime and improve community safety.

Police—Science and Technology

The capital modernisation fund will also boost the programme of work we already have in hand to roll out the latest and best in science and technology to the Police Service.

We shall be applying £40 million of new capital modernisation funding, together with £6 million already set aside, to roll out a new suite of information technology applications to support police operations as part of the national strategy for police information systems. The new systems, one on case preparation, the other for custody suites, will reduce considerably the burden of paperwork and bureaucracy, releasing police manpower to their primary duties. These projects will also be at the heart of a network of information technology systems connecting the criminal justice system and improving the efficiency of the whole process.

We are also using £25 million of the capital modernisation funding to establish a new Government technical assistance centre (GTAC). GTAC will enable us to respond to the threat to public safety from criminal use of encryption and will provide law enforcement agencies with the capability to derive intelligence and evidence from new information and communication technologies. It will make a difference between serious crime being prevented or punished and criminals going unpunished and free to continue their activities by providing techniques for lawful interception of modern multimedia communications. It will also improve facilities for deriving evidence from lawfully seized computer data.

The programme to expand the national database of criminal DNA profiles, which the Prime Minister announced last September, will also start delivering on 1 April. The capital modernisation funding includes £14 million specifically for the DNA database, as part of the £34 million envelope of funding for the DNA project which has already been announced.

A further £21 million has been allocated for the roll out of equipment to police forces for the video recording of interviews with suspects. The full roll out is subject to the evaluation of an initial pilot scheme and the necessary parliamentary legislation. But in principle, video taping will offer the prospect of an end to disputes in court about what actually happened during police interviews and thus deliver fairer administration of justice.

Another significant project using the latest technology will receive funding to help the fight against property crime. £4.5 million is being provided to develop the electronic 'chipping' of goods. These electronic data tags will assist police officers or investigators in identifying and recovering stolen merchandise and be a powerful

deterrent to would-be thieves, not only by increasing the risk of being caught but by making it more difficult for them to find purchasers of stolen merchandise.

Modernising and Developing the Criminal Justice System

In addition to investing in science and technology for the police, the extra resources announced in the budget will provide additional investment right across the criminal justice system. The aim is to help modernise the system as a whole and to deliver a more joined-up approach to tackling crime. It will also help to deliver the modern service that the public is entitled to expect from the criminal justice system. The new capital investment includes the following.

Video links: £5.3 million to allow the innovative use of video conferencing technology to allow vulnerable or intimidated witnesses to give evidence remotely and also to allow defendants remanded in custody to take part in preliminary court hearings without leaving prison. This will build on the existing pilot schemes for video links between courts and prisons in Bristol and Manchester.

Post release hostels for prisoners after drug treatment: £5 million to allow the establishment of post release support for prisoners who have served sentences of up to a year and have drug misuse as well as housing problems. This will help in reducing re-offending by a group of high risk offenders.

Restructuring the prison estate: an investment of £40 million to modernise the prison estate. This will enable a start to be made on a programme to provide additional prison capacity. It will include creating additional capacity in existing prisons and converting spare capacity in open prisons as a result of the success of the home detention curfew into closed conditions.

Joining up criminal justice system information technology systems: £1.48 million to provide a central resource for the criminal justice system integrating business and information systems (IBIS) initiative. This will be used to ensure that criminal justice service and agency information technology systems are developed so as to allow inter-operability between them. Inter-operability will support the fast access to information to the key business areas in the criminal justice system, from preparing cases through the court process to serving sentences.

Criminal justice units: £5 million to enable the Crown Prosecution Service to invest in the infrastructure needed for new joint Crown Prosecution Service/police criminal justice units. These will lead to improved quality and timeliness of prosecution files, involve closer and better working relationships so as to eliminate the duplication of tasks, and will improve the handling of criminal justice casework and get it right first time.

In addition to these projects, the Lord Chancellor will make an announcement next month about additional investment of £23 million to modernise the Crown Court.

Political Parties, Elections and Referendums Bill

Mr. Gerrard: To ask the Secretary of State for the Home Department what costs relating to the establishment of the Electoral Commission will be met in advance of Royal Assent being given to the Political Parties, Elections and Referendums Bill. [116668]

Mr. Straw: It is in the public interest to ensure that the Commission is functioning at the earliest opportunity. I have made clear my wish that it should be up and running by this November. To meet this tight timetable, some costs such as those relating to the recruitment of the commissioners will necessarily be incurred before Royal Assent.

Parliamentary approval to this service will be sought in a main estimate for the Electoral Commission Vote (Class XVIII, C, Vote 1). Pending that approval, urgent expenditure estimated at £300,000 will be met by repayable advances from the Contingencies Fund.

Race Equality

Mr. Gerrard: To ask the Secretary of State for the Home Department when he will publish the basket of race equality performance indicators he has been developing. [116669]

Mr. Straw: I have today placed in the Library a copy of the document "Race Equality in Public Services—Driving Up Standards and Accounting for Progress". The document sets out performance data in a number of key areas which are of interest to ethnic minority communities, and provides a quantifiable way of demonstrating the Government's progress in promoting race equality.

Sexual Assaults

Mr. Baker: To ask the Secretary of State for the Home Department how many incidents of *(a)* rape of men and *(b)* other sexual assaults on men were reported in the last year for which figures are available; how many such incidents attracted charges; and how many convictions have resulted. [116103]

Mr. Charles Clarke: The numbers of reported incidents and charges are not collected centrally. The number of recorded rapes of men and indecent assaults on men, and the number of defendants proceeded against and offenders convicted of these offences in England and Wales for the year ending September 1999, are as follows:

	Rape of a male	*Indecent assault on a male*
Number of offences recorded in year ended September 1999	571	3,682
Number of defendants proceeded against in year ended September 1999[1]	107	562
Number of offenders convicted in year ended September 1999[1]	54	438

[1] Provisional data

It should be noted that as the recorded crime figures relate to offences, and the numbers proceeded against and convicted relate to offenders, the two types of data cannot be directly compared.

Freedom of Information

Mr. Hawkins: To ask the Secretary of State for the Home Department when he intends to publish his draft code of guidance in relation to his Freedom of Information Bill; and if he will make a statement. [116288]

Mr. Mike O'Brien: I expect to be able to make available shortly a working draft of the code of practice for which provision is made at clause 44 of the Freedom of Information Bill.

Copies of the working draft will be placed in the Library.

Probation Service

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what *(a)* representations and *(b)* external legal advice he has received concerning the conformity of current contracts for the installation and operation of probation service information technology systems with public procurement regulations; and if he will make a statement. [116294]

Mr. Boateng: The Home Office discusses the arrangements for the procurement of information technology for probation purposes with interested parties from time to time. It is not our policy to disclose details of legal advice in relation to such commercial arrangements.

Prison Accommodation

Miss Widdecombe: To ask the Secretary of State for the Home Department if he will list, for each of the last 10 years for which figures are available, the average number of prisoners in each prison establishment being held two in a cell in a single cell; for what reason the Prison Service does not collect data on the number of prisoners held three in a double cell; and if he will make a statement. [116473]

Mr. Boateng: The average number of prisoners held two to a cell designed for one, in each prison establishment since 1992–93, is given in the table. Prisons that are not currently operational are excluded from the analysis.

The Prison Service has never collected centrally the number of prisoners held three to a cell designed for two. Prisons provide data on the total overcrowding level and on the numbers held two to a cell designed for one, known as "doubling". Total overcrowding includes those held three to a cell for two and those overcrowded in dormitories and larger cells. Doubling is an appropriate measure of the true impact of overcrowding on individuals.

Overcrowding, other than doubling, is not widespread. At the end of February 2000, only nine establishments reported a total overcrowding figure in excess of the numbers doubled.

Average number of prisoners held two to a cell designed for one

Prison name	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*
Acklington	0	0	0	0	0	0	0
Albany	0	0	0	0	0	0	0
Altcourse	—	—	—	—	—	198	203
Ashwell	0	0	0	0	0	0	0
Askham Grange	0	0	0	0	0	0	0
Aylesbury	3	2	0	0	1	0	0
Bedford	105	94	129	132	143	119	150
Belmarsh	0	0	0	0	0	0	0
Birmingham	110	474	478	578	634	753	739
Blakenhurst	0		0	0	134	309	360
Blantyre House	0	0	0	0	0	0	0
Blundeston	4	0	0	0	2	0	0
Brinsford	35	0	0	0	31	179	153
Bristol	83	131	123	126	81	92	86
Brixton	284	326	292	322	358	361	337
Brockhill	10	4	0	0	0	0	0
Buckley Hall	—	—	0	2	12	9	0
Bullingdon	0	0	0	0	0	0	97
Bullwood Hall	0	0	0	0	0	0	4
Camp Hill	31	10	2	0	27	78	115
Canterbury	78	123	158	161	211	219	219
Cardiff	187	303	311	331	314	422	458
Castington	0	0	0	0	0	0	0
Channings Wood	0	0	72	155	211	242	223
Chelmsford	167	239	289	305	143	27	38
Coldingley	0	0	0	0	0	0	0
Cookham Wood	0	0	14	13	43	56	77
Dartmoor	0	0	0	0	0	0	0
Deerbolt	0	0	0	0	0	0	0
Doncaster	—	—	124	228	399	588	626
Dorchester	76	127	142	148	176	161	157
Dover	32	0	0	0	0	0	0
Downview	0	0	0	0	5	24	32
Drake Hall	0	0	0	0	0	0	2
Durham	340	320	375	476	659	573	519
East Sutton Park	0	0	0	0	0	0	0
Eastwood Park	0			0	0	6	18

Average number of prisoners held two to a cell designed for one

Prison name	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*
Elmley	0	0	0	0	0	38	230
Erlestoke	0	0	0	0	0	0	0
Everthorpe	0	0	0	0	26	64	64
Exeter	149	273	292	304	370	364	380
Featherstone	16	0	0	0	7	0	0
Feltham	0	0	0	0	3	21	26
Ford	0	0	0	0	0	0	0
Foston Hall	0	0	0	0	0	0	0
Frankland	0	0	0	0	0	0	0
Full Sutton	0	0	0	0	0	0	0
Garth	0	0	0	0	0	0	0
Gartree	0	0	0	0	0	0	0
Glen Parva	88	155	171	196	239	272	243
Gloucester	67	88	106	102	116	162	162
Grendon	0	0	0	0	0	0	0
Guys Marsh	0	0	0	1	20	40	42
Haslar	0	0	0	0	0	0	0
Hatfield	0	0	0	0	0	0	0
Haverigg	0	0	0	0	0	0	5
Hewell Grange	0	0	0	0	0	0	0
Highdown	0	0	0	0	0	30	0
Highpoint	0	0	0	0	12	32	42
Hindley	183	209	105	12	7	14	0
Hollesley Bay	0	0	0	0	8	24	4
Holloway	0	0	0	0	0	0	0
Holme House	0	0	0	0	0	84	72
Hull	34	163	204	153	124	6	11
Huntercombe	0	0	0	0	1	15	16
Kingston	0	0	0	0	0	0	0
Kirkham	0	0	0	0	0	0	0
Kirklevington	0	0	0	0	0	0	0
Lancaster	54	0	0	0	0	0	0
Lancaster Farms	0	0	0	0	24	46	57
Latchmere House	0	0	0	0	0	0	0
Leeds	0	743	621	537	67	318	545
Leicester	167	281	286	267	271	284	279
Lewes	165	164	142	15	31	32	31
Leyhill	0	0	0	0	0	0	0
Lincoln	254	394	440	429	499	440	340
Lindholme	0	0	0	0	0	0	0
Littlehey	0	0	8	0	14	42	48
Liverpool	499	465	466	264	206	446	442
Long Lartin	0	0	0	0	0	0	0
Low Newton	120	168	151	203	232	251	179
Lowdham Grange	—	—	—	—	0	0	0
Maidstone	0	0	0	0	10	45	41
Manchester	134	205	191	407	466	437	399
Moorland	0	0	0	0	39	56	45
Morton Hall	0	0	0	0	0	0	0
Mount	0	0	0	0	38	71	69
New Hall	0	0	0	0	0	28	52
North Sea Camp	0	0	0	0	0	0	0
Northallerton	75	101	126	135	215	254	233
Norwich	76	128	162	26	0	114	128
Nottingham	10	13	10	8	0	0	0
Onley	30	0	0	0	0	0	0
Parc	—	—	—	0	0	0	0
Parkhurst	0	0	0	0	0	35	33
Pentonville	230	364	445	557	584	419	380
Portland	10	0	54	40	41	90	90
Preston	124	320	304	273	362	510	533
Ranby	0	0	0	0	0	50	50
Reading	55	117	123	65	97	115	138
Risley	8	0	0	0	14	38	74
Rochester	37	15	5	4	6	0	0
Send	0	0	0	0	0	0	0
Shepton Mallet	55	22	0	0	92	119	100
Shrewsbury	136	230	217	241	277	297	281
Stafford	45	0	296	381	226	0	0
Standford Hill	0	0	0	0	0	0	0
Stocken	0	0	0	0	36	52	41
Stoke Heath	31	0	0	0	0	0	0

Average number of prisoners held two to a cell designed for one

Prison name	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*
Styal	0	0	0	0	0	0	0
Sudbury	0	0	0	0	0	0	0
Swaleside	0	0	0	0	18	33	9
Swansea	105	148	130	149	185	235	221
Swinfen Hall	0	0	0	0	0	0	38
Thorn Cross	0	0	0	0	0	0	0
Usk	0	0	2	60	94	117	146
Verne	0	0	0	0	13	37	39
Wakefield	0	0	0	0	73	98	22
Wandsworth	274	217	199	191	156	193	316
Wayland	0	0	0	0	24	50	44
Wealstun	0	0	0	0	4	10	10
Weare	—	—	—	—	0	0	0
Wellingborough	0	0	0	0	0	0	0
Werrington	0	0	0	0	0	0	0
Wetherby	0	0	0	0	0	0	0
Whatton	0	0	0	0	0	0	0
Whitemoor	0	0	0	0	0	0	0
Winchester	126	137	182	181	245	304	272
Wolds	0	2	16	1	0	0	0
Woodhill	0	0	0	0	38	106	95
Wormwood Scrubs	322	468	425	305	289	378	299
Wymott	0	0	0	0	0	0	0

Home Detention Curfew Scheme

Miss Widdecombe: To ask the Secretary of State for the Home Department, pursuant to his answer of 22 March 2000, *Official Report*, column 561W, on the home detention curfew scheme, what specific offences are defined as *(a)* other homicide and attempted homicide, *(b)* other motoring offences and *(c)* other offences; how many offenders were released having been convicted of each specific offence; and if he will make a statement. [116482]

Mr. Boateng: Further details of the offences defined as other homicide and attempted homicide, other motoring offences and other offences, and the number of prisoners convicted of each type of offence who have been released on home detention curfew are shown in the table.

No eligible prisoner can be granted home detention curfew without first passing a risk assessment. The risk assessment addresses the risk to the public and the likelihood of the prisoner re-offending during his time on curfew. The details of the offence in each case will be known to the establishment before a risk assessment and release on home detention curfew can take place. The nature of the current offence, together with previous offending history, are important factors that are taken into account in assessing a prisoner's suitability for the scheme. Prisons have been instructed that prisoners who present a clear and immediate threat to the public must not be released on home detention curfew.

Offence	*Number*
Other homicide and attempted homicide	
Attempted murder	5
Threats to kill	29
Conspiracy, aid and incite murder	1
Death by reckless driving	115
Total	150
Other motoring offences	
Other motoring offences[1]	1,239
Reckless driving	291
Total	1,530
Other offences[2]	
Procuration	4
False imprisonment	22
Bail Act offences	4
Assisting illegal immigrant	49
Minor firearms offences	6
Other indictable offences[2]	548
Escaping lawful custody	6
Making off without paying	2
Criminal attempts	7
Contempt of court	1
Deportee/detainee	4
Vagrancy Act offences	2
Cruelty etc. to animals	18
Total	673

[1] Recorded under this code by individual establishments
[2] Other indicatable offences

Miss Widdecombe: To ask the Secretary of State for the Home Department, pursuant to his answer of 22 March 2000, *Official Report*, columns 561–62W, on the home detention curfew scheme, how many offenders who committed further offences while on the scheme committed an offence similar in character to that for which they were originally convicted; if he will provide a breakdown by type of offence of such offenders; and if he will make a statement. [116479]

Mr. Boateng: According to Prison Service records, of the 185 curfewees referred to in the reply I gave on 22 March 2000, *Official Report*, columns 561–62W, who have been charged with a further offence while subject to home detention curfew, 74 have been charged with an offence similar to that for which they were serving a

sentence of imprisonment prior to being released on curfew. The table gives a breakdown of the types of offences committed.

One of the factors addressed in the home detention curfew risk assessment is the likelihood of the prisoner re-offending during his time on curfew. If the offender's past history and current circumstances suggest that there is a probability that he will return to offending within the curfew period, release must be refused.

An evaluation of the home detention curfew scheme is being carried out by the Research, Development and Statistics Directorate of the Home Office. It will include an analysis of reconviction of curfewees both during and after the curfew period. Results will be published later this year.

Offences committed by curfewees

	Number
Burglary	20
Theft	16
Driving/Motoring offences	12
Assault	9
Drug offences	5
Deception	3
Wounding	3
Robbery	2
Breach of Probation Order	1
Threats to kill	1
False Imprisonment	1
Affray	1
Total	74

Miss Widdecombe: To ask the Secretary of State for the Home Department, pursuant to his answer of 22 March 2000, *Official Report*, column 561W, on the home detention curfew scheme, how many offenders charged with a further offence committed while on the scheme have been convicted of such an offence; if he will provide a breakdown by type of offence; and if he will make a statement. [116480]

Mr. Boateng: Information is not held centrally on the convictions of those who have committed offences while subject to home detention curfew.

Miss Widdecombe: To ask the Secretary of State for the Home Department, pursuant to his answer of 22 March 2000, *Official Report*, column 561W, on the home detention curfew scheme, for what reason the original offence committed by 1,001 offenders released on the scheme was not recorded; and if he will make a statement. [116481]

Mr. Boateng: The statistics on the original offences committed by prisoners released on home detention curfew are taken from the Prison Service computer database, known as the Inmate Information System, and are based on the data entered by each prison. Where offence data are not completed by the prison, the category "offence not recorded" is used at the centre. At a local level, the details of the offence in each case will be known to the establishment before a risk assessment and release on home detention curfew can take place. In assessing a prisoner's suitability for release on the scheme, the nature of the offence is an important factor to be taken into account.

Efforts are made to ensure the completeness and accuracy of all data as far as practicable, but there are inevitable errors of omission and commission. Guidance is being issued to establishments stressing the importance of recording the data on original offences as quickly as possible in every case.

Miss Widdecombe: To ask the Secretary of State for the Home Department what is the maximum sentence that may be passed on an offender who is eligible for release on the home detention curfew scheme. [116475]

Mr. Boateng: Under the Criminal Justice Act 1991, as amended by the Crime and Disorder Act 1998, no prisoner who has been sentenced to four years or more imprisonment is eligible for release under the home detention curfew scheme.

Criminal Justice and Court Services Bill

Miss Widdecombe: To ask the Secretary of State for the Home Department further to his answers of 22 March 2000, *Official Report*, column 557W, on drug testing procedures under Clause 48 of the Criminal Justice and Court Services Bill, *(a)* if a positive test would in itself be sufficient proof of an offence of unlawful possession of a controlled drug, *(b)* what specified Class A drugs will be tested for, *(c)* if he intends to extend the testing procedure to include Class B drugs and *(d)* how he intends the tests to be used to assist in appropriate sentencing, and if this includes the length of sentence to be passed; and if he will make a statement. [116472]

Mr. Boateng: The purpose of drug testing on charge is to identify and monitor drug misusers who may need treatment and to inform any subsequent bail decisions. It is not intended that a positive test will be used to bring a prosecution for unlawful possession. Initially, tests will be made to detect heroin and crack/cocaine which research evidence shows are strongly linked to crimes committed in order to feed a drug habit. The Criminal Justice and Court Services Bill includes provision to extend the range of drugs tested for, including any in Class B, if a similar linkage to commission of crime emerges.

The court will have regard to a positive test on sentencing and can make a drug abstinence order or add an abstinence requirement to a community sentence in cases where the criteria is met.
A positive test result will not be an aggravating factor for sentencing purposes.

Miss Widdecombe: To ask the Secretary of State for the Home Department if he will make a statement on the new procedure for appointing local probation boards contained in Schedule 1 to the Criminal Justice and Court Services Bill, indicating how it differs from the present procedure. [116476]

Mr. Boateng: The present procedure is based on the nomination directly to the committee of local magistrates, a member of the judiciary and local authority members. In future, members of probation boards, with the exception of the Lord Chancellor's nominee, will be appointed by the Secretary of State following a process of open, public advertisement.

We will be looking to recruit members who, in addition to meeting competences, being developed in consultation with the Central Probation Council, will reflect a breadth of experience from the local community. We are working with the Office of the Commissioner for Public Appointments to ensure that these new arrangements meet the highest standards of openness and transparency.

Chief officers will, for the first time, be a member of local boards.

Prisoners (Activity)

Miss Widdecombe: To ask the Secretary of State for the Home Department if he will list for each of the last 10 years for which figures are available the average amount of time spent by prisoners on purposeful activity. [116474]

Mr. Boateng: The average amount of time spent per prisoner on purposeful activity in the last 10 years is listed in the table. Data for 1999–00 are for the year to February 2000 and are provisional.

Year	*Purposeful hours*
1990–91	22.3
1991–92	22.7
1992–93	23.7
1993–94	24.7
1994–95	26.2
1995–96	25.2
1996–97	23.8
1997–98	23.3
1998–99	22.8
1999–2000	23.0

ENVIRONMENT, TRANSPORT AND THE REGIONS

Road Traffic Targets

Mr. Moore: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those local authorities that have set targets for the overall level of road traffic in their area as part of their draft local transport plans, giving the targets set in each case. [114810]

Mr. Hill *[holding answer 16 March 2000]:* Local traffic authorities in England (outside London) submitted interim road traffic reduction reports as part of their provisional local transport plans in July 1999. Due to the provisional nature of the plans, the status and coverage of some targets are uncertain. However, the following authorities submitted plans containing traffic targets for at least part of their area or for some types of traffic.

Authority	*Target*
Oxfordshire	Halve forecast traffic growth to 2016
Hampshire	Reduce the rate of traffic growth by 50 per cent. by 2020
Milton Keynes	Reduce journey to work car trips by 4 per cent. between 1997 and 2011 and car mode share reduction from 77 per cent. to 55 per cent. between 1997 and 2011
West Berkshire	Newbury and Thatcham area—reduce growth to zero from 1999. Rural area—limit growth to 10 per cent. between 1999 and 2009. Eastern area—reduction in growth forecast of 1–5 per cent. on major corridors and absolute reductions of 1–5 per cent. in residential areas
Reading	Reduce car travel by 5 per cent. in town centre. Reduce traffic levels by 2–5 per cent. in residential areas. Reduce traffic on major corridors by 2–5 per cent. over forecast levels
Isle of Wight	Halve the rate of growth by 2020
East Sussex	Reduce amount of car journeys to education establishments by 20 per cent. by 2005 in Bexhill, Hastings, Eastbourne and other towns. Achieve zero growth on minor rural roads in the Ashdown Forest area
Slough	10 per cent. reduction in current traffic levels by 2005
Surrey	Limit growth to 7 per cent. between 1998–2016
Bournemouth, Poole and Christchurch	Reduce rate of traffic growth by 50 per cent. by 2005 and reduce to zero growth by 2010. Reduce car trips to school by 50 per cent.
Dorset	Reduce rate of traffic growth to 50 per cent. of average growth forecast between 1998 and 2005
Gloucestershire	By 2011, average daily traffic volumes to increase by no more than 20 per cent. compared with 1995 levels
Somerset	Limit growth to 10 per cent. by 2011 in Taunton and 25 per cent. by 2011 in Bridgwater and to 13 per cent. by 2011 in Yeovil
Bath and North East Somerset	Bath centre—20 per cent. reduction in 1999 levels by 2005. Rest of Bath—10 per cent. reduction. Other towns stabilise traffic and no targets in rural areas
Bristol	Reduce growth in car traffic by 20 per cent. over the next five years. Thereafter a further 20 per cent. reduction over the next 10 to 15 years
South Gloucestershire	Zero growth in annual average traffic flows by 2005. Annual 2 per cent. reduction in proportion of people commuting by car
Swindon	Slow traffic growth by 35 per cent. (based on low growth assumptions)—29 per cent. increase 1996–2016 compared to do-nothing forecast of 44 per cent.
Plymouth	Maintain traffic at 1999 levels—0 per cent. traffic growth
Torbay	0.5 per cent. growth in traffic across area over all time periods by 2005
West Midlands'	Contain levels of morning peak car trips into the nine LTP centres to their 1995–96 levels up to 2006, and maintain the containment to 2011

Authority	Target
Shropshire	Reduce cars entering Shrewsbury by 5 per cent. by 2005. Outside city centre, limit growth to 1 per cent. or less per annum. Reduce per cent. of children given lifts to school by car by 10 per cent. by 2005. Limit traffic growth on inter-urban routes to 2 per cent. or less per annum until 2005 and 1 per cent. thereafter in the market towns and rural areas
Stoke on Trent	Constrain growth to 10 per cent. between 1999–2011
Telford and Wrekin	To limit traffic growth to 2 per cent. per annum or the rate of growth in population (whichever is lower) by 2005
Warwickshire	Reduce the rate of traffic growth in urban areas by 50 per cent. in peak periods
Worcestershire	To achieve 1991 traffic levels in Worcester City by 2011
Merseyside[2]	Keep traffic growth below 17 per cent.
Cheshire	Traffic to be restrained in Chester to a 2 per cent. increase on 1994 levels to 2011. In the rest of the County traffic to be restrained to a 16 per cent. increase on 1994 levels up to 2011
Cumbria	Cap growth at 2000 levels by 2005 in Carlisle City Centre. 24 per cent. reduction in existing peak hour traffic entering the Kendal by 2005–06
Lancashire	Traffic flows to and from town centres to be restricted to 1991 levels
Blackburn	Zero growth of peak hour traffic by 2006. Growth in off-peak limited to low NRTF levels from 2000
Halton	Restrain growth to 16 per cent. by 2011
Durham	Restrict traffic to 1999 levels to end of 2004 in Durham City. Reduce traffic growth to 0.33 per cent. per annum to 2004 in the rest of the County
Northumberland	Reduce AADT by 5 per cent. on base network at selected monitoring sites by 2005. No increase in traffic at selected sites by 2005
Darlington	Restrict growth to 4 per cent. between 1999 and 2006 into the Darlington Urban area. Restrict growth to 2 per cent. into Darlington town centre between 1999 and 2006. Restrict and/or reduce traffic growth on 4 key transport corridors by 2006
Middlesborough	Reduce AADT to zero growth in town centre by 2005 and reduce by 2 per cent. by 2010
Hartlepool	Limit traffic growth to 3.5 per cent. between 2000 and 2005
Stockton-on-Tees	5 per cent. reduction of AADT at specific sites. Peak hour traffic flow reduction by 5 per cent. and limit overall growth to 4.5 per cent.
South Yorkshire[3]	Contain car traffic at 1999 levels
West Yorkshire[4]	Constrain growth to 7 per cent. in Leeds, Bradford and Wakefield
North Yorkshire	Maintain traffic in the urban area at 1994 levels in Harrogate, Knaresborough and Ripon. In the Yorkshire Dales, maintain traffic at 1994 levels
York	Maintain inbound morning peak traffic to 1992 levels. Provisional target of 7 per cent. reduction from 1999 to 2003
Kingston-upon-Hull	Reduce car flows by 1 per cent. per annum from present levels. Reduce proportion of car trips from 57 per cent. of total in 1991 to 50 per cent. in 2011
North Lincolnshire	Reduce the average peak hour growth rate of traffic from 2.5 per cent. to 2.2 per cent. by 2005 and to 1.1 per cent. by 2010
Derbyshire	Reduce traffic growth to 1 per cent. below the national average by 2011
Leicester[5]	Reduce growth to 2011 from 15 per cent. to 7 per cent.
Nottingham	Maintain growth at below 2.5 per cent. per annum by 2000
Nottinghamshire	Limit growth to 8 per cent. up to 2011
Lincolnshire	Reduce forecast peak hour car traffic in Greater Lincoln, Boston, Grantham and Skegness by 10 per cent. over the next five years. Reduce forecast peak hour car traffic in the large market towns of Gainsborough, Louth, Sleeford, Spalding and Stamford over the LTP period
Northamptonshire	Achieve zero growth above 1999 levels on radial routes in peak hours
Bedfordshire	Decrease travel to work by car from 71 per cent. in 1991 to 58 per cent. in 2011 in Bedford, market towns and rural areas
Norfolk	Private car traffic crossing the Norwich inner ring road and outer ring road to be no higher than 1995 levels in 2011. 10 per cent. fall in peak level of private car traffic along to A149 coastal road between 1997 and 2010
Suffolk	Achieve zero growth by 2006 in Ipswich, Bury St. Edmunds and Lowestoft
Peterborough	Maintain growth below NRTF low growth forecast till 2005

[1] A joint plan for the Metropolitan area consisting of the following traffic authorities: Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton

[2] A joint plan for the Metropolitan area consisting of the following traffic authorities: Liverpool, Knowsley, St. Helens, Sefton and Wirral

[3] A joint plan for the Metropolitan area consisting of the following traffic authorities: Sheffield, Rotherham, Barnsley and Doncaster

[4] A joint plan for the Metropolitan area consisting of the following traffic authorities: Leeds, Kirklees, Calderdale, Bradford and Wakefield

[5] A joint plan with Leicestershire

Note:

NRTF—Department of Transport National Road Traffic Forecasts 1997

AADT—Annual Average Daily Traffic

Park-and-Ride Schemes

Mr. Edward Davey: To ask the Secretary of State for the Environment, Transport and the Regions how many park-and-ride schemes have been introduced by local authorities since May 1997; and if he will make a statement. [116074]

Mr. Hill: The Department does not collect such information.

Affordable Housing (London)

Mr. Edward Davey: To ask the Secretary of State for the Environment, Transport and the Regions what proportion of houses built in London in each of the past four years has been classified as affordable; and what research his Department has undertaken to determine if this proportion meets local demand for such housing. [116084]

Ms Beverley Hughes: The information on affordable houses built is not held centrally. However, the London Research Centre is currently undertaking a research project to assess the extent of housing need in London.

Regional Assemblies

Mrs. Ellman: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the creation of directly elected regional assemblies in England. [116072]

Ms Beverley Hughes: We are committed to moving to directly elected regional government in England, where there is demand for it expressed in a referendum.

Housing Development (Transport Links)

Miss McIntosh: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to develop transport links in areas of new housing development in greenfield sites. [116236]

Ms Beverley Hughes: Planning Policy Guidance note 3, "Housing", (PPG3) (see paragraphs 47 and 48) provides that local planning authorities should seek to exploit opportunities to locate larger housing developments around major nodes along good quality public transport corridors (both existing and those with firm proposals for improvement in local transport plans). In addition, authorities should seek to ensure that all housing developments are accessible by a range of non-car modes. Draft PPG13, "Transport", also proposes that major development proposals should be supported by a transport assessment.

Speed Limits

Mr. Peter Bradley: To ask the Secretary of State for the Environment, Transport and the Regions how many villages with populations of under 3,000 have a speed limit of 30 mph. [116015]

Mr. Hill: This information is not held centrally.

Radioactive Waste

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what are the procedures that must be followed regarding the dumping of radioactive waste in the UK. [115916]

Mr. Meacher: The disposal of radioactive waste is closely regulated under the Radioactive Substances Act 1993 by the Environment Agency in England and Wales, the Scottish Environment Protection Agency in Scotland and the Environment Heritage Service in Northern Ireland. Any person wishing to dispose of radioactive waste must make an application to the relevant agency.

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to publish the green paper on radioactive waste management; and what will be its terms of reference. [115532]

Mr. Meacher: My Department aims to publish the consultation paper on the management of radioactive waste in late spring. The contents are still under consideration.

Regional Development Agencies

Mr. Quinn: To ask the Secretary of State for the Environment, Transport and the Regions how many objections he received when he consulted on the location of boundaries for the regional development agencies. [116331]

Ms Beverley Hughes: We received 198 responses to our consultation paper, "Regional Development Agencies—Issues for Discussion", which was published in 1997. Of these responses, there were two objections to the boundaries proposed for the RDAs.

GM Crops

Sir Richard Body: To ask the Secretary of State for the Environment, Transport and the Regions on what date the contract was signed for the growing of a GM crop at Friskney, Lincolnshire. [116448]

Mr. Meacher: My Department was notified by Monsanto of a proposed location of a field for a farm scale evaluation of GM beet near Friskney in Lincolnshire, on 16 March 2000. The contractual arrangements are a matter for Monsanto and the farmer involved.

Mr. Keetch: To ask the Secretary of State for the Environment, Transport and the Regions what GM crop trials there have been in Herefordshire; and if he will make a statement. [116343]

Mr. Meacher: The Government's farm scale evaluations programme, which I announced on 17 March, is designed to allow independent researchers to see what effect growing and managing GM crops might have on farmland wildlife, compared with non-GM crops. The programme this year will involve up to 80 GM field sites. To date, none of the proposed sites notified to my Department is in Herefordshire.

Local Authorities (Leaders)

Mr. Brady: To ask the Secretary of State for the Environment, Transport and the Regions if he will list *(a)* the name of the leaders, *(b)* the political party of the leader and *(c)* the annual allowance payable to the leader of each local authority in England. [116460]

Ms Beverley Hughes: This information is not collected by my Department.

Euratom Directive

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what he plans to implement the justification requirements of Euratom Directive 96/29. [115531]

Mr. Meacher: The Health and Safety Commission is in the lead for preparing proposals on behalf of Government for implementing the justification requirements of Euratom Directive 96–29. I await its revised proposals.

Child Cyclists

Mr. Andrew George: To ask the Secretary of State for the Environment, Transport and the Regions what action he is taking to reduce brain injuries among child cyclists. [115739]

Mr. Hill: The road safety strategy, "Tomorrows Roads—Safer for Everyone", promotes the wearing of cycle helmets. They can provide significant protection against the severity of head injuries. This reinforces the advice contained in the "Highway Code", the "Highway Code for Young Road Users" and the Driving Standards Agency's "Road Code". We also promote their use in our "Cycle Smart" publicity material. Together with the Department of Health, we are supporting the Bicycle Helmet Initiative Trust project, the aim of which is to promote cycle helmet wearing among children and young people. We are monitoring the wearing rate in Great Britain (currently about 18 per cent.) and will continue to consider the option of compulsory wearing from time to time.

Mr. Andrew George: To ask the Secretary of State for the Environment, Transport and the Regions how many child cyclists have been *(a)* injured and *(b)* killed on the roads in each of the past 10 years. [115773]

Mr. Hill: The information requested is shown in the following table for the most recent 10 years for which data are available.

Child[1] cyclist casualties in road accidents: Great Britain 1989–98

Year	*Killed*	*Injured*
1989	73	9,254
1990	59	8,661
1991	50	8,132
1992	48	7,677
1993	37	7,349
1994	42	8,033
1995	48	8,085
1996	54	8,163
1997	33	7,866
1998	32	6,898

[1] Children aged 0–15

Breakdown and Recovery Vehicles

Mr. Key: To ask the Secretary of State for the Environment, Transport and the Regions how many breakdown and recovery vehicles exempt from the MOT test *(a)* are currently operating on (i) motorways and (ii) other roads and *(b)* were involved in vehicle accidents in the last year for which figures are available. [116133]

Mr. Hill: Such vehicles are exempt from the MOT test if they are constructed such that they tow vehicles that they are recovering rather than carry them. Although it is not possible to say precisely how many of these there are, a good approximation is the number of vehicles whose body type is recorded as a breakdown truck. Further to these, there will also be a number of other vehicles in the recovery vehicles tax class that are exempt from the MOT test because they are less than one year old. The estimated numbers of those licensed and exempt from the MOT test at the end of 1998 are as follows:

Breakdown trucks: 10,224

Other recovery vehicles first registered in 1998: 110

Total: 10,334

These figures come from the record of licensed vehicles in Great Britain held by the Driver and Vehicle Licensing Agency. No details are held about the roads upon which these vehicles operate.

Road accident data are available by body type of the vehicles involved. In 1998 there were 104 recorded injury accidents involving breakdown trucks. This figure may be a slight under-estimate as in some accidents details of the vehicle's body type can not be obtained.

Rent Rebates

Mr. McNamara: To ask the Secretary of State for the Environment, Transport and the Regions (1) what proposals he has to reimburse local authorities in full for current and future rent rebate expenditure; [115387]

(2) for what reasons the housing revenue subsidy paid to local authorities is less than the rent rebate expenditure borne by local authorities; [115402]

(3) for what reason local authorities' rent rebate expenditure is not reimbursed on the same basis as expenditure on rent allowances for private sector and association tenants; [115403]

(4) what funding will be available to ensure that there is no further clawback of local authority rent income by central Government; [115428]

(5) if the existing gap between rent rebate expenditure and housing subsidy will be funded in full without a corresponding fall in money available for council housing. [115427]

Mr. Mullin: There are two parts to housing subsidy: housing element and rent rebate element. Most authorities show a surplus on their housing element—that is their assumed rental income covers assumed costs. Where there is a surplus on housing element for an authority, we reduce the size of the rent rebate element by an equivalent amount.

Other than in those cases where rent rebate subsidy limitation applies, local authorities are fully reimbursed for rent rebate expenditure. The effect of limitation is that

if an authority increases its average rent above the limit rent level, it receives additional rental income only from those tenants not receiving rent rebate.

This accounting arrangement reflects the different subsidy provisions which apply to different tenures. Local authority rents are generally lower than housing association or private sector rents, so it is not the case that council tenants are treated less favourably than other tenants. We intend to replace the current system with one that is easier to understand and which will avoid offsetting one expenditure stream against another and avoid the present confusion. The necessary legislation will be introduced as soon as parliamentary time permits.

We are currently consulting on the detail of our proposals on how to structure and operate a new system for redistributing resources under resource accounting. We have also announced that the proposed major repairs allowance (MRA) will be introduced from April 2001 to meet the cost of keeping housing stock in good condition. We expect that there will be fewer surpluses when the MRA is introduced and that will itself ease concerns about the system.

No decisions have yet been taken on the level of funding that will be available. This will form part of the discussions in the forthcoming spending review.

Housing Revenue (Subsidy)

Mr. McNamara: To ask the Secretary of State for the Environment, Transport and the Regions what was the total amount of housing revenue account subsidy paid to local authorities in 1998–99. [115399]

Mr. Mullin: The total amount of housing revenue account subsidy paid to local authorities in 1998–99 was £3,371 million.

Mr. McNamara: To ask the Secretary of State for the Environment, Transport and the Regions what is the estimated subsidy for the housing revenue account of local authorities for the years *(a)* 1999–2000 and *(b)* 2000–01. [115401]

Mr. Mullin: Our forecasts of housing revenue account subsidy are as follows:

£ million

	Housing revenue account subsidy
1999–2000	3,190
2000–01	3,146

[1] Estimated

Disabled Drivers

Mr. Oaten: To ask the Secretary of State for the Environment, Transport and the Regions when his Department will implement regulations covering changes to disabled drivers' badges and clocks. [116297]

Mr. Hill: I refer the hon. Member to my reply of 10 March 2000, *Official Report*, columns 834–35W, to my hon. Friend the Member for Hemel Hempstead (Mr. McWalter).

I also announced on 18 November 1999 that the Orange Badge scheme is to be reviewed this year, and we will be looking at the eligibility criteria as well as the administration and enforcement of the scheme.

Regional Planning Guidance

Mr. Pond: To ask the Secretary of State for the Environment, Transport and the Regions when he intends to publish his response to the recommendations of the panels which conducted the public examinations of the draft regional planning guidance notes for East Anglia and the South-East; and if he will make a statement. [116564]

Mr. Raynsford: My right hon. Friend the Deputy Prime Minister has today published for consultation Proposed Changes to the Draft Regional Planning Guidance (RPG) for East Anglia and to the Draft RPG for the South-East.

On 7 March my right hon. Friend set out a new approach to planning for housing provision and made a preliminary announcement about housing in the South-East. The Proposed Changes to the draft RPG for East Anglia reflect the principles and priorities set out in that statement. They aim to support economic growth and regeneration, while protecting and enhancing the region's environment. They endorse the housing target proposed by SCEALA (the Standing Conference of East Anglia Local Authorities) of around some 9,600 additional dwellings a year as the starting point for the plan, monitor and manage approach. The Panel recommended that at least 40 per cent. of these new dwellings should be on previously-developed land. We are proposing a 50 per cent. target initially. This takes account of the likely availability of such land in a largely rural region.

We endorse SCEALA's view that development should be concentrated in the cities and larger towns. This is consistent with our policies for urban renaissance and the better use of land.

Cambridge now has world status as a centre for high-tech, knowledge-based industry. The emphasis must be on enabling the development of these industries while safeguarding the City's special character. However, we share the Panel's concern at the non-sustainable nature of much recent development around Cambridge, associated with increased car dependence and a lack of affordable housing. Building on the Panel's recommendations, we are proposing a sequential approach to development, looking first at the capacity of Cambridge, then possible urban extensions, then a new settlement—always considering brownfield land first.

We have accepted the Panel's recommendation for a review of the Cambridge Green Belt as an essential part of the process of finding sustainable locations for development. It should be carried out by the local authorities, with any changes taken forward through the review of development plans.

The integration of development and transport is at the core of our approach to regional planning. Our programme of multi-modal transport studies reflects the strategic priorities identified by SCEALA. The Minister responsible for roads announced on 3 February that the A11 Roudham Heath to Attleborough scheme was to be brought forward to start in 2000–01. In further recognition of the strategic priorities we are adding three schemes to

the targeted programme of improvements at an estimated cost of £53 million: A11 Fiveways to Thetford and Attleborough Bypass Improvements, already in preparation, and A47 Thorney Bypass. The A11 schemes will complete a high-quality route to Norwich, improving access to Great Yarmouth and Lowestoft. Thorney Bypass will bring safety and environmental benefits for the local community, and will remove a bottleneck on a strategic east-west route.

On 7 March, my right hon. Friend announced the overall housing numbers for the South-East region and the target for the use of recycled land. The Proposed Changes, published today, set out detailed proposals including a clear spatial strategy for the region.

The Proposed Changes recognise the national priority for regenerating the Thames Gateway area, and the need within the region to promote the Priority Areas of Economic Regeneration and to facilitate the continuing economic success of the area to the west of London, while maintaining environmental quality, and of London as a World City. The policies are designed to help achieve an urban renaissance and the improved economic and social viability of the rural areas, while protecting and enhancing the countryside.

The Proposed Changes set out priorities for transport investment and study, and include revised parking standards. However, they make clear that more work needs to be done to develop the Regional Transport Strategy to facilitate the economic performance of the region, achieve more sustainable patterns of movement and to combat congestion. The documents include an illustrative distribution of the housing numbers to county areas, a point on which we have specifically sought the views of SERPLAN (the South-East Regional Planning Conference). We consider that there is scope for potential growth areas at Milton Keynes, Ashford and, in the longer term, at Stansted. The potential of these areas will now be the subject of studies with the Regional Planning Bodies, the local authorities concerned and other interested parties.

The consultation period on both sets of Proposed Changes will be for 12 weeks, ending on 19 June. Copies of the relevant documents have been placed in the House Library and made available to the two region's MPs.

Green Glass Waste

Mr. Robertson: To ask the Secretary of State for the Environment, Transport and the Regions what recent assessment he has made of the potential for re-using green glass waste; what recent discussions he has had with the importers of green glass bottles on this subject; and if he will make a statement. [116298]

Mr. Mullin: We are in close touch with British Glass and other materials organisations and we are planning a seminar on this issue later this year.

Wembley Stadium

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made by the Wembley Task Force towards improving the road and rail links to Wembley Stadium. [114856]

Mr. Hill: The Wembley Task Force are in close consultation with London Underground Ltd. A scheme to improve the capacity and quality of Wembley Park station is well advanced and will shortly be put to the LUL Board for approval. Parallel discussions are in hand with rail operators on potential enhancements to Wembley Stadium and Wembley Central station.

An appraisal of local road improvements necessary to serve the Stadium and the Wembley Estate has been undertaken. Detailed proposals are now being developed in discussion with Wembley National Stadium Ltd. and the Highway Authorities.

Local Transport Plans

Mr. Pickthall: To ask the Secretary of State for the Environment, Transport and the Regions when he intends to publish guidance for local authorities on the preparation of full local transport plans. [116684]

Mr. Hill: I am today issuing "Guidance on Full Local Transport Plans", which contains advice for local authorities on the preparations of their local transport plans for 2001–02 to 2005–06.

Local transport plans are at the heart of our new deal for integrated transport, central to giving people improved travel choices, safer roads and better transport services. We are giving authorities more resources and more freedom to produce the best possible plans. We will be spending more than £750 million in the coming financial year, and more than £1 billion the following year. This reflects our commitment to supporting local solutions and initiatives.

This summer the Government will publish their 10-year transport plan, a framework for investment over the next decade. Local authorities will play an important role in delivering that plan, and in the guidance issued today we are asking them for additional investment proposals for an integrated transport strategy over the next 10-years.

Construction Industry

Mr. John Cryer: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many workers in the construction industry are employed on a PAYE basis; [115051]

(2) how many workers in the construction industry are self-employed on the basis of holding a C154 registration card. [115052]

Dawn Primarolo: I have been asked to reply.

Whether an individual is employed or self-employed for tax and national insurance purposes depends upon the terms of the contract under which they are engaged.

The Inland Revenue does not have information relating to the numbers of workers in the construction industry who are engaged on an employed or self-employed basis.

A CIS4 registration card is no proof of self-employment and therefore there should be no workers in the construction industry who are treated as self-employed purely on that basis. The Inland Revenue, together with the former Contributions Agency published

leaflet IR148/CA69 specifically to assist contractors in the industry on tackling the question of the status of their workers.

DEFENCE

Lord Levy

Mr. Baker: To ask the Secretary of State for Defence on which dates Lord Levy has had meetings with *(a)* Ministers and *(b)* senior officials in his Department since 1 May 1997, giving in each case the purpose of the meetings; and if he will make a statement. [113503]

Mr. Hoon *[holding answer 7 March 2000]:* Lord Levy had an office call with the Secretary of State for Defence on Thursday 28 October 1999.

The Chief of Defence Staff (CDS) has met Lord Levy on four occasions. On 25 March 1999 Lord Levy made an office call on CDS in the Ministry of Defence for general discussion on the Middle East. During the period 3–7 September 1999, Lord Levy assisted CDS during his representational visit to Israel, and on 20 October 1999 he came to the Ministry of Defence to discuss the Middle East. On 22 February this year, CDS called on Lord Levy at the House of Lords to discuss the Middle East prior to Lord Levy's visits there, and CDS' visit to Bahrain.

The Chief of Defence Intelligence had a short informal meeting with Lord Levy on 25 March 1999. At his request, Lord Levy was briefed on the situation in Syria prior to a visit to the area.

Korean War (50th Anniversary)

Mr. Duncan Smith: To ask the Secretary of State for Defence what arrangements he is making to commemorate the 50 anniversary of the Korean War in the United Kingdom. [116459]

Dr. Moonie: I refer the hon. Member to the answer my right hon. Friend the Prime Minister gave to the hon. Member for North Dorset (Mr. Walter) on 21 March 2000, *Official Report*, column 480W. A comprehensive programme of commemorative events is planned over the next three years in the Republic of Korea, involving that country and those whose forces constituted the United Nations Command. As the United Kingdom's participation in the war as a contributor to the United Nations Command in defence of the Republic of Korea, it is appropriate that our commemoration should be as part of that programme, and we will be represented at a number of events at the appropriate level. The Ministry of Defence has no plans for additional commemoration of the anniversary.

Seatbelts

Mr. Key: To ask the Secretary of State for Defence when his Department issued instructions that Army, Royal Navy and Royal Air Force cadets must not travel in four-tonne trucks or other military vehicles without seatbelts; and what assessment he has made of the impact of this ruling on *(a)* cadet training and *(b)* cadet financing. [116346]

Mr. Spellar: Instructions on the carriage of cadets in military vehicles were first issued on 20 March 1998, in response to the Road Vehicles (Construction and Use) (Amendment) (No. 2) Regulations 1996 (SI 1996/163). These instructions stated that the use of Troop Carrying Vehicles (TCVs) which were not fitted with passenger restraint was not appropriate for the routine movement of cadets. The use of TCVs for the carriage of cadets was therefore restricted to training areas and their immediate vicinity.

The use of military vehicles during training is permitted, but only under a rigorous control regime. This requires Commanding Officers to consider whether it enhances training, whether it might be more appropriate to use civilian vehicles, the nature of the training and the terrain to be covered. This is aimed at ensuring that the proposed training is reasonable and that any risks are controllable.

Following the Strategic Defence Review, additional funding of £500,000 per year was allocated to Headquarters Land Command for additional provision for routine travel for Army Cadet Force units and Army sections of the Combined Cadet Force, and additional facilities at detachment level. Of this, £200,000 per year has been allocated to TAVRAs for cadet travel. This is in addition to the usual process through which TAVRAs receive funding, including provision for a cadet travel vote. This additional funding has meant that the impact of the ruling with respect to the requirement for seatbelts in TCVs on Army Cadet Force training and financing has been minimal.

Naval Cadet Forces seldom used four-tonne trucks for passenger carrying purposes, and therefore the ruling with respect to the requirement for seatbelts in these vehicles has had no impact either on cadet training or financing. Naval Cadet Forces use either loan vehicles from motor transport pools or hire vehicles, all of which are fitted with seat belts.

Air Cadets do not travel in four-tonne trucks at any time. They may occasionally travel in Land Rovers, which are sometimes used at gliding schools. The ruling has had no impact on their training or financing.

Correspondence

Mr. Cummings: To ask the Secretary of State for Defence when he will reply to the letter of 5 July 1999 and the fax of 24 August 1999 from the hon. Member for Easington concerning Mr. A. Jones of Seaham. [114942]

Dr. Moonie: I assume my hon. Friend is referring to correspondence concerning Mr. A. Lanes of Seaham. This has been transferred to the Department of Social Security for reply.

Global Positioning System

Mr. Hancock: To ask the Secretary of State for Defence what estimate he has made of the cost of upgrading his Department's stock of Paveway II laser guided bombs to have a Global Positioning System/Inertial Measurement Unit capability; what safeguards would be taken to prevent the jamming of such a system; and if he will make a statement. [115750]

Dr. Moonie: We are currently considering lessons learned from Kosovo, including the need to bomb with precision in all weather conditions. However, no decisions have yet been made. Upgrading the Ministry of Defence's stock of Paveway II laser guided bombs to have a Global Positioning System/Inertial Measurement Unit capability is one of the options which are being considered. The disclosure of the estimate of the cost of any such upgrade could disadvantage the MOD in commercial negotiations and I am therefore withholding this information under Exemption 7 of the Code of Practice on Access to Government Information. If a decision were made to upgrade the weapons, we would consider what safeguards might be put in place to prevent jamming of the system.

Iraq

Mr. Quentin Davies: To ask the Secretary of State for Defence on how many occasions, in each of the last six months, RAF aircraft patrolling the *(a)* northern and *(b)* southern no-fly zones in Iraq have been fired on; on how many occasions coalition forces have retaliated; and what targets have been destroyed as a result. [115913]

Mr. Hoon: During the six months from October 1999 coalition aircraft have been fired at by surface-to-air missiles or anti-aircraft artillery on over 200 occasions in both the northern and southern no-fly zones. Coalition forces responded in self-defence to these and other threats on some 50 days against almost 90 targets related to the Iraqi air defence network.

Hong Kong

Mr. Cox: To ask the Secretary of State for Defence what land is still owned by his Department in Hong Kong; and if he will make a statement. [116213]

Dr. Moonie: The Ministry of Defence retains ownership of the Cassino Lines Gurkha Cemetery, San Tin, New Territories, Hong Kong, and the Cape Collinson Military Cemetery, Chai Wah, Hong Kong.

Military Land

Mr. Cox: To ask the Secretary of State for Defence what was the estimated acreage of military land in the UK surplus to requirements on 1 March. [116212]

Dr. Moonie: Land which is declared surplus to defence requirements is disposed of. The Strategic Defence Review set a target of £700 million for estate disposals over the four years to 2001–02 and we are well on track to achieve that figure. Figures for the hectarage of land in disposal are not held centrally but I will write to my hon. Friend and place a copy of my reply in the Library of the House.

Property Procurement

Mr. Duncan Smith: To ask the Secretary of State for Defence how much has been spent by his Department in each of the last three years in procuring new buildings and land. [116457]

Dr. Moonie: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Naval Vessels

Mr. Duncan Smith: To ask the Secretary of State for Defence when the RFAs Olwen and Olna last put to sea. [116453]

Mr. Spellar: RFAs Olwen and Olna were last at sea in July 1999 and November 1999 respectively.

Working Time Directive (TA)

Mr. Key: To ask the Secretary of State for Defence what advice he has issued to the Territorial Army on compliance with the Working Time Directive. [116345]

Mr. Spellar: No specific guidance has been issued to the Territorial Army, although general guidance has been given to the armed forces, much of which is relevant to the Territorial Army. It is our intention to issue further guidance to the reserve forces, in light of the amendments to the Working Time Regulations contained in SI 3372/99, within the next two months.

Credit Facilities

Mr. Key: To ask the Secretary of State for Defence with which credit organisations his officials are discussing access to credit by members of HM Forces and their families; and if he will make a statement. [116131]

Mr. Spellar: Service families are occasionally refused credit because credit scoring systems used by some credit lenders do not take account of the mobility expected of Service families. This is a particular problem for Service personnel who have not lived at the same address for three years or who are registered as Service voters. My Service Families Task Force is in discussions on this issue with the British Bankers Association and the Finance Leasing Association. These organisations represent the majority of credit lenders in this country.

Accommodation (Scotland)

Mr. Alasdair Morgan: To ask the Secretary of State for Defence what barrack accommodation is currently surplus to requirements in Scotland and awaiting disposal; and if he will estimate the potential single accommodation capacity of these barracks. [116224]

Dr. Moonie: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Alasdair Morgan: To ask the Secretary of State for Defence how many places *(a)* are currently available and *(b)* will be available by 2001, in training camps in Scotland for (i) Kirkcudbright, (ii) Barry Budden and (iii) Cultybraggan. [116225]

Mr. Spellar: The number of bed spaces *(a)* currently available and *(b)* available in 2001, in training camps in Scotland at (i) Kirkcudbright, (ii) Barry Budden and (iii) Cultybraggan are as follows:

Training camp	*2000*	*2001*
Kirkcudbright	0	0
Barry Budden	507	507
Cultybraggan	600	600

A training camp is planned for Kirkcudbright which will offer accommodation for up to 480 soldiers in due course.

Mr. Alasdair Morgan: To ask the Secretary of State for Defence how many single accommodation places exist for each of the services in Scotland for *(a)* officers and *(b)* other ranks by location; and if he will estimate the total number of service personnel that could be accommodated onshore in Scotland if all available accommodation was utilised. [116226]

Dr. Moonie: The information requested is not held centrally. I will write to the hon. Member and a copy of my letter will be placed in the Library of the House when this information has been collated.

Zimbabwe

Mr. Salmond: To ask the Secretary of State for Defence how many *(a)* Royal Navy, *(b)* Royal Marine, *(c)* Army and *(d)* RAF personnel there are in Zimbabwe; what roles they are fulfilling; and how many Zimbabweans are receiving military training in the UK. [116262]

Mr. Spellar: Nine British Army and two RAF UK military personnel currently serve in Zimbabwe as part of the British Military Advisory and Training Team (BMATT) Southern Africa. The BMATT's main role is to provide regional peacekeeping training in countries throughout the Southern Africa region.

In addition, two Army personnel (the UK Defence Adviser and his assistant) provide advice to the British High Commissioner in Harare on defence issues.

A total of four Zimbabwean officers are currently receiving training in the UK.

RAF Base Budgets

Mr. Salmond: To ask the Secretary of State for Defence what was the station operating budget for each RAF base in the UK in the last year for which figures are available. [116223]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Indonesia

Ann Clwyd: To ask the Secretary of State for Defence if UK military personnel provided advice to the Indonesian Armed Forces in respect of their 9 May 1996 assault on the village of Geselama to rescue foreign and Indonesian hostages held by West Papuan rebels; and what UK military personnel were *(a)* present at and *(b)* took part in the assault. [116106]

Mr. Battle: I have been asked to reply.

I refer to the reply given by the then Minister of State, my right hon. Friend the Member for Ashfield (Mr. Hoon) on 23 July 1999, *Official Report*, column 727W. We worked closely with the Indonesian authorities to help ensure the safe release of the hostages. But Her Majesty's Government does not comment on the operational aspects of kidnap cases.

SOCIAL SECURITY

Child Benefit

Mr. Webb: To ask the Secretary of State for Social Security if he will set out the criteria which determine which recipients of child benefit receive letters inviting them to move to four-weekly payment in arrears. [115852]

Angela Eagle *[holding answer 22 March 2000]:* The administration of child benefit is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Steve Webb, dated 24 March 2000:

The Secretary of State has asked me to respond to your recent Parliamentary Question asking if he will set out the criteria which determine which recipients of child benefit receive letters inviting them to move to four-weekly payment in arrears.

It may help if I explain that the normal frequency for paying Child Benefit is every four weeks. The only exceptions to this are lone parents, people who received weekly payments prior to 14 March 1982 and customers who are in receipt of Income Support, Income Based Jobseekers Allowance, Family Credit or Disability Working Allowance. However, customers in receipt of Working Families Tax Credit or Disabled Person's Tax Credit which replaced Family Credit and Disability Working Allowance on 5 October 1999 do not qualify for weekly payments.

In October 1999, an exercise was taken to identify Child Benefit customers who were receiving their benefit on a weekly basis where it appeared that they should, in fact, have been paid four weekly. Customers selected were issued with a letter which explained their Child Benefit would, when their current order book expired, be paid on a four weekly order book basis unless the customer contended that this would cause hardship.

This exercise has been completed and there are no plans to issue any further letters to these customers.

I hope this is helpful.

SERPS

Mr. Robertson: To ask the Secretary of State for Social Security what evidence he will require before compensation is paid as proof that a person has lost financially as a result of receiving inaccurate information from a Government Department regarding changes to inherited SERPS; and if he will make a statement. [116342]

Mr. Rooker: We shall put before the House the full details of the Inherited SERPS Scheme, including what information we will require from those wishing to claim, and the procedures that will be followed to scrutinise those claims, once we have developed them. The NAO and the Ombudsman will be fully involved in developing these procedures.

Mr. Field: To ask the Secretary of State for Social Security what will be the cost to public funds of compensation to contributors for the changes to surviving spouses' entitlement to SERPS. [116378]

Mr. Rooker: The cost to public funds will depend on the number of successful claims. The minimum cost will be £2.5 billion.

Pensioner Households

Mr. Webb: To ask the Secretary of State for Social Security if he will set out the basis for his calculation that pensioner households are on average £400 per year better off than when the Government came into office. [116470]

Mr. Rooker: The £400 figure is a rounded illustrative average across all pensioner households and covers winter fuel payments, free television licences for the over-75s, our minimum income guarantee measures and various tax changes and includes measures announced in the Budget.

Pensioners (Benefits)

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate the value of expenditure on *(a)* retirement pensions, *(b)* winter fuel payments, *(c)* means-tested benefits for pensioners, *(d)* all other benefits for pensioners and *(e)* free TV licences for 1996–97 and each succeeding year to the end of the public expenditure planning period, as a share of GDP. [116471]

Mr. Rooker: The information is in the table.

Expenditure as a percentage of GDP[1]

	1996–97	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Retirement Pensions[2]	4.18	4.12	4.15	4.19	4.08	4.10
Winter Fuel Payments	0.00	0.02	0.02	0.08	0.15	0.13
Means-tested benefits for pensioners[3]	1.13	1.07	1.00	1.00	1.00	1.03
Other benefits paid to pensioners[4]	0.02	0.02	0.02	0.02	0.02	0.02
Concessionary TV Licences	0.00	0.00	0.00	0.00	0.04	0.04
Total	5.33	5.23	5.19	5.29	5.28	5.30

[1] Expenditure figures are consistent with estimates of Social Security AME expenditure published in the March 2000 Financial Statement and Budget Report (FSBR). GDP figures for 1996–97 and 1998–99 were published by HM Treasury at the same time. Forecast figures for GDP for 1999–2000 to 2001–02 are from Table B6 of the FSBR.
[2] Includes Retirement Pension basic and earnings-related components.
[3] Includes Income Support, Social Fund payments, Housing Benefit and Council Tax Benefit paid to people aged 60 and over.
[4] Includes non-contributory Retirement Pension and Christmas Bonus (contributory and non-contributory).

Benefits Agency (Internal Security)

Mr. Field: To ask the Secretary of State for Social Security when the report by the Probity and Transformation Section on Benefits Agency internal security will be published; and if he will place a copy in the Library. [116379]

Mr. Rooker: No. The report on the internal security of the Benefits Agency will be produced at the end of April. It is an internal document and we have no plans to publish it. This is in line with Part II paragraph 2 of the Code of Practice on Access to Government Information.

Personal Pensions

Mrs. Ewing: To ask the Secretary of State for Social Security (1) if the benefits from an occupational pension scheme which are transferred to a personal pension scheme will vest in the pension holder's trustee in sequestration in the event that the pension holder is sequestrated; [116228]

(2) when he plans to bring into force the provisions of the Welfare Reform and Pensions Act 1999 whereby personal pensions, in the event of bankruptcy of the holder, will vest in the trustee; [116227]

(3) what is his estimate of the numbers of persons who by virtue of becoming sequestrated or being sequestrated prior to the coming into force of section 11 of the Welfare Reform and Pensions Act 1999 will lose to the trustee in sequestration the benefit of their personal pension, assuming that section 11 is not brought into force until April 2001. [116229]

Mr. Rooker: Where a person becomes bankrupt, his assets, with some exceptions, usually vest in the trustee in bankruptcy (in Scotland, the permanent trustee in bankruptcy). In relation to personal pensions, current bankruptcy law is not wholly clear. Nevertheless, some personal pensions have been taken by the trustee in bankruptcy. These can include personal pensions that contain transfers from occupational pensions.

The Welfare Reform and Pensions Act 1999 contains a measure to protect all tax-approved pensions on bankruptcy. Regulations are needed to give full effect to the measure and in order to allow for the preparation of the regulations, April 2001 has been chosen as the date for bringing the new measure into effect.

In Scotland it is estimated that the number of people who lose their personal pension on bankruptcy is around 375 a year. There is no reliable information for England and Wales.

Rent Rebates

Mr. McNamara: To ask the Secretary of State for Social Security what was the total expenditure by local authorities in England and Wales on rent rebates for council tenants in 1998–99. [115398]

Angela Eagle: The total expenditure on rent rebates for council tenants (i.e. properties within the Housing Revenue Account (HRA)) in 1998–99 was as follows:

	£ million
England	4,318
Wales	265

Source:
Figures are taken from the HRA subsidy forms submitted by local authorities to the Department of Environment, Transport and the Regions, and the National Assembly for Wales.

Mr. McNamara: To ask the Secretary of State for Social Security what is the estimated expenditure by local authorities in England and Wales on rent rebates for council tenants for the years *(a)* 1999–2000 and *(b)* 2000–01. [115400]

Angela Eagle: The information is in the table.

Forecast expenditure on rent rebates for council tenants (i.e. properties in the housing revenue account (HRA)) in 1999–2000 and 2000–01

£ million

	1999–2000	*2000–01*
England	4,319	4,367
Wales	270	282

Source:

Figures are DSS country-based forecasts of expenditure, which underlie the Budget 2000

Child Support

Mr. Fitzpatrick: To ask the Secretary of State for Social Security what plans he has to improve access to child support for lone parents who claim income support or income-based jobseeker's allowance. [116667]

Angela Eagle: Closer working between the Child Support Agency and the Benefits Agency has already provided a more straightforward, responsive and easily understood child support service. Currently, when Benefits Agency staff interview lone parents to help with their claim for income support and income based jobseeker's allowance, they also help them complete a child support application. If the parent with care is unwilling to apply for child support, a statement is taken at the interview setting out her reasons. The statement is then passed to the Child Support Agency for a decision on whether the reasons for not applying for child support constitute "good cause".

As a result of these changes, many more parents with care claiming income support and income-based jobseeker's allowance, now apply for child support. 87 per cent. now complete a child support application and provide details of the non-resident parent.

From 1 April this year, following successful trials around the country, the current arrangements will be extended so that the Benefits Agency will take on responsibility for making decisions about good cause. This will further streamline the service offered to lone parents claiming benefit.

Winter Fuel Payment

Miss Geraldine Smith: To ask the Secretary of State for Social Security how many pensioner households in Morecambe and Lunesdale have benefited from the winter fuel payment. [115747]

Angela Eagle: From the data we keep it is not possible to state how many separate households have received a winter fuel payment. However, in Morecambe and Lunesdale in the winter of 1999–2000, 9,333 pensioners received a £100 payment and 9,595 pensioners received a £50 payment.

State Second Pension

Mrs. Lait: To ask the Secretary of State for Social Security when he expects the low-earning self-employed to be brought into the state second pension. [115910]

Mr. Rooker: Self-employed earners will not be included in the state second pension scheme from the outset. The issue of whether they should eventually be brought into the scheme was part of the Pension Green Paper consultation exercise we carried out. We are considering the outcome of this.

Industrial Injury Benefit

Mr. Cox: To ask the Secretary of State for Social Security how many claims were made for industrial injury benefit during 1999. [115918]

Mr. Bayley: Data on the claims made to industrial injuries disablement benefit in the quarter ending December 1999 are not yet available. 54,600 claims were made for industrial injuries disablement benefit between January and September 1999. 70,300 claims were made in the 12 months ending September 1999.

Notes:

1. These figures are based on a 10 per cent. sample of industrial injuries disablement benefit claims.

2. Figures are rounded to the nearest hundred.

Source:

Analytical Services Division.

Incapacity Benefit

Mr. Cotter: To ask the Secretary of State for Social Security what was the average length of time between date of initial application and date of appeal for incapacity benefit applications in North Somerset in each of the last three years. [116005]

Mr. Bayley: The information requested is not available and could be obtained only at disproportionate cost.

Stakeholder Pensions

Mrs. Lait: To ask the Secretary of State for Social Security what advice he has received from his advisers on the increase in the number of pensions taken out and the money likely to be put into pensions if stakeholder pensions were fully concurrent. [115908]

Mr. Rooker: If all members of defined benefit occupational pension schemes were permitted to contribute up to £3,600 to a stakeholder pension, regardless of existing limits, it is estimated that there would be an increase of around one million people taking out stakeholder pensions. The additional money put into pensions would be about £1.3 billion, of which about £400 million would come from tax relief.

Key Client Groups

Mr. Webb: To ask the Secretary of State for Social Security, pursuant to his oral statement of 15 March 2000, *Official Report*, columns 307–21, if he will list his Department's key client groups other than children, people of working age and pensioners. [115851]

Angela Eagle: Our aim is to promote work for those who can and provide support and opportunity for all. As my right hon. Friend the Secretary of State said in his statement, we are focusing the Department on its key client groups: children, people of working age and

pensioners. We recognise that within these key groups people will have different needs. Our approach will help us to focus services to meet these needs.

Australia (Pensions)

Mrs. Lait: To ask the Secretary of State for Social Security what recent discussions he *(a)* has had and *(b)* plans to have with the Australian Government about frozen state pensions of British people living in Australia; and if he will make a statement. [115101]

Mr. Rooker: The Australian Government's proposal for a limited unfreezing of pensions for some UK pensioners living in Australia were discussed at a meeting with the then Minister of State in July 1999. This proposal was rejected.

Formal notification of Australia's intention to terminate its social security agreement with the UK was received on 1 March. The agreement will end 12 months from this date. This action will have no effect on the great majority of UK pensioners living in Australia, nor will it affect those in receipt of an Australian age pension at the time the termination becomes affective.

It is unfortunate that the Australian Government has decided to end this long-standing agreement. We have no plans to unfreeze pensions in Australia or elsewhere.

AGRICULTURE, FISHERIES AND FOOD

Correspondence

Mr. Jenkin: To ask the Minister of Agriculture, Fisheries and Food when he will reply to the letter from the hon. Member for North Essex of 6 November 1999 concerning purchasing policies of local authorities. [116138]

Mr. Nick Brown: I replied to the hon. Member on 23 March 2000.

National Hunt Horses

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the practice of firing National Hunt horses' tendons. [115804]

Mr. Morley: This practice has been condemned by the Council of the Royal College of Veterinary Surgeons as being therapeutically ineffective and unjustifiable.

Food Supplements

Mr. Fearn: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the timetable for the proposed Directive on Food Supplements; whether he has received a copy of the Draft Directive; what policy objectives he intends to pursue in connection with that Directive; and what steps is he taking to promote those objectives in discussions with other member states. [115798]

Ms Quin: In its White Paper on Food Safety published on 18 January, the Commission stated that it will adopt the proposal for a directive on food supplements in March 2000, with a view to it being adopted by the Council of Ministers and the European Parliament by March 20001. The draft directive has not yet been published.

The Government believe that the level of vitamins and minerals in supplements sold under food law should be limited only where this is necessary for safety reasons, and we are taking every opportunity to promote this approach during discussions in Brussels and other international forums.

Mr. Fearn: To ask the Minister of Agriculture, Fisheries and Food what plans he has to review food labelling regulations to ensure that consumers of food supplements and other health food products are given accurate, relevant information about these products, their safety, use and effectiveness in maintaining good health. [115795]

Ms Quin: The Government are committed to giving consumers clear, easily understood information so they can make informed choices about the food they buy. We have been pressing the European Commission for changes in existing food labelling rules, which are harmonised at Community level, to require mandatory nutrition labelling of all foods and for the development of harmonised rules on health and nutrition claims. In addition, we are supporting the work of the Joint Health Claims Initiative, an alliance of consumer, industry and enforcement groups, in the development of a Code of Practice on Health Claims.

In January, my noble Friend Baroness Hayman launched the "Better Food Labelling" initiative to identify whether current labelling rules and regulations meet the needs of consumers. The views received will be passed to the new Food Standards Agency to help judge whether the current regime is in need of reform, and for use in formulating its advice to Government on the UK's food labelling policy.

Mr. Fearn: To ask the Minister of Agriculture, Fisheries and Food what is his policy in relation to the availability on general retail sale of safe vitamin and mineral supplements. [115797]

Ms Quin: The Government believe that in the interests of consumer choice supplements sold under food law should, like other foods, be freely available.

Mr. Fearn: To ask the Minister of Agriculture, Fisheries and Food when he expects to receive the report of the Expert Advisory Group on Vitamins and Minerals; and if he will arrange for the provisional findings of the Group to be made available for comment to consumer, retailer, practitioner and manufacturer representative groups prior to its publication. [115794]

Ms Quin: The Expert Group on Vitamins and Minerals is expected to submit its report to the Food Advisory Committee in spring 2001. Whether the provisional findings are the subject of consultation with interested parties prior to this is a decision for the group itself. However, the group is committed to publishing the scientific reviews of the nutrients that it is considering so that interested parties have an opportunity to comment. It is also aided in its work by observers from consumer, food and health food industries and alternative medicine who are free to participate in the discussion of the scientific reviews.

Meat and Bone Meal

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food what has been the cost of storing meat

and bone meal produced under the over-30-months scheme prior to incineration in each of the storage locations. [115110]

Ms Quin: The total cost of storing meat and bone meal produced under the over-30-months scheme is currently around £9 million per year. Specific rates are negotiated individually with contractors and are commercial confidential.

Quarantine Kennels

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food when his Department intends to enact the provisions of the Animal Health (Amendment) Act 1998, in respect of minimum animal welfare standards in quarantine kennels; and if he will make a statement. [115506]

Ms Quin *[holding answer 22 March 2000]:* Statutory welfare standards for dogs and cats in quarantine premises will be introduced in the same statutory instrument that will implement the full pet travel scheme. It is intended that this will be in place by the end of March 2001.

Regional Service Centres

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what plans he has to close regional service centres; and if he will make a statement. [116264]

Ms Quin *[holding answer 23 March 2000]:* No decisions have yet been taken on the future of the Ministry's regional service centres (RSCs) following the recent review of CAP scheme administration, which was commissioned to help us identify the best way to improve the service we offer to farmers and traders eligible to claim CAP payments, taking full advantage of the benefits offered by modern technology.

We are now considering, in the context of the spending review 2000, how best to restructure MAFF's RSCs and the Intervention Board Executive Agency. Any major restructuring will only be possible if funding can be made available.

My right hon. Friend the Minister has made it clear that he will not implement the recommendations of the review unless he is satisfied that we will be able to deliver real improvements in the service which MAFF and the Intervention Board currently provide to farmers and traders, as well as reductions in the cost to the taxpayer of administration of CAP payments.

We are also taking forward plans to align MAFF's other regional activities, particularly on rural development, with the Government Offices for the Regions. This will ensure that we are able to work effectively with other regional partners including the regional development agencies.

GM Crops

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to ban the commercial release of GM crops until tests demonstrate that they are safe for *(a)* people and *(b)* the environment. [115032]

Mr. Meacher: I have been asked to reply.

It is the Government's policy to ban the commercial release of GM crops until it can be demonstrated that they are safe for people and the environment. The current European and UK legislation prohibits the commercial release of any genetically modified organism, including GM crops, until the applicant can demonstrate to the satisfaction of European member states that they will not cause harm to human health or the environment and a marketing consent has been issued under the terms of the Directive 90/220.

PRIME MINISTER

Synchrotron

Mr. Brady: To ask the Prime Minister what representations were made to him by *(a)* Ministers and *(b)* officials in the Department of Trade and Industry regarding the Diamond Synchrotron Project. [115756]

The Prime Minister *[holding answer 21 March 2000]:* Since my response to a question in the House from the hon. Member for Wantage (Mr. Jackson) on 8 December 1999, *Official Report*, column 826. I have been kept fully informed by Ministers and officials in the Department of Trade and Industry on important issues relating to the New Synchrotron project.

Telecommunications Industry

Dr. Cable: To ask the Prime Minister what representations he received from, or on behalf of, the telecommunications industries between 20 January and 2 March in connection with the Utilities Bill; and if he will list the telecommunications companies involved. [115771]

The Prime Minister *[holding answer 22 March 2000]:* None.

Dr. Cable: To ask the Prime Minister if he will list *(a)* the meetings and contacts he had with the telecommunications industry between 20 January and 2 March and *(b)* the telecommunications companies involved; and on which occasions ministers from the Cabinet Office attended. [115783]

The Prime Minister *[holding answer 22 March 2000]:* I have meetings with a wide range of individuals and organisations.

UN Millennium Summit

Mr. Gill: To ask the Prime Minister which Government Ministers will attend the forthcoming United Nations Millennium Summit. [116252]

The Prime Minister: The United Kingdom delegation to the summit has yet to be decided.

Interactive Website

Mr. Flynn: To ask the Prime Minister with what frequency he examines the comments posted by members of the public on the No. 10 interactive website he established in February; and what criteria he uses to judge whether comments should be deleted. [116265]

The Prime Minister: The No. 10 Downing Street Internet Site was relaunched on 11 February 2000. The public can post comments in the "Your Say" section. There have been more than 17,000 postings since the site's launch. "Your Say" is divided into two parts:

(a) Policy Forum: the public are invited to respond to specific questions posed by the Government. I see a synopsis of the responses, and a selection of individual postings, which are sent to the relevant Government Department for a ministerial reply. I also receive a copy of the reply.

(b) Speakers' Corner: this is an open forum where people can submit postings on any issue. A monthly report is sent to me and I see a selection of individual postings.

Postings are deleted in the following circumstances:

(a) They are irrelevant (i.e. have no relation to the discussion stream into which they are posted);

(b) They are dormant (i.e. have not provoked any discussion for five or more days). This only applies to the Speakers' Corner section;

(c) They are inappropriate (including those containing offensive, defamatory or libellous comments).

Irrelevant and dormant postings are removed to ensure the site operates as quickly as possible, and users can enjoy a focused discussion on the issues they are interested in. Inappropriate postings are deleted so that everyone (including young children) can use the discussion forums.

Pig Farmers

Mr. Gill: To ask the Prime Minister, pursuant to his oral answer of 8 March 2000, *Official Report*, column 999, what steps he is taking to fulfil his commitment to assist pig farmers. [116239]

The Prime Minister: In my speech to the National Farmers Union AGM on 1 February, I made it clear that further Government help for the UK pig industry had not been ruled out. But I made it equally clear that any investment by Government must be linked to long-term change in the structure of the industry and be part of an agreed overall strategy. How we take this forward will be part of the meeting I am holding with leaders from the agriculture and food industries on 30 March.

Roger Liddle

Mr. Ottaway: To ask the Prime Minister, pursuant to his answer of 20 March 2000, *Official Report*, column 403W, on Roger Liddle, for what reason he did not provide the information requested about what occasions and at which venues during November and December 1999 his Defence and Foreign Affairs adviser made speeches in *(a)* the United Kingdom and *(b)* other European countries. [116127]

The Prime Minister *[holding answer 24 March 2000]:* As my answer of 20 March made clear, Mr. Liddle attended seminars during the period in question and made some introductory remarks. He did not speak from a written text.

EDUCATION AND EMPLOYMENT

"Computers for Teachers"

Mr. Breed: To ask the Secretary of State for Education and Employment (1) if the £500 subsidy for teachers purchasing computer equipment will be liable for income tax; [115565]

(2) if the grant which teachers can claim towards computer purchase, as part of the "Computer for Teachers" initiative, is taxable as a benefit in kind. [115790]

Mr. Wills: The subsidy is an addition to income over and above salary, so income tax and national insurance contributions are payable. However, the DfEE has made arrangements with the Inland Revenue for these liabilities to be met centrally. No liability will fall on individual teachers, and they will not have to include the subsidy in any income tax return.

Advertising

Mr. Clappison: To ask the Secretary of State for Education and Employment how much has been spent by his Department on advertising in each of the last 10 years. [115094]

Mr. Wills: The Department's spending on advertising as the Department for Education and Employment, and previously as the Employment Department and Department for Education, over the past 10 years is:

	£
Employment Department	
1989–90	2,016,305
1990–91	7,094,284
1991–92	9,154,140
1992–93	3,180,585
1993–94	7,259,450
1994–95	6,477,791
1995–96	7,713,740
Department for Education	
1989–90	260,883
1990–91	2,405,522
1991–92	2,562,505
1992–93	734,599
1993–94	1,379,573
1994–95	114,423
1995–96	582,134
Department for Education and Employment	
1996–97	7,537,917
1997–98	[1]9,992,350
1998–99	[2]15,673,258

[1] Of this £6,093.649 was used to attract businesses to New Deal
[2] Of this £6,578,202 was used to attract businesses to New Deal—by December 1999, New Deal had helped find jobs for 219,420 people and is helping cut welfare bills—and £1,848,223 was spent on a campaign to encourage parents to help with their children's reading.

New Deal (18 to 24-year-olds)

Mr. Allan: To ask the Secretary of State for Education and Employment if he will list by unit of delivery *(a)* the number of leavers from the full-time education and employment option of the New Deal for 18 to 24-year-olds from January 1998 to the end of July 1999 and *(b)* the number of those who left to (i) sustained,

unsubsidised employment, (ii) jobs lasting less than 13 weeks (iii) no known destination and (iv) benefits other than the jobseeker's allowance. [113675]

Ms Jowell *[holding answer 9 March 2000]:* There is no full-time education and employment option in the new deal. However, there is a full time education and training option (FTET) and an employer option. For the period January 1998 to July 1999, the number of leavers from the full-time education and training option and their destinations are shown in tables placed in the Library.

Child Care

Mr. Clappison: To ask the Secretary of State for Education and Employment how many child care places for under-8s have been available in each of the last three years for which figures are available; and what was the breakdown of places available through *(a)* day nurseries, *(b)* pre-school playgroups and *(c)* child minders. [116083]

Ms Hodge: The available information is shown in the following table. This information was also published on 22 December 1999 in the Statistical Volume "Children's Day care Facilities at 31 March 1999", which is available in the Library.

Child care places in day nurseries, child minders and playgroups, 1997–99

As at 31 March	*Day nurseries[1] Total places*	*Child minders[2] Total places*	*Playgroups[1] Total places*
1999[3]	247,700	337,000	347,200
1998[3]	223,000	370,700	383,600
1997[3]	193,800	365,200	383,700

[1] The totals include local authority provided, registered and non-registered for day nurseries, and playgroups.
[2] Local authority provided and other registered persons for child minders.
[3] These figures have been rounded to the nearest 100 as appropriate.

Early Years Development Plans

Ms Buck: To ask the Secretary of State for Education and Employment if he will require local early years development plans to include data on the actual costs of nursery places and child minding places in each local authority. [116073]

Ms Hodge: We will consider requesting this information in future.

Employment Service

Mr. Oaten: To ask the Secretary of State for Education and Employment if employment service staff issuing equipment for the blind are required to declare interests in companies providing this equipment. [R] [115960]

Ms Jowell *[holding answer 23 March 2000]:* Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Mark Oaten, dated 27 March 2000:

As the Employment Service is an Executive Agency, the Secretary of State has asked me to reply to your question regarding Employment Service staff declaring interests in companies providing equipment for the blind. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

Exceptionally, Employment Service staff may, through the Access to Work programme, purchase equipment for disabled people to use in their job. In most cases, employers actually buy the equipment and claim the costs from the Employment Service. In these cases, Employment Service staff may advise the employer on likely sources of supply, especially where equipment is specialised or there are only a few suppliers.

Employment Service staff who procure goods have to follow Treasury approved purchasing guidelines. These guidelines require that anyone with a personal interest in a purchase must report the fact to a senior manager. A decision is then made on whether the procurement should be passed to another member of staff who has no personal interest in the outcome.

I hope this is helpful.

Footballers

Mr. Brady: To ask the Secretary of State for Education and Employment if he will make a statement on negotiations between UEFA and the European Commission regarding the rules allowing professional footballers to work in any EEA country. [114850]

Ms Hodge: My Department notes with interest the discussions that have already taken place between the European Commission and UEFA and we will monitor closely any further developments on this matter.

HOUSE OF COMMONS

Polis III System

Mr. Key: To ask the Chairman of the Information Committee if he will reintroduce the screen-based Polis III system for hon. Members and their staff in addition to the browser interface. [116347]

Mr. Allan: This is an operational matter falling within the remit of the Library and the Parliamentary Communications Directorate (PCD). I am advised that the decision to withdraw screen-based access to POLIS for the majority of PDVN users was implemented by PCD and the Library in order to comply with Parliament's IT convergence strategy. The cost of providing millennium compliant terminal emulation software to all PDVN users could not be justified, compared with the benefits of developing the browser-based version. The Library's POLIS development programme is now focused on that service. Future plans include active hypertext links to the text of the *Official Report* and other parliamentary publications in electronic format, and advanced search capability.

I gather that screen-based POLIS is still available via one of the public access PCs in the Official Publications Library. I have asked the Librarian to investigate whether it could also be placed on the PCs in the Members Library.

All-party Groups

Sir John Stanley: To ask the Chairman of the Administration Committee, pursuant to her answer to the hon. Member for Nuneaton of 22 February 2000, *Official Report*, column 844W, on all-party groups, if the new rules for all-party groups apply retrospectively from the date of a group's last AGM or from the date of a group's

first AGM following her answer; if meetings held outside the Palace of Westminster count towards the minimum annual requirement; if a meeting of a group held separately from, but on the same day, and at the same place, as the group's AGM counts towards the minimum annual requirement; and if meetings at which the number of hon. Members present falls below five at any point can be counted towards the minimum annual requirement. [115775]

Mrs. Roe: I will answer the points raised in my right hon. Friend's question in the order listed.

The new rules have been applied simultaneously to all all-party parliamentary and associate parliamentary groups with effect from 29 February 2000 (ie the date on which each group was individually notified of them).

As long as a meeting has been called by a group, (and is not just an event at which some group members are present, eg a reception), such a meeting would count towards the minimum total, regardless of where it was held; however, the group must keep a record so that it can provide the same information as is required of meetings held on the Parliamentary Estate.

I understand that some groups' AGMs are solely to attend to administrative necessities (eg electing officers), while others may combine their AGM with an ordinary meeting (ie the AGM consists of a few minutes to attend to administrative necessities, followed by the real business). I think this is the separation to which my right hon. Friend refers; meetings count as separate meetings only if they are separated by a significant length of time (ie they are not held on the same day).

The rules require five hon. Members, who are members of the group, to be present for the duration of every meeting.

Overseas Research Assistants

Mr. Oaten: To ask the Chairman of the Administration Committee if she will list those hon. Members who currently have passes for temporary research assistants from overseas. [116018]

Mrs. Roe: No. Details of an hon. Member's staff are matters entirely for that hon. Member and the relevant House authorities.

TRADE AND INDUSTRY

Cluster Development

Mr. Pearson: To ask the Secretary of State for Trade and Industry if he will publish further details of the new funding to support cluster development, announced by the Chancellor of the Exchequer on 21 March. [116660]

Mr. Byers: I can announce £50 million of new money to enable the RDAs to support clusters, including business incubation, in the English regions. The eight Regional Development Agencies (and the London Development Agency, when it is established in the summer) will be responsible for promoting the development of clusters in their respective regions: the new money, together with existing funding streams, will provide them with resources towards this. This new DTI initiative demonstrates the Government's commitment to strengthening the business agenda in the regions.

RDAs are being invited to prepare business plans for their regions setting out their proposals to support clusters development in line with the Regional Economic Strategies. These plans will set out details of what each RDA intends to achieve using money allocated to them from the new fund. The £50 million will cover the financial years 2000–01 and 2001–02. Financial allocations for future years are being considered as part of the current Spending Review. Each RDA (and the LDA) will receive an allocation from the Capital Modernisation Fund of £1½ million for the coming financial year (2000–01). For the following year (2001–02), we shall introduce a "Challenge" element in the allocations.

West Midlands Task Force

Miss Kirkbride: To ask the Secretary of State for Trade and Industry what party affiliations are recorded against the members of the West Midlands Task Force dealing with the situation at Longbridge. [116281]

Mr. Alan Johnson: The Longbridge Task Force is a non-political group consisting of representatives drawn from a wide range of organisations across the West Midlands. Each member has been invited to join by the Chairman, Alex Stephenson, who has selected individual participants on the basis of their experience and the contribution they can make to the work of the Task Force. There is no record of their individual party political affiliations.

Hydro Agri (Immingham)

Shona McIsaac: To ask the Secretary of State for Trade and Industry if he will make a statement on the job losses at Hydro Agri in Immingham. [113840]

Mr. Caborn *[holding answer 10 March 2000]:* I was aware that Hydro Agri's plant at Immingham was under review. I am naturally disappointed about the job losses which will result from the closure of the production side of the plant.

It would be inappropriate for me to comment any further as this is a commercial decision, but the Government Office for Yorkshire and the Humber stands ready to work with Yorkshire Forward and other relevant agencies to help with re-training and identifying new job opportunities if required.

Welding Institute, Cambridge

Mr. Paice: To ask the Secretary of State for Trade and Industry if he will list the *(a)* grants made to and *(b)* contracts agreed by his Department or its agencies at the Welding Institute near Cambridge in (i) 1998 and (ii) 1999. [113879]

Mr. Alan Johnson *[holding answer 10 March 2000]:* In 1998 the Department made total payments of £1,370,000 in grants or contracts to TWI. Much of this was for technology transfer activity in areas such as laser, plastics, structural composites and joining generally. The largest project (with grant of around 70 per cent. of the total paid) was to develop an internet based technology transfer delivery system based on BT communications expertise.

In 1999 grants and contracts for similar work totalled £420,000 of which around 45 per cent. was to research the feasibility of developing their internet based technology transfer system into a knowledge trading system for other UK knowledge providers.

In addition over this period TWI have secured grants through the North East Region for several projects funded from European Structural Funds, which the Department manages.

Taiwan

Dr. Gibson: To ask the Secretary of State for Trade and Industry what plans he has to develop relationships through the Office of Science and Technology with Taiwan in the areas of science and technology. [113828]

Mr. Byers: The Office of Science and Technology attaches importance to facilitating civil scientific co-operation between the UK and Taiwan. A number of visits have recently been made by officials from Taiwan's National Science Council to discuss aspects of UK civil science policy. Dr. Jenn-Tai Hwang, Chairman of the National Science Council, will visit London in May this year.

These contacts, and the work of staff in the British Trade and Cultural Office in Taipei to promote science and technology links, should raise the profile of UK science in Taiwan, and will help UK companies and the science base to gain access to Taiwanese innovation and technology.

Global Enterprise Initiative

Mr. Paul Marsden: To ask the Secretary of State for Trade and Industry if he will make a statement on the effectiveness of the Global Enterprise Initiative. [116046]

Mr. Caborn: The Global Enterprise Initiative will be launched in the United Kingdom later this spring. It is a British Trade International scheme designed to bring British and Indian companies together in commercial co-operation—eg joint ventures or distribution agreements. We seek to encourage British firms to look again at the growing opportunities for them in India. The scheme has been tested successfully on the ground in India, and during his visit to India in January, my right hon. Friend the Secretary of State for Trade and Industry announced a target for the Global Enterprise Initiative to develop 200 new business partnerships over the next two years.

Banana Dispute

Mr. Sayeed: To ask the Secretary of State for Trade and Industry what assessment he has made of the impact on United Kingdom companies of the banana dispute between the European Union and the United States. [115999]

Mr. Caborn: The United States has World Trade Organisation authority to retaliate up to an annual monetary value of $191.4 million against EU goods. The sectors that the US has chosen to include in this authorised retaliation, and the trends in US imports from the UK of these products, are as follows:

US imports from the UK

Description	*US tariff code*	*1998 (£ million)*	*1999 (£ million)*	*Percentage change 1998–99*	*Absolute change (£ million)*
Batteries	85072080	10.80	3.75	−65.3	−7.0
Bath oils	33073050	4.76	1.17	−75.5	−3.6
Lithographs	49119120	2.56	0.91	−64.3	−1.6
Bed linen	63022190	0.34	0.06	−82.0	−0.3
Cartons	48192000	1.19	0.79	−33.6	−0.4
Coffee makers	85167100	0.62	0.25	−60.2	−0.4
Wallets	42023210	0.17	0.07	−61.2	−0.1
Handbags	42022215	0.01	0.01	−12.2	0.0
Felt paper	48055000	0.00	0.00	—	—
Total	—	20.44	7.00	−66.0	−13.4

Source:
US International Trade Commission website. Converted to £ sterling using average sterling/dollar rates for each year.
ONS Economic Trends

The actual impact on UK companies in the targeted sectors will depend on a number of factors, including the length of time that the retaliatory measures remain in place, and the ability of affected companies to find alternative customers for their goods. However, I have received many representations from UK companies affected by the US retaliation. Taking into account these representations and the above data, my assessment is that there is a real risk of damage to UK companies in terms of lost trade and jobs.

Synchrotron

Ms Southworth: To ask the Secretary of State for Trade and Industry if, when he wrote to the Wellcome Trust on 4 October 1999 to inform them that he was minded to locate Diamond at Daresbury, he wrote similarly to the French Government. [115632]

Mr. Byers *[holding answer 21 March 2000]:* I did not.

TREASURY

Departmental Secondment

Mr. Willis: To ask the Chancellor of the Exchequer, pursuant to his answer of 6 March 2000, *Official Report*, column 524W, on departmental secondment, if he will list the companies from which staff were seconded to his

Department in the periods *(a)* May 1997 to April 1998, *(b)* May 1998 to April 1999 and *(c)* May 1999 to the latest date for which figures are available. [114544]

Miss Melanie Johnson *[holding answer 15 March 2000]:* The information is as follows:

1 May 1997 to 30 April 1998	*1 May 1998 to 30 April 1999*	*1 May 1999 to date*
British Petroleum	British Petroleum	—
Arthur Andersen	Arthur Andersen	Arthur Andersen
BZW	BZW	—
Coopers and Lybrand	Coopers and Lybrand	Coopers and Lybrand
Tarmac	Tarmac	—
Price Waterhouse	Price Waterhouse	—
Pannell, Kerr Foster Associates	Pannell, Kerr Foster Associates	Pannell, Kerr Foster Associates
Midland Bank	Midland Bank	Midland Bank
—	Slaughter and May	Slaughter and May
Ernst and Young	Ernst and Young	Ernst and Young
Quality Business Management	Quality Business Management	Quality Business Management
Esso	—	—
Peat Marwick	—	—
Robson Rhodes	—	—
—	Manpower	Manpower
—	Deloitte Touche	Deloitte Touche
—	Price WaterhouseCoopers	Price WaterhouseCoopers
—	Dilston Management	Dilston Management
—	—	Financial Services Agency
—	—	Brunswick Public Relations
—	—	Institute of Fiscal Studies

Bank Closures

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what representations he has made to the Chief Executive of Barclays Bank concerning its policy of closing banks in small towns and rural areas; and if he will make a statement. [116130]

Dr. Jack Cunningham: To ask the Chancellor of the Exchequer what representations he has made to Barclays Bank plc about their branch closure policy; what reply he has received; and if he will make a statement. [115996]

Miss Melanie Johnson: *[holding answer 24 March 2000]:* I refer my hon. Friend and my right hon. Friend to the reply given on 20 March 2000, *Official Report*, column reference 444–45W.

Earnings Statistics

Mr. Moore: To ask the Chancellor of the Exchequer (1) what is the percentage of full-time workers in *(a)* Scotland, *(b)* each of the unitary local authority areas in Scotland and *(c)* Great Britain whose earnings on the basis of gross pay, *(a)* including and *(b)* excluding overtime were less than (i) £272.07 per week, (ii) £249.53 per week, (iii) £187.15 per week and (iv) £140 per week for the categories: (1) male manual, (2) male non-manual, (3) all male workers, (4) female manual, (5) female non-manual, (6) all female workers, (7) all manual, (8) all non-manual and (9) all workers at the latest date for which figures are available; [115789]

(2) if he will list the average weekly earnings on the basis of gross pay *(a)* including and *(b)* excluding overtime for full-time workers in (i) Scotland, (ii) each of the unitary local authority areas in Scotland and (iii) Great Britain for (1) all manual, (2) all non-manual and (3) all workers at the latest date for which figures are available. [115788]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger to Mr. Michael Moore, dated 27 March 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your recent questions about earnings for workers in Scotland, the unitary areas in Scotland and Great Britain. I am replying in Dr Holt's absence.

The New Earnings Survey (NES) can provide earnings data for small geographical areas. However, the release of NES data is restricted to figures that are derived from a sufficiently large sample of employees, and have an acceptable level of accuracy. I have provided the available data for Scotland, the unitary authorities in Scotland and Great Britain in the attached tables. These are based on the 1999 NES, the latest survey for which data are available. These are large tables and copies of them are being placed in the Library of the House rather than reproduced in Hansard.

The NES is based on a one per cent sample of employees in the PAYE system and is therefore likely to under-represent relatively low paid staff earning below the tax threshold and in particular those who work part-time.

Working Families Tax Credit

Mr. Willetts: To ask the Chancellor of the Exchequer how much he estimates will be spent in *(a)* 1999–2000 and *(b)* 2000–01 on the Working Families Tax Credit broken down between (i) basic tax credit, (ii) 30 hour tax credit, (iii) the child tax credits, broken down by age of child and (iv) the childcare tax credit. [115284]

Dawn Primarolo *[holding answer 20 March 2000]:* It is not possible to provide a split of total expenditure between types of credit. The amount of award payable is reduced for families whose incomes are above the threshold, and this reduction is applied to the total value of all credits taken together.

Dr. Jack Cunningham: To ask the Chancellor of the Exchequer what estimate he has made of the take-up rate for Working Families Tax Credit in *(a)* Cumbria and *(b)* Copeland; and if he will make a statement. [115143]

Dawn Primarolo *[holding answer 20 March 2000]:* It is estimated that 7,600 families in Cumbria had been awarded the Working Families Tax Credit by the end of February 2000, of which 1,100 were families in Copeland.

Miss Geraldine Smith: To ask the Chancellor of the Exchequer how many people in Morecambe and Lunesdale have benefited from Working Families Tax Credit since its introduction. [115715]

Dawn Primarolo: It is estimated that 1,800 families in the Morecambe and Lunesdale constituency have been awarded the Working Families Tax Credit by the end of February 2000.

Mr. Kidney: To ask the Chancellor of the Exchequer how many residents of Stafford constituency have *(a)* applied for and *(b)* received working families tax credit; and what has been the average award. [115569]

Dawn Primarolo: It is estimates that 1,400 families in the Stafford constituency have been awarded the Working Families Tax Credit (WFTC) by the end of February 2000.

It is not possible to provide a reliable estimate of the average value of these awards. However, for the United Kingdom as a whole the average value of WFTC awards made up to the end of February 2000 was £71.48 per week, and for the West Midlands region the average was £72.42 per week.

Ms Harman: To ask the Chancellor of the Exchequer (1) how many families with children in Southwark he estimates are eligible for working families tax credit; [114840]

(2) how many people in Southwark were in receipt of *(a)* family credit and *(b)* the child care allowance in each of the last five years. [114835]

Dawn Primarolo: It is estimated that 2,800 families in Southwark have been awarded the Working Families Tax Credit by the end of February 2000.

Nationally, about 10 per cent. of awards of Working Families Tax Credit include a child care tax credit. There are too few cases in the 5 per cent. sample used for these analyses to provide a reliable estimate of the number of awards with a child care tax credit in Southwark.

Dr. Gibson: To ask the Chancellor of the Exchequer (1) what was the annual expenditure by Government on *(a)* working families tax credit and *(b)* childcare tax credit in Norwich in each of the last five years; [115100]

(2) how many families in Norwich are eligible for working families tax credit; [115097]

(3) how many people in Norwich are in receipt of *(a)* working families tax credit and *(b)* childcare tax credit. [115098]

Dawn Primarolo: It is estimated that 2,400 families in Norwich have been awarded the working families tax credit by the end of February 2000. Nationally, about 10 per cent. of awards of working families tax credit include a childcare tax credit. There are too few cases in the 5 per cent. sample used for these analyses to provide reliable estimates of the number of awards with a childcare tax credit in Norwich, or of expenditure on awards in Norwich.

Tax Credits

Mr. Willetts: To ask the Chancellor of the Exchequer what is the total cost of the *(a)* information packs and *(b)* videos that have been sent to those employers who are expected to administer the Working Families Tax Credit and the Disabled Persons Tax Credit. [113585]

Dawn Primarolo *[holding answer 8 March 2000]:* Information packs and videos have been produced by the Inland Revenue as part of a comprehensive programme of support for employers involved in administering the Working Families Tax Credit and the Disabled Persons Tax Credit. The total cost of adding tax credits material to the information packs already being sent to employers is £533,000. The total cost of making the video, and of sending a copy directly to smaller employers likely to benefit most from it, is £702,000.

Costs are inclusive of Value Added Tax.

National Insurance Contributions Office

Mr. Lidington: To ask the Chancellor of the Exchequer what plans he has to subject the National Insurance Contributions Office to legal obligations equivalent to those imposed on employers by the Pensions Act 1995. [115982]

Dawn Primarolo *[holding answer 23 March 2000]:* There are no such plans.

Mr. Lidington: To ask the Chancellor of the Exchequer what estimate he has made of the amount of money which the National Insurance Contributions Office will pay in the age-related element of the NIC rebate to contracted-out money purchase schemes for the financial year 1999–2000; how much of that sum has so far been paid into schemes by the National Insurance Contributions Office; and if he will make a statement. [115981]

Dawn Primarolo *[holding answer 23 March 2000]:* The overall amount of age-related rebates paid into the financial year 1999–2000, up to and including 1 March 2000, is £2,348,720,798. This amount includes rebates for personal pension and contracted-out money purchase schemes. The amount of rebates paid solely to contracted-out money purchase schemes in the 1999–2000 financial year is not currently available. All of the amount above has been paid to schemes, except £131,360,489 million that will be paid on 3 April 2000.

Disabled Person's Tax Credit

Mr. Ennis: To ask the Chancellor of the Exchequer how many disabled people in *(a)* Barnsley and *(b)* Doncaster have benefited from the disabled person's tax credit since its introduction. [115198]

Dawn Primarolo: 107 people in Barnsley, and 140 people in Doncaster, have been awarded the Disabled Person's Tax Credit by the end of February 2000.

NORTHERN IRELAND

Protected Tenancy Dwellings

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will list for each council area in Northern Ireland the number of protected tenancy dwellings; and, of these, in each area how many are *(a)* restricted tenancies and *(b)* regulated tenancies. [112939]

Mr. George Howarth: The information requested is as follows:

Council area	*Restricted tenancies*	*Regulated tenancies*	*Total*
Antrim	10	34	44
Ards	59	287	346
Armagh	3	40	43
Ballymena	3	55	58

Council area	Restricted tenancies	Regulated tenancies	Total
Ballymoney	1	32	33
Banbridge	3	31	34
Belfast	158	3,341	3,499
Carrickfergus	5	87	92
Castlereagh	5	128	133
Coleraine	1	76	77
Cookstown	3	38	41
Craigavon	55	397	452
Down	5	50	55
Dungannon and South Tyrone	2	67	69
Fermanagh	1	45	46
Larne	1	131	133
Limavady	0	24	24
Lisburn	27	217	244
Derry	3	52	55
Magherafelt	1	35	36
Moyle	1	9	10
Newry and Mourne	9	93	102
Newtownabbey	6	611	617
North Down	25	179	204
Omagh	0	35	35
Strabane	3	40	43

Household Division

Mr. DuncanSmith: To ask the Secretary of State for Northern Ireland if he will place in the Library his recent correspondence with the Major General commanding the Household Division. [115377]

Mr. Mandelson: The correspondence referred to is personal between myself and the Major General commanding the Household Division. It is therefore not appropriate to place a copy in the Library. I made public my regrets for my remarks during Northern Ireland questions in the House on 15 March, and the Major General has stated that he is perfectly content with my response and that the matter is closed.

Police Authority

Mr. William Ross: To ask the Secretary of State for Northern Ireland what sums have been spent by the Police Authority on works to their office accommodation in each of the last three financial years and in the current year to date for which figures are available. [115587]

Mr. Ingram: Sums spent by the Police Authority on works to their office accommodation in each of the last three financial years and the current year to the latest date are as follows:

	£
1996–97	12,067
1997–98	62,597
1998–99	29,969
1999–2000	1,022

Prisoner Release

Mr. Pickthall: To ask the Secretary of State for Northern Ireland if he will make a statement on his recent decision to suspend the licence of a prisoner who was released under the Good Friday Agreement. [116694]

Mr. Mandelson: This was the first time this power has been exercised but should I receive evidence that any other prisoners who have benefited from early release breach their license conditions, I will act immediately.

Prisoners released early in accordance with the Good Friday Agreement are released on license and are subject to strict licence conditions.

For a fixed-term prisoner, these conditions are:

(a) that he does not support a specified organisation (within the meaning of section 3 of the Sentences Act), and

(b) that he does not become concerned in the commission, preparation or instigation of acts of terrorism connected with the affairs of Northern Ireland.

I have made it clear that anyone of whom I have evidence that they have breached these conditions would have their license suspended and be returned to custody.

Given the circumstances of the case in question, I had no hesitation in suspending the licence in accordance with the legislation.
The matter has been referred to the Sentence Review Commissioners (the prisoner may apply to them should he wish his case to be reconsidered).

CHURCH COMMISSIONERS

Church Sales

31. **Mr. Paterson:** To ask the hon. Member for Middlesbrough, representing the Church Commissioners, if he will make a statement on the Commissioners' policy on the conditions attached to the sale of redundant churches relating to their subsequent use. [114847]

Mr. Stuart Bell: The Commissioners normally impose covenants on the new owner restricting the use to that approved and prohibiting unauthorised architectural changes, the disturbance of any human remains or memorials and demolition.

Common Worship

32. **Mr. Swayne:** To ask the hon. Member for Middlesbrough, representing the Church Commissioners, what estimate the Commissioners have made of the impact of "Common Worship" on the number of vocations. [114848]

Mr. Stuart Bell: Liturgy and fostering vocations are not the direct responsibility of the Commissioners. It is not possible to demonstrate a correlation between new liturgy and the rise and fall in the number of ordinations and ordinands.

FOREIGN AND COMMONWEALTH AFFAIRS

Chinese President (State Visit)

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations were made to his Department by the Chinese authorities regarding the policing of the Chinese state visit last October. [113744]

Mr. Battle: I refer the hon. Member to the answer given to my hon. Friend the Member for Cynon Valley (Ann Clwyd) on 28 October 1999, *Official Report*, column 993W.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs how many meetings were held between his Department's officials and representatives of police services involved with policing the Chinese state visit. [113745]

Mr. Battle: I refer the hon. Member to the answer given to the hon. Member for Stratford-on-Avon (Mr. Maples) on 4 November 1999, *Official Report*, columns 271–72W. There was one meeting with the Cambridgeshire Constabulary on 1 October 1999.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs how many meetings were held between his Department and Chinese authorities regarding the policing of the Chinese state visit last October. [113742]

Mr. Battle: I refer the hon. Member to the answer given to the hon. Member for Stratford-on-Avon (Mr. Maples) on 4 November 1999, *Official Report*, columns 271–72W.

Dialogue on Europe

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will estimate the cost to public funds of the training programme for young citizens of the member states who will be attending the launch of the European Commission's Dialogue on Europe. [114135]

Mr. Vaz *[holding answer 14 March 2000]:* The young people taking part in the launch of the European Commission's "Dialogue on Europe" were all participants in the long-standing programme of graduate traineeships with that institution. In 2000, 4.2 million euro have been allocated in the European Union budget for the operation of the traineeships programme.

The launch of "Dialogue on Europe" took place at the biannual welcome event for the new intake of trainees on 1 March 2000. The additional costs to the EU budget are estimated by the Commission at 25,000 euro.

The Government are keen to raise awareness of the European dimension of the work of UK Government Departments, and a secondment to one of the EU institutions serves that aim. Details of "stage" opportunities for UK civil servants are circulated biannually by the Cabinet Office, which also process the applications received. Staff input cannot be reliably quantified, but is not onerous. A maximum of five European Fast Streamers (the UK Government's development programme for British graduates who wish to make a career in the EU institutions) go on a "stage" in each biannual intake. Their salary and allowances while in Brussels are paid by the Cabinet Office.

Tibet

Mr. Stevenson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will raise concerns on human rights abuses in Chinese-occupied Tibet in the United Kingdom's ministerial statements at the United Nations Commission for Human Rights. [115091]

Mr. Hain: I delivered the United Kingdom's opening plenary statement at the Commission on Human Rights on 23 March. A copy has been placed in the Library of the House. The speech is also available on the Foreign Office website (www.fco.gov.uk).

Gedhun Choekyi Nyima

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received relating to the safety of Gedhun Choekyi Nyima and his possible release from his captivity; what is the UK's policy on the matter; and if he will make a statement. [115924]

Mr. Battle: We are concerned about the situation of Gedhun Choekyi Nyima, the Dalai Lama's choice as the 11th Panchen Lama, and take every appropriate opportunity to press the Chinese Government to allow access to the boy to verify his health and living conditions. I did so myself when I met the Chinese Vice-Foreign Minister, Wang Yingfan, on 9 November 1999, following the disturbing reports that Gedhun had died. We subsequently received a written assurance that he was alive and well.

The Chinese authorities maintain that Gedhun's parents want him to live a normal life and do not want visitors. While accepting the wishes of the parents, we continue to press the Chinese authorities to nominate an independent figure acceptable to the Chinese Government, the parents and the Tibetan leadership to meet with the boy.

East Timor

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received about how many refugees have been returned from West Timor to East Timor and how many refugees remain in West Timor. [116105]

Mr. Battle: Over 150,000 refugees have now returned to East Timor. There are no reliable figures for the number remaining in West Timor, but as of 22 March the UN estimated the number at up to 100,000 refugees.

We will continue to press the Indonesian authorities to enable those who wish to return to East Timor to do so safely and speedily.

Diplomatic Relations

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the countries with which the UK has no diplomatic relations. [116210]

Mr. Battle: The United Kingdom has no diplomatic relations with Bhutan, Iraq, the Federal Republic of Yugoslavia or North Korea.

Minority Languages

Mr. Andrew George: To ask the Secretary of State for Foreign and Commonwealth Affairs what UK regional or minority languages the Government recognises in relation to the recent UK signing of the Council of Europe Charter on Regional or Minority Languages. [115997]

Mr. Vaz: The UK will apply the general provisions of the Charter in respect of all the languages which meet the Charter's definition of a regional or minority language. The Government recognise that this definition embraces Scots and Ulster-Scots and are considering what other languages, including Cornish, also meet the definition. To fulfil the Charter's requirement to implement specific provisions to promote the use of certain languages in public life, the Government intend to specify Welsh, Scots-Gaelic and Irish.

HEALTH

Medical Technical Officers

Mr. Austin: To ask the Secretary of State for Health what steps he plans to take in respect of the survey published recently by the MSF union on levels of pay and morale of medical technical officers in the NHS. [112443]

Mr. Denham *[holding answer 1 March 2000]:* We recognise that the Scientific and Technical staff groups employed and trained in the National Health Service have been experiencing recruitment, retention and a range of other human resource problems. Therefore, we aim to develop a human resource strategy that will underpin the education and training, recruitment and retention and general career development for NHS HCHS scientists and technicians. Medical Technical Officers (MTOs) are a part of this work force.

This work will be taken forward as an integral part of the work programme of the National Advisory Group for Scientists and Technicians (NAGST).

NAGST is collaborating with the professions to ensure the National Health Service has an adequate supply of competent scientists and technicians. There are three strands to the current work programme:

collection of work force data;

work force planning;

implementation.

A pay offer is with the staff side of the Professional and Technical Staffs' B Whitley Council covering Medical Technical Officers for:

an increase of 3 per cent. or £250, whichever is the higher for 1999–2000;

an increase of 3.25 per cent. or £300 whichever is the higher for 2000–01; and

in the context of agreement on the negotiations on Agenda for Change (including the principle of pay linkage as set out in paragraph 7.4 of the Joint Framework of Principles and Agreed Statement on the Way Forward issued on 8 October 1999) and the joint commitment to lifelong learning, a minimum RPI(X) at December 2000 reported in January 2001, plus 0.5 per cent.

Adoption

Mrs. Spelman: To ask the Secretary of State for Health how many adoption breakdowns there have been in each of the last five years; and what plans he has for greater funding of post-adoption support and advice. [112750]

Mr. Hutton: Information about the number of adoption breakdowns in the last five years is available in the form of the number of children who enter care as a result of adoption breakdowns. The figures do not distinguish between the adoption breakdowns of "looked after" children placed for adoption by local authorities; children placed by voluntary adoption agencies; children placed privately with relatives by birth parents; children adopted by step-parents.

Estimated numbers[1] of children who started to be looked after, with reason for being looked after coded as 'adopted child—breakdown of adoptive family', England, 1995 to 1999 [2,3]

Year ending 31 March	*Number of children starting to be looked after*
1995	50
1996	70
1997	60
1998[4]	50
1999[4]	50

[1] Data are rounded to the nearest 10

[2] Excludes children looked after under an agreed series of short term placements

[3] Only the first occasion on which a child started to be looked after in the year has been counted

[4] Estimates based on a one third sample of looked after children

The Government's Quality Protects programme aims to develop a modern adoption service that is more responsive in all its aspects, including post-adoption support, to meet the best interests of children and the needs of birth parents and adoptive parents. My right hon. Friend the Prime Minister is reviewing with ministerial colleagues how we can build on Quality Protects, moving further and faster to secure our aim of maximising the use of adoption for all children for whom it is appropriate and also minimising delay.

The table shows the number of pre-adoptive breakdowns for the same period.

Pre-adoptive breakdown: Estimated number[1] of placements for adoption ceasing during the years ending 31 March 1995 to 1999[2], England

		of which	
Year	*Total number of placements*	*Percentage that ended in adoption*	*Percentage that did not end in adoption*
1995	1,600	80	20
1996	1,620	77	23
1997	1,560	78	22
1998[3]	1,790	85	15
1999[3]	1,800	82	18

[1] Data are rounded to the nearest 10

[2] Excludes children looked after under an agreed series of short term placements

[3] Estimates based on a one third sample of looked after children

HSG(94)27

Dr. Cable: To ask the Secretary of State for Health (1) if he will list by name of subject and health authority the independent inquiries established under HSG(94)27 which are currently being conducted; [113748]

BEST C

(2) if he will list by name of report and health authority all the independent homicide inquiries established under HSG(94)27, the reports of which were published since February 1994. [113749]

Mr. Hutton *[holding answer 9 March 2000]:* The information requested has been placed in the Library.

NHS Staff

Mr. Gareth R. Thomas: To ask the Secretary of State for Health how many *(a)* doctors and *(b)* nurses there were (i) nationally and (ii) in London in each year between 1979 and 1999. [115086]

Mr. Denham: The available information is shown in the table.

NHS Hospital and Community Health Services (HCHS): All nursing, midwifery and health visiting staff, Practice Nurses and NHS Doctors within London Regional Office Area and England as at 30 September each year

	All nursing, midwifery and health visiting staff				*Practice nurses*		*NHS doctors*	
	Whole-time equivalent		*Numbers (headcount)*		*Whole-time equivalent*		*Numbers (headcount)*	
	London regional office area	*England*	*London regional office area*	*England*	*London regional office area*	*England*	*London regional office area*	*England*
1979	[1]—	316,840	[1]—	372,070	[1]—	990	[1]—	59,850
1980	[1]—	327,800	[1]—	381,560	[1]—	1,070	[1]—	61,270
1981	[1]—	347,010	[1]—	397,420	[1]—	1,240	[1]—	62,560
1982	64,370	391,110	71,210	447,540	[1]—	1,450	[1]—	63,540
1983	67,380	394,680	76,410	452,380	[1]—	1,660	[1]—	64,820
1984	66,680	393,740	77,320	452,450	[1]—	1,920	[1]—	65,130
1985	64,990	397,030	77,270	458,410	[1]—	2,210	[1]—	66,040
1986	63,920	397,240	75,260	459,080	[1]—	2,500	[1]—	66,770
1987	59,270	397,910	72,900	463,310	[2]300	[2]2,770	11,800	69,530
1988	62,920	397,840	76,200	465,060	410	3,480	12,050	70,910
1989	63,670	398,660	77,890	467,700	570	4,630	12,580	72,450
1990	58,020	395,360	64,630	463,790	1,140	7,740	12,560	73,720
1991	63,960	396,130	73,520	477,570	1,230	8,780	12,880	74,680
1992	65,640	382,020	76,850	463,740	1,210	9,120	12,910	75,740
1993	57,480	366,240	66,160	450,360	1,390	9,600	13,910	77,280
1994	55,160	353,130	64,340	436,100	1,320	9,100	14,630	77,970
1995	49,410	330,440	59,010	411,840	1,370	9,740	15,560	81,000
1996	51,180	332,660	60,910	415,750	1,460	9,820	15,790	83,090
1997	51,450	330,620	62,140	417,570	1,530	10,080	16,550	86,050
1998	51,610	332,200	63,870	421,750	1,550	10,360	16,870	88,230

[1] Not applicable.

[2] Data for London in 1987 are incomplete, there are no data below national level prior to 1987. In April 1996, FHSAs merged to form Health Authorities, in this process some of Barnet FHSA split to form part of West Hertfordshire (which is not in the London Region).

Notes:

1. Figures are rounded to the nearest ten.

2. 1995 to 1998 figures exclude learners and agency staff. Figures from 1982 to 1994 include learners, trainees and students.

3. England figures for 1979 to 1981 include staff in certain centrally-based services, ie, family planning, occupational health and staff nurseries. Excluded are regional nursing officers, nursing cadets, agency staff and staff in the blood transfusion service and primary health care services. These figures were taken from 'Health and personal Social Services Statistics for England'.

4. London Regional Office Area figures from 1979 to 1981 are not available.

5. Due to a change in classification in 1995 for collecting the data, from payscale to occupation code, 1995, 1996, 1997 and 1998 figures are not comparable with earlier years.

Source:

Department of Health Non-Medical Workforce Census.

Notes for Practice Nurses:

1. The whole of Barnet FHSA has been included prior to 1996, data from 1996 onwards will not include staff who left Barnet FHSA to join West Hertfordshire HA.

Source:

Department of Health General and Personal Medical Services Statistics.

Notes for NHS Doctors:

1. All Doctors includes doctors in hospitals, public health medicine, the community health services. General Medical Services and Personal Medical Services. Hospital Practitioners and Clinical Assistants are excluded, as most of these are also GPs. The figures exclude doctors working in the HCHS sector in one of the dental specialities.

2. London figures should be interpreted with caution. The London Regional Office came into being on 1 April 1999 while the former Thames Regional Offices covered areas outside London. The 1998 figures are for the (shadow) London Regional Office. The 1987 to 1997 figures are estimates from Health Authorities (Family Health Service Authorities and District Health Authorities prior to 1996) or NHS Trusts that would now be in the London Region. Some HCHS doctors may be counted more than once. This is because they will be counted once for each region where they worked, based on the regional structure in place at the time, and also in the current London region which overlaps with more than one of the former regions.

3. It is not possible to provide numbers for all doctors in London from 1979 to 1986. While estimates for GPs are available, because these were returned by Family Service Health Authorities, estimates for all other doctors are not because these were only returned at regional level and the former Thames regions are not comparable with the new London region.

PY AVAILABLE

Drug Prescribing (Children)

Mr. Love: To ask the Secretary of State for Health (1) in what circumstances the prescribing of a drug to a child in care can be challenged by the parents, if they believe that the child may have suffered an adverse reaction to the drug, where that adverse reaction is (i) reported and (ii) unreported; [115521]

(2) in what circumstances independent medical advice can be sought when there is a disagreement between parents and the local authority with a duty of care for a child who may have suffered an adverse reaction to a drug, where that reaction is *(a)* reported and *(b)* unreported; and if he will make a statement; [115523]

(3) in what circumstances the local authority with a responsibility of care for a child could challenge the prescribing of a drug to that child if they believe the child may have suffered an adverse reaction to the drug, where that adverse reaction is *(a)* reported and *(b)* unreported. [115522]

Mr. Hutton: Where a child is looked after by a local authority and is on a care order, the local authority has parental responsibility for the child. It shares that parental responsibility with the child's parent(s), but the local authority has the power to determine the extent to which the parents may exercise their parental responsibility in relation to the child. Where a child is looked after by a local authority and the authority is accommodating the child, it does not have parental responsibility—but a person may arrange for someone else to discharge all or some of it on their behalf, so a parent whose child is accommodated may arrange for the local authority to be responsible on their behalf. Even without such an arrangement, the local authority may do what is reasonable for the purpose of safeguarding or promoting the child's welfare, which may include arranging for urgent medical attention.

Centrally Funded Special Schemes

Mr. Mitchell: To ask the Secretary of State for Health what was the total spending by his Department for the last five available years on centrally funded special schemes in *(a)* the Northern and *(b)* the Yorkshire and Humberside Region. [114904]

Mr. Denham: The information requested has been placed in the Library.

Correspondence

Mr. Luff: To ask the Secretary of State for Health when he will reply to the letter from the hon. Member for Mid-Worcestershire of 24 January about care homes in Worcestershire. [115568]

Mr. Hutton: I replied to the hon. Member on 22 March.

Psychiatric Beds

Dr. Cable: To ask the Secretary of State for Health what percentage of available acute psychiatric beds were used in *(a)* 1997–98, *(b)* 1998–99 and *(c)* the first two quarters of 1999–2000. [115786]

Mr. Hutton: The percentages of available acute psychiatric beds used in 1997–98 and 1998–99 were 86.5 per cent. and 87.5 per cent. respectively.

Data for the first two quarters of 1999–2000 for the same breakdown are not available as the source of the acute psychiatric bed availability and occupancy figures are collected annually.

Children's Services (Human Rights Act)

Mr. Hammond: To ask the Secretary of State for Health what assessment he has made of the impact of the coming into force of the Human Rights Act 1998 on the provision of children's services. [115847]

Mr. Hutton: Government Departments are undertaking a broad assessment of the likely impact of the Human Rights Act 1998 on their work, as part of the preparations for implementation on 2 October 2000. This task is in progress in the Department of Health and includes children's services with our other responsibilities.

Waterhouse Report

Mr. Hammond: To ask the Secretary of State for Health for what reasons he was unable to act prior to publication of the Waterhouse report in extending the consultancy index to include people named in that report. [115848]

Mr. Hutton: We were unable to act on the information contained in the Waterhouse report until after the report had been presented to Parliament. However, following publication, immediate action was taken to extend the Department's consultancy index to include eligible named individuals who had been convicted of offences against children or against whom a clear finding had been made in the report. This action enabled us to include on the index individuals falling into these categories who had not previously been referred to the index through another route.

Outpatients (Avon)

Mr. Cotter: To ask the Secretary of State for Health what assessment he has made of Avon health authority's scheme to reduce outpatient waiting times by guaranteeing a number of outpatient appointments for each primary care group; and if he will make a statement. [116002]

Mr. Denham: Avon health authority, working with local general practitioners and trusts, is looking at ways of improving orthopaedic waiting times. As part of this work the health authority is considering how the successful pilot scheme, operated by North Bristol National Health Service Trust and North West Bristol Primary Care Group, which guarantees individual GP practices a specified number of outpatient appointments can be extended across the health authority area. No formal assessment of the North Bristol pilot scheme has been undertaken by the NHS Executive. We welcome local initiatives to reduce outpatient waiting times by involving PCGs.

Learning Disabilities

Mr. Cotter: To ask the Secretary of State for Health what measures he will take to ensure that services for

children with learning disabilities in the Weston-Super-Mare area will not decline following the disbandment of Phoenix NHS Trust. [116010]

Ms Stuart: It is the responsibility of Avon health authority, working together with local National Health Service trusts and primary care groups, to ensure that appropriate services for children with learning disabilities are provided. I understand that the Chief Executive of the authority has recently written to the hon. Member assuring him of the health authority's commitment to ensuring that the same level of services is available following the disbandment of Phoenix NHS Trust.

Weston Area Health Trust

Mr. Cotter: To ask the Secretary of State for Health (1) what is the staff to patient ratio for children with learning disabilities within the Weston Area Health Trust; [116006]

(2) if he will estimate the staff to patient ratio for children with learning disabilities within the Weston Area Health Trust following the disbanding of the Phoenix NHS Trust. [116007]

Ms Stuart: The Department does not collect the requested information. The hon. Member may wish to contact Ms Martha Perriam, Chairman of Weston Area Health National Health Service Trust, for the information.

Avon Health Authority

Mr. Cotter: To ask the Secretary of State for Health if he will make a statement on the annual NHS funding allocated to Avon Health Authority for 2000–01. [116004]

Ms Stuart: Avon Health Authority's revenue allocation for 2000–01 is £629.4 million, which represents a cash increase of £40.7 million (6.9 per cent.). Money from the £660 million announced by my right hon. Friend the Prime Minister on 22 March will be allocated to health authorities shortly.

Capital Prioritisation Process

Mr. Norman: To ask the Secretary of State for Health if he has begun to consider the conclusions of the review of the Capital Prioritisation Process; and when he expects to make an announcement on the outcome. [116116]

Mr. Denham: The review of the capital prioritisation process is currently under way. Ministers will make an announcement about the outcome in due course.

Oxted and Limpsfield Community Hospital

Mr. Peter Ainsworth: To ask the Secretary of State for Health if he will make a statement on the future of Oxted and Limpsfield Community Hospital. [116043]

Mr. Denham *[holding answer 23 March 2000]:* The Surrey and Sussex National Health Service Trust is currently preparing a full business case for the reprovision of Oxted and Limpsfield Community Hospital. The case will be assessed by the South East Region of the NHS Executive once it has been submitted.

Hospital Waiting Lists

Mr. Oaten: To ask the Secretary of State for Health how many people were on NHS inpatient waiting lists in each year since 1979 for which figures are available *(a)* nationally and *(b)* in each health authority (i) fully and (ii) partially in Hampshire, including the unitary authorities of Southampton and Portsmouth. [116019]

Mr. Denham *[holding answer 23 March 2000]:* The information requested can be found in the "Hospital Waiting List Statistics: England. Quarter ending", copies of which are available in the Library.

Children's Homes (Staff)

Mr. Ruane: To ask the Secretary of State for Health how many staff of children's homes providing 24 hour care in the *(a)* voluntary, *(b)* local authority and *(c)* private sector were (i) raped, (ii) sexually assaulted, (iii) victims of grievous bodily harm and (iv) murdered by residents in the last three years. [116199]

Mr. Hutton *[holding answer 24 March 2000]:* Information about the number of incidents of violence against the staff of children's homes is not collected centrally. However, we are determined to reduce substantially the incidence of violence towards everyone working in social care. We have set up a taskforce to produce a national action plan by November 2000 with recommendations and timescales for action to reduce violence against social care staff and to promote the safety and welfare of all social care workers.

Oxaliplatin

Mr. Webb: To ask the Secretary of State for Health if he will ask the National Institute for Clinical Excellence to assess the effectiveness of the cancer drug Oxaliplatin. [116129]

Ms Stuart *[holding answer 24 March 2000]:* We are considering a number of possible additional topics for appraisal by the National Institute for Clinical Excellence during the year 2000–01, including a number of anti-cancer drugs. An announcement will be made shortly.

Prozac

Mr. Baker: To ask the Secretary of State for Health if he will make a statement on the prescription of Prozac to children under 10 years; and what guidelines in respect of the prescription of Prozac his Department has issued. [116102]

Ms Stuart: Prozac is not licensed for treatment of children. Doctors prescribe medicines outside their licensed indications in the knowledge that they then bear the full legal and clinical responsibility for the patient's condition in relation to that treatment.

Doctors are advised of the clinical considerations which are relevant to their prescribing decisions in publications such as the British National Formulary (BNF). The BNF advises that Prozac is not recommended for children.

Broomfield Hospital

Mr. Burns: To ask the Secretary of State for Health, pursuant to his answer of 16 March 2000, *Official Report*, column 304W, and the appeal by the Mid-Essex CHC

against the closure of wards at Broomfield Hospital, if he will order the three wards to be *(a)* kept open or *(b)* reopened until he has determined the appeal. [116027]

Mr. Denham: Following detailed discussions between North Essex health authority, Mid Essex Hospital Services National Health Service Trust and local primary care groups as part of the Service and Financial Framework for 2000–01, an agreement has been reached to reopen the remaining beds at Broomfield Hospital which had been taken out of use.

Long-term Care

Mr. Burstow: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Coventry, South (Mr. Cunningham) of 20 March 2000, *Official Report*, column 430W, on long-term care, how many of the representations received were critical of the recommendation of the majority report of the Royal Commission on Long-term Care. [116273]

Mr. Hutton: A minority of the representations which we have received have preferred an alternative approach from that recommended by the Royal Commission on long-term care.

Seafood (Technetium)

Mr. Chaytor: To ask the Secretary of State for Health what research he has commissioned on the health implications of very high concentrations of technetium in seafood; and if he will make a statement. [115529]

Yvette Cooper: No specific research is currently carried out into the health effect of technetium-99 in seafood as the effects of ingested radioactivity have been studied for many years. The Ministry of Agriculture, Fisheries and Food carries out a comprehensive monitoring programme around the British Isles, which shows the most exposed seafood consumer received only 2 per cent. of the annual dose limit from exposure to technetium-99.

Perioperative Deaths

Mr. Waterson: To ask the Secretary of State for Health what steps he is taking to implement the national confidential inquiry into perioperative deaths; and if he will make a statement. [110434]

Ms Stuart: The recommendations of the National Confidential Enquiry into Perioperative Deaths (NCEPOD) are primarily for the professions who need to re-evaluate their practice in the light of the evidence found. Other recommendations are concerned with organisational issues and are for local National Health Service management to address. The National Institute for Clinical Excellence is undertaking a review of all four confidential inquiries which will include an assessment of the impact of NCEPOD and the other inquiries.

NHS Funding

Mr. Cotter: To ask the Secretary of State for Health what plans he has to review the system used to assess annual increases in NHS funding. [116011]

Mr. Andrew Smith: I have been asked to reply.

The Chancellor of the Exchequer announced in his Budget medium-term plans for the NHS, involving average annual real terms increases of over 6 per cent. for the NHS.

CULTURE, MEDIA AND SPORT

Millennium Dome

12. **Mr. Paterson:** To ask the Secretary of State for Culture, Media and Sport what estimate he has made of the eventual total cost to public funds of the Millennium Dome. [114865]

Mr. Chris Smith: The Millennium Experience has a cash-limited budget of £758 million for the Dome at Greenwich and its associated national programme of events and activities. The budget is made up of grant from the Millennium Commission, private sector sponsorship and commercial income. The New Millennium Experience Company aims to stay within that budget. The project is receiving no funds from the Exchequer.

13. **Mr. Efford:** To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the most recent attendance figures for the Millennium Dome. [114866]

Janet Anderson: The Government are extremely encouraged by the continuing upward trend in visitor numbers to the Millennium Experience at Greenwich—10 million paying visitors will enable the company to deliver a break-even operating budget. NMEC's target remains higher than that but its focus at this stage is achieving 10 million.

Over 1.25 million people have visited the Dome so far, which is remarkable in itself given that January, February and March are traditionally low season periods for visitor attractions.

Film Industry

14. **Mr. Syms:** To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the future of the British film industry. [114867]

Janet Anderson: Britain's world-class facilities continue to attract very substantial inward investment and we continue to turn out world-class talent, both in front of and behind the camera. But these great strengths are vulnerable without the commercial infrastructure, particularly in terms of film distribution, that would allow the UK film industry to realise the full economic potential of its talent and skills.

The Government's objective is to create the right conditions for a sustainable UK film industry, through the use of well-targeted tax incentives and the creation of a strategic body, the Film Council, which will provide support in key areas.

Regional Theatre

15. **Charlotte Atkins:** To ask the Secretary of State for Culture, Media and Sport what measures he is taking to assist regional theatres in attracting young audiences. [114868]

Mr. Alan Howarth: The Arts Council's Theatre Review will address the ways in which regional theatres can meet the needs of young people. Despite the recent misinformation in the press, classic texts are currently and will continue to be one of the most important ways of meeting the needs of young people.

19. **Helen Jackson:** To ask the Secretary of State for Culture, Media and Sport what advice the Arts Council's theatre review has issued to regional theatres about the use of classic texts. [114872]

20. **Mr. Beard:** To ask the Secretary of State for Culture, Media and Sport what advice the Arts Council's theatre review has issued to regional theatres about the use of classic texts. [114873]

Mr. Chris Smith: The Arts Council's theatre review is about ensuring the best possible access to the best possible theatre across the country. Classic texts are currently, and will continue to be, one of the most important strands of programming by regional theatres and especially popular with young people. Reports in the press suggesting that the ACE wants to downgrade classic theatre, or only favour lasers, acrobats or video technology, have absolutely no foundation in fact.

Sport Action Zones

16. **Mr. Campbell-Savours:** To ask the Secretary of State for Culture, Media and Sport what guidance he is issuing about applications for support in sport action zones. [114869]

Kate Hoey: Sport action zones are a direct response to the need to address sporting deprivation in some of the most socially and economically deprived areas of the country. Sport England is now discussing with all the local interests the production of a plan for each zone to ensure they meet the needs of the area. Those plans will form the basis of bids for lottery funding.

Libraries

17. **Helen Jones:** To ask the Secretary of State for Culture, Media and Sport what guidance he provides to local authorities on the minimum level of service that public libraries should provide to their local communities. [114870]

Mr. Alan Howarth: There is currently no defined minimum level of public library service, but all library authorities must meet the requirement of the Public Libraries and Museums Act 1964 to provide a "comprehensive and efficient" service. In order to assist them, I will be issuing a draft set of public library standards for consultation later in the spring, and will be bringing the final version into force from 1 April 2001.

Tourism Summit

18. **Mr. Rapson:** To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the outcome of the recent tourism summit. [114871]

25. **Mr. Hoyle:** To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the outcome of the recent tourism summit. [114878]

Janet Anderson: I am happy to say that the tourism summit held on 1 March was a great success. For the first time Ministers from a range of Departments whose policies significantly affect tourism were able to engage in close discussion on priorities for joint progress in the year ahead.

Ministers committed themselves to the fulfilment of the tourism strategy. Collectively, they also made two specific pledges. Most notable of those is the establishment of a cross-departmental network of officials to ensure close working on policies affecting tourism. They will also consider the forthcoming report from the Better Regulation Task Force on the impact of regulation and enforcement on the hotel and restaurant sector and how to improve co-ordination of regulation in this area.

We will publish a report on the summit.

School Sports

22. **Mr. Jim Cunningham:** To ask the Secretary of State for Culture, Media and Sport what contribution the national lottery is making towards encouraging the playing of competitive sporting fixtures in schools. [114875]

Kate Hoey: Inter-school competitive fixtures will be an important part of the job description of the School Sports Co-ordinators, a new initiative which is being supported by the Lottery Sports Fund with additional support expected to come from partnership funding, including the new opportunities fund. Detailed proposals for the initiative are being drawn up in conjunction with key partners.

Green Spaces Initiative

23. **Caroline Flint:** To ask the Secretary of State for Culture, Media and Sport in what ways he expects children to benefit from the green spaces initiative funded by the new opportunities fund. [114876]

Mr. Chris Smith: The new opportunities fund launched the green spaces and sustainable communities initiative in January, and hopes to make its first grants this summer. The initiative covers, among other things, opportunities for children's play, organised and informal sport, playing fields, access to the countryside and creating safer routes to school. These opportunities will greatly benefit the health, happiness, safety and social well-being of children, particularly in areas of multiple deprivation.

Televised Sport Revenues

24. **Dr. Whitehead:** To ask the Secretary of State for Culture, Media and Sport what steps he is taking to encourage professional sport to invest income from the sale of television rights in amateur and youth sport. [114877]

Kate Hoey: A number of UK governing bodies have signed the Central Council of Physical Recreation's Voluntary Code, under which a minimum of 5 per cent. of broadcasting income is invested in grass roots development. The resulting arrangements in cricket, tennis and other sports appear to be working well. The football authorities are currently drawing up—in consultation with Sport England and my Department—

detailed proposals for using their broadcasting income with the public funds to improve the development of grass roots football in England. An announcement will be made when discussions have been completed.

Seaside Resorts

26. **Miss Geraldine Smith:** To ask the Secretary of State for Culture, Media and Sport what steps his Department is taking to encourage the regeneration of British seaside resorts; and if he will make a statement. [114879]

Janet Anderson: I refer my hon. Friend to the reply I gave earlier today to my hon. Friend the Member for Harwich (Mr. Henderson), *Official Report*, column 4.

Lottery Funding

Mr. Robertson: To ask the Secretary of State for Culture, Media and Sport if he will make a statement about the distribution of lottery grants across the country. [114874]

Mr. Chris Smith: The Government are committed to ensuring that Lottery funding is distributed fairly both geographically and across all groups of society. This is reflected in the changes made to lottery distribution through the National Lottery Act 1998, and through the revised policy directions which I issued in summer 1998. My Department and the lottery distributors have jointly commissioned research, due shortly, into why coalfield areas have fared badly from the lottery, which I hope will hold lessons for distribution to other areas of low take-up.

Mr. Pendry: To ask the Secretary of State for Culture, Media and Sport if he will list the amounts of moneys *(a)* distributed to good causes from the National Lottery Fund and *(b)* which have yet to be allocated. [116489]

Mr. Chris Smith: All the funds in the National Lottery Distribution Fund available for distribution have been allocated to the National Lottery Distributing Bodies, and all but £200 million of this money has already been committed by them. While money remains in this fund, it earns tax free interest which goes to the good causes, not Government.

National Sports Museum

Mr. Bob Russell: To ask the Secretary of State for Culture, Media and Sport what plans he has to establish a national sports museum; and if he will make a statement. [113734]

Kate Hoey: I refer the hon. Member to my answers of 15 March 2000, *Official Report*, column 251W.

Correspondence

Mr. Winnick: To ask the Secretary of State for Culture, Media and Sport when the hon. Member for Walsall, North will receive a reply to his letter of 8 February regarding a constituent. [116381]

Janet Anderson: I have now replied to my hon. Friend, with an explanation of the reasons for the delay in responding to his correspondence.

Historic Railway Engines

Mr. Keetch: To ask the Secretary of State for Culture, Media and Sport how much national lottery funding has been provided to historic railway engine restoration projects since the start of the national lottery; and if he will make a statement. [116100]

Kate Hoey: Since the beginning of the national lottery, the Heritage Lottery Fund has made 17 awards to historic railway engine restoration projects, and the total value is £2,161,158.

CABINET OFFICE

Drugs

Mr. Hurst: To ask the Minister for the Cabinet Office what new initiatives the Government are introducing to help vulnerable young people resist drugs. [116649]

Mr. Ian McCartney: I am pleased to announce that today my Department was able to help launch Positive Futures, a joint sports and drug prevention initiative designed to engage young people at risk.

The UK Anti-Drugs Co-ordination Unit in the Cabinet Office, Sport England and the Youth Justice Board have joined together to create the initiative, which will use sporting and drug education activities to divert vulnerable young people away from drug misuse and crime.

Between the three partners, £950,000 will be invested in 2000–01 to fund 24 projects around the country. By the end of October, all 24 will have begun.

As we set out in our 10-year anti-drugs strategy "Tackling Drugs to Build a Better Britain", the Government are committed to helping young people resist drug misuse in order to achieve their full potential in society. I believe that this initiative will give hope to young people in areas of deprivation, helping them to build self-esteem and confidence while, at the same time, offering a healthy alternative to involvement in drugs.

Bank Closures

Dr. Jack Cunningham: To ask the Minister for the Cabinet Office what representations she has made, in her role as interdepartmental co-ordinator of policy on rural affairs, to Barclays Bank plc about their branch closure policy; what reply she has received; and if she will make a statement. [116289]

Marjorie Mowlam: I refer my right hon. Friend to the answer that my hon. Friend the Economic Secretary gave on 20 March 2000, *Official Report*, column 445W.

Knowledge Network Project

Mr. Simon Hughes: To ask the Minister for the Cabinet Office (1) if she will list the categories of information which are *(a)* held and *(b)* planned to be held on the Knowledge Network Project which are broken down by constituency level; [116290]

(2) which Ministers, special advisers and civil servants have control of the input of information to the Knowlege Network Project; and if she will make a statement. [116293]

Marjorie Mowlam: I refer the hon. Member to the reply given to the hon. Member for South Cambridgeshire (Mr. Lansley) on 24 March 2000, *Official Report*, column 691W.

Mr. Simon Hughes: To ask the Minister for the Cabinet Office if she will publish the communications audit of Whitehall departments; and if she will make a statement. [116291]

Marjorie Mowlam: The communications audit of Whitehall Departments is part of Phase 1 of the work of the Knowledge Network Project. The results and findings of Phase 1 will be reported to me by July 2000 and will subsequently be made available on the Internet.

Mr. Simon Hughes: To ask the Minister for the Cabinet Office what is the total planned and current cost of the Knowledge Network Project; and if she will make a statement. [116292]

Marjorie Mowlam: The estimated cost of Phase 1 of the Knowledge Network Project is £242,000. Subsequent work, including costs, will be planned following the outcome of Phase 1.

Euro

Mr. Portillo: To ask the Minister for the Cabinet Office how much money has been spent to date by her Office and by bodies funded by her Office in connection with the National Changeover Plan; under what headings this money has been spent; and how much her Office plans to spend on implementing the plan over the next 12 months. [112143]

Marjorie Mowlam: I refer the right hon. Gentleman to the answer given by my hon. Friend the Economic Secretary to the Treasury on 29 February 2000, *Official Report*, column 223W, and to the answer my right hon. Friend the Chancellor of the Exchequer gave on 9 March 2000, *Official Report*, column 1181 to my hon. Friend the Member for Stockton, South (Ms Taylor).

Written Answers to Questions

Tuesday 28 March 2000

EDUCATION AND EMPLOYMENT

Asylum Seekers (Children)

Mr. Steen: To ask the Secretary of State for Education and Employment if he will make arrangements to ensure that the children of political asylum seekers attend pre-school facilities; and what the cost of that would be to public funds. [116535]

Jacqui Smith: Local education authorities already have a legal duty to ensure that all eligible four-year-olds, including children of asylum seekers, are entitled to a free part-time place in any registered pre-school setting. In addition, from April 2000, all local education authorities will receive funding to provide a free early education place to the most needy three-year-old children in their area. It is up to local education authorities to set their own criteria of social need which may include providing places to children of asylum seekers.

Local education authorities receive funding from this Department for the provision of pre-school places in the form of a nursery education grant which is £1,130 per child per year for each eligible three and four-year-old child.

It is not possible to calculate the overall cost of pre-school education for children of asylum seekers, as separate records are not kept.

Teachers' Pay

Mr. Gray: To ask the Secretary of State for Education and Employment what provision has been made for the funding of the teachers' threshold pay rise after the first two years. [116528]

Ms Estelle Morris: Provision for teachers' pay beyond March 2002 falls into the next spending period and will be taken into account along with other factors when deciding future funding levels for education.

Schools Funding

Mr. Gray: To ask the Secretary of State for Education and Employment if he will make a statement on funding for schools in respect of post-16 education reforms. [116527]

Ms Estelle Morris: The £35 million that the Government have identified as the cost to LEAs in 2000–01 of implementing its post-16 curriculum reforms was added to Education Standard Spending (ESS) for that year. It is for local education authorities to decide how much funding to allocate through their individual schools budget to each of their schools to allow them to implement the reforms successfully. In addition, schools will receive £290 million in special grant for 2000–01. Secondary schools will receive between £30,000 and £50,000, depending on their size. This funding will be part of their delegated budgets: those with sixth forms will therefore be able to use it if they wish to supplement funding received through their local authority's allocation formula to implement the post-16 reforms.

Teacher Dismissals

Mr. Clappison: To ask the Secretary of State for Education and Employment how many teachers have been dismissed under the fast-track provisions. [116091]

Ms Estelle Morris: Teacher dismissals are not recorded centrally. The National Employers' Organisation for School Teachers have carried out a survey of LEAs in England and Wales on the use of the new capability procedures for teachers which have now been incorporated in most schools. The survey collected responses from 116 LEAs (68 per cent.) for three school terms ending with the spring term 1999 and suggests that for all LEAs over 3,000 teachers had been subject to some form of capability review during the year, with over 600 dismissals under the new procedure. In addition, 194 teachers showed sufficient improvement and a further 439 cases are currently being processed. Work continues on monitoring and reviewing practice in schools and LEAs and the Secretary of State will be issuing further guidance for schools on staff capability after further consultation.

Disabled People

Mr. Boswell: To ask the Secretary of State for Education and Employment what actions he will take in connection with the Prime Minister's recent internet initiative to forward the interests of disabled people, with particular reference to *(a)* access to public buildings housing internet terminals, *(b)* provision of sufficient large screens for those with reading difficulties, *(c)* availability of computers on a personal basis for rehabilitation and employment advisers and *(d)* the creation of a website for disabled jobseekers. [115759]

Ms Hodge *[holding answer 21 March 2000]:* We are determined that people with disabilities should benefit fully from the Prime Minister's recent internet initiative, particularly in their working lives.

Access to buildings housing internet terminals and the provision of large screen facilities intended for public use is covered by the goods and services provisions of the Disability Discrimination Act 1995. The new duties on providers of goods, facilities and services to the public to make reasonable adjustments for disabled people came into force in October last year.

Many of the Department's services used by people with disabilities are provided through the Employment Service. Its services are designed to meet the needs of all its clients, including people with disabilities. We believe that wherever possible help for disabled people should be offered as part of programmes used by a wide range of clients.

The Modernising Employment Service Programme is developing new ways in which all jobseekers can have improved access to services through information and communications technology. People with disabilities will gain from this programme. For example, the specification for the touch screen kiosk technology to be available in

Jobcentres across the country from autumn 2001 has taken account of the needs of clients with visual impairment. The same programme will also make sure computer workstations are available in sufficient numbers to ensure that every member of ES staff will have access whenever they need it.

The Employment Service will continue to upgrade the information it provides on services used by jobseekers with disabilities on the Employment Service website. This includes information about the Access to Work programme and other specialist measures, as well as links to the DfEE Disability page at www.disability.gov.uk. The Employment Service plans to make improvements which will make their website even more user friendly.

Large screen technologies and other forms of help will continue to be available under the Access to Work programme when needed for employment.

Mr. Berry: To ask the Secretary of State for Education and Employment if he will break down the numbers of people whose level of Access to Work support last year fell into the bands *(a)* £0 to £1,000, *(b)* £1,000 to £5,000, *(c)* £5,001 to £10,000 and *(d)* more than £10,000. [115519]

Ms Hodge: The Employment Service does not collect information on Access to Work in the form requested. Access to Work has no upper or lower limit for support and applications fall within all the bands listed, including more than £10,000.

In 1998–99, £19.5 million was spent helping 16,000 disabled people in employment. The average cost of support was £1,200.

The following table gives a breakdown of the spend and numbers helped through the various elements of Access to Work during 1998–99:

Type of help	*Spend (£)*	*Number helped*	*Average cost (£)*
Special aids and equipment	9 million	10,000	900
Travel to work	5.4 million	4,500	1,200
Support workers	4.2 million	3,000	1,400
Adaptations to premises or equipment	0.7 million	400	1,750
Communicator support at interview	66,000	600	110
Miscellaneous support (not covered above)	300,000	550	545

Note:
Some disabled people receive more than one type of support

Education Action Zones

Mr. Clappison: To ask the Secretary of State for Education and Employment what plans he has for further rounds of education action zones. [116082]

Ms Estelle Morris: There are currently 73 large education action zones already running or in development and another 42 small education action zones will start in Excellence in Cities areas by September. In addition, as part of the expansion of Excellence in Cities announced by my right hon. Friend the Secretary of State on 23 March, there are likely to be further small education action zones established next year.

Community Action Programme (Discrimination)

Mr. Bercow: To ask the Secretary of State for Education and Employment if he will make a statement on his policy in respect of the Community Action Programme to Combat Discrimination 2000–06. [115621]

Ms Hodge: The Government fully support the principle of an Action Programme to complement legislative proposals under Article 13 of the Treaty establishing the European Community.

Training and Enterprise Councils

Gillian Merron: To ask the Secretary of State for Education and Employment which TECs *(a)* have and *(b)* have not published audited accounts for the years 1997–98 and 1998–99. [116306]

Mr. Wicks: My Department holds copies of the audited statutory accounts for all 72 TECs in England for these years. Copies have also been placed in the House of Commons Library.

Rover

Mr. Boswell: To ask the Secretary of State for Education and Employment what plans he has to secure continuity for apprentices at Rover. [116295]

Mr. Wicks *[holding answer 27 March 2000]:* Through our contractual arrangements with Birmingham and Solihull Training and Enterprise Council, work is already well underway to ensure that the training programmes of apprentices at Rover continue with minimum disruption.

As an interim measure, where necessary, apprentices will continue full time training at local Colleges of Further Education while alternative employer placements are found.

The TEC has a wide network of training suppliers and employers in the area and is confident that alternative placements can be found quickly for all apprentices who may be affected.

Schools Access Initiative

Mr. Walter: To ask the Secretary of State for Education and Employment if he will make grant allocations available to debt-free local education authorities in fulfilment of his Department's obligations under the Schools Access Initiative 2000–01. [116495]

Jacqui Smith: The Schools Access Initiative (SAI) is part of the overall schools capital programme and so support is delivered through the usual capital mechanisms, which for local education authorities is by way of credit approvals. It is not possible to introduce a different funding arrangement for the SAI or to make an exception for an individual authority.

Class Sizes (Essex)

Mr. Burns: To ask the Secretary of State for Education and Employment what the average class sizes were in Essex *(a)* primary schools and *(b)* secondary schools on (i) 1 May 1997 and (ii) the latest date for which figures are available; and what were the comparable figures for the Mid-Essex area. [116028]

Ms Estelle Morris *[holding answer 27 March 2000]:* The information is not available in the form requested. The available information on average class size in maintained primary and secondary schools for January and September is shown in the tables.

The latest class size count was carried out in September 1999 for infant classes and found further reductions in the percentage of pupils in infant classes of over 30 in the local education authority areas of Essex, Thurrock and Southend-on-Sea. Between September 1998 and September 1999, the percentage of pupils in classes of 31 or more fell from 20 per cent. to 13 per cent. in Essex, 21 per cent. to 10 per cent. in Southend-on-Sea and from 15 per cent. to 11 per cent. in Thurrock. Information for September 1998 and September 1999 was published in separate Statistical First Releases entitled "Infant Class Sizes in England" on 4 March 1999 (99/99) and 21 January 2000 (2/2000), respectively. Copies of both releases are available in the Library.

The class size count for January 2000 is currently being undertaken and provisional national estimates are expected to be published in a Statistical First Release in April.

Average size of classes taught by one teacher in maintained primary and secondary schools in Essex, Southend-on-Sea, Thurrock and England: 1997–99

Position as at January	*1999*	*1998*	*1997*
Essex [1]			
Primary	[3]—	27.6	27.3
Secondary	[3]—	21.7	21.7
Essex [2]			
Primary	27.7	[3]—	[3]—
Secondary	21.6	[3]—	[3]—
Southend-on-Sea [2]			
Primary	28.4	[3]—	[3]—
Secondary	20.9	[3]—	[3]—
Thurrock [2]			
Primary	27.5	[3]—	[3]—
Secondary	23.7	[3]—	[3]—
England			
Primary	27.4	27.7	27.5
Secondary	21.9	21.7	21.7

[1] Before local government re-organisation in April 1998
[2] After local government re-organisation in April 1998
[3] Not applicable

Average size of infant classes taught by one teacher in maintained primary schools in Essex, Southend-on-Sea, Thurrock and England: 1998–99

Position as at September	*1999*	*1998*
Essex	24.7	25.2
Southend-on-Sea	26.1	25.8
Thurrock	24.1	24.9
England	24.9	25.7

CABINET OFFICE

Lord Levy

Mr. Baker: To ask the Minister for the Cabinet Office on which dates Lord Levy has had meetings with *(a)* Ministers and *(b)* senior officials in her Department since 1 May 1997, giving in each case the purpose of the meetings; and if she will make a statement. [113500]

Marjorie Mowlam: Records of meetings with officials are not held centrally but, to the best of my knowledge, no Minister or senior official in the Cabinet Office has met Lord Levy since 1 May 1997 in his capacity as the Prime Minister's personal envoy delivering messages in the Middle East.

Better Government for Older People

Ms Perham: To ask the Minister for the Cabinet Office if the Inter-Ministerial Group for Older People has met the Advisory Group of the Better Government for Older People Programme. [115753]

Mr. Ian McCartney: The Minister of State, Department of Social Security, my right hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker), who chairs the Inter-Ministerial Group on Older People, is meeting representatives of the Programme's Older People's Advisory Group on 27 March.

Press Releases

Mr. Brady: To ask the Minister for the Cabinet Office on how many occasions since 2 May 1997 news releases were distributed by the Central Office of Information by courier to *(a)* national, *(b)* regional and *(c)* local newspapers and media organisations; and what was the total cost of using couriers for each of the above categories. [115638]

Mr. Stringer: There were no occasions on which couriers were used to distribute news releases from my Department. No cost was involved.

Diversity Strategy and Equal Opportunities

Ms Dari Taylor: To ask the Minister for the Cabinet Office if an appointment has been made to the post of Senior Adviser on Diversity Strategy and Equal Opportunities. [116825]

Marjorie Mowlam: I have today announced the appointment of Mr. Museji Ahmed Takolia to the position of Senior Adviser on Diversity Strategy and Equal Opportunities. Mr. Takolia will take up this important and vital new role within Government on 10 April 2000.

Mr. Takolia's role will be key to driving forward the Government's commitment to build a civil service which reflects the diversity of the society which it serves. His responsibility will include driving forward our efforts to increase the diversity of the civil service and to tackle the under-representation of ethnic minorities, particularly at senior levels. He will also be tasked with achieving early progress to demonstrate that faster change is possible, and to increase the level of appointments and secondments at senior levels from under-represented groups.

Mr. Takolia will advise us on the whole of our diversity programme across government and will have the full backing of myself and my ministerial colleagues in order to achieve his objectives.

Family Policy

Ms Kelly: To ask the Minister for the Cabinet Office if she will list the family policy responsibilities of each Government Department. [115748]

Mr. Straw: I have been asked to reply.

The family policy responsibilities of each Government Department are as follows:

The Home Office hosts the Family Policy Unit, set up in April 1999 to support the Ministerial Group on the Family and to co-ordinate family policy across Government. The Home Office funds ParentLine and joint-funds the National Family and Parenting Institute (with other Departments) and runs a Family Support Grant for the voluntary sector. The Home Office is also responsible for the law on marriage, and for policy on race equality, active communities, youth offending, and the criminal law on domestic violence.

The Department of Health has responsibility for children's social and health services. The Department funds a range of voluntary organisations concerned with children's welfare, and leads on the Quality Protects programme, improving the management of children's social services. The Department also has policy responsibility for child protection, adoption and fostering, support for children in need and their families, teenage pregnancy, and the contribution of health professionals to family support.

The Department for Education and Employment is responsible for Early Years services, the National Childcare Strategy, the new ConneXions Service for teenagers, and hosts the Sure Start Unit. The Department is also responsible for parenting and relationship education in schools, involving parents in education, policy on children with special educational needs and family support based in schools. The Department also supports families through the New Deal programme, and leads on the promotion of work-life balance for employees.

The Lord Chancellor's Department has responsibility for family law and court proceedings, and for marriage and relationship support. The Department funds family mediation through the legal aid budget and funds the work of marriage and relationship support organisations. The Department has policy responsibility for divorce and information meeting pilots, child abduction, private law Children Act applications, the division of property on divorce, the civil law on domestic violence, and the development of the new Children and Family Court Advisory and Support Service.

The Cabinet Office houses the Women's Unit, which has responsibility for ensuring that women's interests are mainstreamed in all government policy, including family policy. It also houses the Social Exclusion Unit, which is responsible for developing policies to tackle social exclusion, including in areas such as school exclusions and teenage pregnancy. Finally, the Modernising Public Services Group is responsible for developing more responsive public services (including extended opening hours of services where there is a demand), which will also help families and people with caring responsibilities.

The Department of Trade and Industry is responsible for parental and maternity leave rights and right to time off work for the needs of dependants.

The Department of Social Security has policy responsibility for benefits, including Child Benefit and Income Support. The Department is also responsible for child support.

The Inland Revenue is responsible for tax policy, including the development of the new integrated Child Credit, the Working Families Tax Credit and Childcare Tax Credit.

The Office for National Statistics is responsible for the civil registration service, including the registration of births, marriages and deaths.

The Department of the Environment, Transport and the Regions has responsibility for housing policy, including guidance to Local Authorities, and overall responsibility for regeneration policy.

LORD CHANCELLOR'S DEPARTMENT

House Repossessions (Hampshire)

Mr. Oaten: To ask the Parliamentary Secretary, Lord Chancellor's Department how many house repossessions there were in *(a)* England, *(b)* Hampshire and *(c)* each local authority area in Hampshire, for each year from 1979 to date. [116641]

Jane Kennedy: The information is not available in the form requested. However, the table shows the number of warrants of possession executed. The information is available from 1990 onwards and can be provided only on the basis of individual county courts and not by individual local authority.

Possession warrants executed in the county courts of Hampshire and for England and Wales during the period 1990–99

County court	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*
Aldershot and Farnham	251	416	428	316	555	347	211	183	247	166
Andover	27	65	61	49	37	52	80	44	[1]—	[1]—
Basingstoke	136	237	193	219	70	117	98	115	181	205
Portsmouth	622	736	560	520	454	466	488	490	842	717
Southampton	122	494	545	421	401	347	303	314	234	327
Winchester	32	75	70	36	68	52	56	29	37	35
Hampshire	1,190	2,023	1,857	1,561	1,585	1,381	1,236	1,175	1,541	1,450
England and Wales	41,779	61,139	62,439	51,333	49,222	51,096	48,587	49,865	59,701	71,256

[1] Closed

Public Trust Office

Mr. Colman: To ask the Parliamentary Secretary, Lord Chancellor's Department when he will announce future arrangements for the Public Trust Office. [116123]

Jane Kennedy: I refer my hon. Friend to the written answer I gave my hon. Friend the Member for Bethnal Green and Bow (Ms King) on 8 February 2000, *Official Report*, column 132W.

DEFENCE

Rover Class Tankers

Mr. DuncanSmith: To ask the Secretary of State for Defence what plans he has to replace the Royal Fleet Auxiliary's Rover class tankers. [116451]

Dr. Moonie *[holding answer 27 March 2000]:* We are currently considering options on how best to provide the Replenishment At Sea capability currently provided by the Royal Fleet Auxiliary's Rover class tankers, which are due to leave service in 2007.

Foden Thompson Carmichael MWD

Mr. Swayne: To ask the Secretary of State for Defence what plans he has to fit *(a)* roll bars or *(b)* other anti-crash features to the Foden Thompson Carmichael MWD; and if he will make a statement. [116030]

Dr. Moonie: The cab of the Foden Thompson Carmichael MWD meets accepted European Safety Standards (ECE 29) set for roof crush, rear crush and front impact. There is no evidence to suggest that it is an unstable vehicle and there are no plans to fit roll bars to it. As I indicated in my earlier response on 7 March 2000, *Official Report*, column 648W, a modification programme to bring all MK1 vehicles up to full compliance with the Construction and Use Regulations has begun and will include the fitting of an anti-lock braking system (ABS). No other anti-crash features are planned and the vehicle is considered safe in all regards.

Mr. Swayne: To ask the Secretary of State for Defence, pursuant to his answer of 7 March 2000, *Official Report*, column 649W, what assessment his Department has made of evidence sworn by 24684328 Lance Corporal Seers RLC at Kupres, Bosnia-Herzogovina on 14 January 1998 in respect of the Foden Thompson Carmichael MWD braking system. [116031]

Dr. Moonie: The evidence referred to was given to a Board of Inquiry which investigated a fatal road traffic accident in Bosnia in July 1997. In respect of all the evidence considered by the Inquiry on the braking system fitted to the Foden Thompson Carmichael MWD, recommendations were made to review the driver training procedures for the vehicle, and to introduce an additional check in regard to the pawl lever on the Jacob's Brake—the engine brake system which is complementary to the service braking system. The recommendations have been acted upon.

Mr. Swayne: To ask the Secretary of State for Defence, pursuant to his answer of 7 March 2000, *Official Report*, column 649W, for what reason the two Foden Thompson Carmichael MWD vehicles were returned to BVD Ashchurch for repair by 6 Transport Squadron during Operation Lodestar in August 1996. [116032]

Dr. Moonie: Departmental records show that, in total, three Foden Thompson Carmichael MWD vehicles were returned to the UK for repair in 1996. All three vehicles were returned between January and July 1996 for repair following road traffic accidents while operating in Bosnia. It has not been possible to identify any Foden Thompson Carmichael MWD vehicles being returned to the Base Vehicle Depot (BVD) Ashchurch in August 1996.

AGRICULTURE, FISHERIES AND FOOD

Staff Age Profiles

Dr. Cable: To ask the Minister of Agriculture, Fisheries and Food if he will state *(a)* the number and percentage of staff in his Department who are over the age of (i) 45 years and (ii) 55 years and *(b)* the average age of his staff. [115409]

Mr. Morley: At the end of 1999 the numbers and percentage of staff aged over 45 years and 55 years and the average age of staff in my Department and its Agencies was as follows:

Department/Agency	*Age 45+*		*Age 55+*		
	Number	*Percentage*	*Number*	*Percentage*	*Average age*
Core—MAFF	2,501	36	772	11	39
Pesticides Safety Directorate	35	16	8	4	37
Veterinary Medicines Directorate	46	38	19	16	42
Veterinary Laboratories Agency	416	36	143	13	40
Farming and Rural Conservation Agency	209	32	48	7	38
Centre for Environment, Fisheries and Aquaculture Science	196	38	69	14	40
Meat Hygiene Service	509	34	165	11	41
Central Science Laboratory	152	26	31	5	36

Fisheries (Minimum Landing Sizes)

Mr. Moss: To ask the Minister of Agriculture, Fisheries and Food what representations he has received from fishing organisations regarding the impact of the changes to minimum landing sizes for various species of fish; and what assessment he has made of the effect on fish stocks. [116093]

Mr. Morley: Under the revised EU Technical Conservation Regulation which came into effect on 1 January this year, Minimum Landing Sizes for brill, dab, witch, flounder, turbot and lemon sole were ended. Some fishermen's organisations have asked for their restoration. We are currently considering this with the industry in the UK Fisheries Conservation Group.

I have made clear that, if the industry so wishes, I would be prepared to reinstate some or all of these Minimum Landing Sizes on a national basis and seek to persuade the EU to restore them.

It is too early to assess the impact of the changes in the EU rules.

Waste Incineration Directive

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what representations he has received concerning the potential impact of the Waste Incineration Directive upon farmers; and if he will make a statement. [116248]

Mr. Morley: I have received representations about the implications for farmers of this Directive, for which the Department of the Environment, Transport and the Regions has lead responsibility, from the National Farmers Union, the Countryside Alliance and the National Pig Association.

Harbour Grants

Mr. Moss: To ask the Minister of Agriculture, Fisheries and Food what harbour grants were granted for each of the last five years broken down by amount and location; when harbour grants were discontinued; and how many schemes were pending at that juncture. [116108]

Mr. Morley: The table shows awards of national harbour grant made in England over the last five financial years.

The Harbour Grant Scheme was closed to new applications in England on 21 May 1999. At the time the scheme closed, there were 10 projects which had been formally approved, plus a further 22 projects where applications had been submitted. All these projects are being considered for payment of grant.

National Harbour Grant Scheme
Amount of grant awarded by year and location [1]

Location	£
1994–95	
Appledore	50,000
Bridlington	7,900
Broadstairs	5,340
Newlyn	20,000
Polperro	1,550
Queenborough	18,000
Ramsgate	84,500
West Mersea	7,900
Total for year	195,190
1995–96	
Appledore	2,250
Cadgwith Cove	8,300
Hull	108,800
Looe	28,530
Mevagissey	2,300
Newlyn	5,500
North Shields	172,800
Scarborough	256,700
Scarborough	22,400
Scarborough	49,300
Wells	19,500
Total for year	676,380

National Harbour Grant Scheme
Amount of grant awarded by year and location [1]

Location	£
1996–97	
Flamborough	2,760
Mevagissey	9,400
Mudeford	2,850
Padstow	22,600
Ramsgate	4,500
Sennen Cove	5,500
Total for year	47,610
1997–98	
Cadgwith Cove	14,100
Hartlepool	470,500
Ilfracombe	10,150
Mevagissey	96,750
North Shields	43,000
Polperro	35,000
Rye	14,000
Scarborough	77,000
Seahouses	14,600
Total for year	755,100
1998–99	
Amble	373,000
Bridlington	2,250
Grimsby	169,200
Polperro	2,300
Sunderland	122,100
Total for year	668,850

[1] Actual payments were not necessarily made in the same year as the award

Bass Trawling

Mr. Andrew George: To ask the Minister of Agriculture, Fisheries and Food what were the results of the recent consultation on bass trawling regulations in respect of *(a)* the number, *(b)* the percentage of respondents (i) agreeing and (ii) disagreeing with the proposed regulations *(c)* the number and *(d)* the percentage of respondents in favour of (i) partial and (ii) complete closure of the offshore fishery for bass. [115774]

Mr. Morley *[holding answer 27 March 2000]:* There were a total of 174 responses to the consultation carried out last autumn about possible restrictions on landing bass from UK commercial vessels. Only 13 respondents (7.5 per cent.) were opposed to the proposals made. A total of 53 respondents (30.5 per cent.) wished to go further than the proposals and called for a complete closure of the fishery. The number of responses calling for a partial closure was not recorded.

Farmers (Early Retirement)

Mr. Salmond: To ask the Minister of Agriculture, Fisheries and Food what plans he has to make assistance for early retirement available to farmers under the provisions of the Rural Development Regulation (EC No. 1750/1999). [116222]

Mr. Morley *[holding answer 27 March 2000]:* Neither the England Rural Development Plan nor the Northern Ireland Rural Development Plan include an early retirement scheme for farmers under the provisions of the Rural Development Regulation (EC No 1257/1999). These plans are subject to the approval of the European

Commission and to mid-term reviews. Decisions on which measures to use were taken in the light of extensive consultation and an economic appraisal.

Implementation of the Rural Development Regulation in Scotland and Wales is a matter for the devolved administrations.

Agricultural Land Values

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of recent trends in the value of agricultural land. [115949]

Ms Quin: The most comprehensive information on the sales of agricultural land is collected by the Valuation Office Agency and is analysed and published by MAFF. The table shows the average price of all agricultural land sold in England from 1993 to 1998.

Average sale	*Price £/ha*
1993	3,791
1994	4,229
1995	4,788
1996	6,058
1997[1]	6,456
1998[1]	6,185

[1] Provisional data

Initial information for sales in the first two quarters of 1999 indicate a slight increase in price compared with the same period in the previous year.

Similar data for Wales are published by the National Assembly for Wales.

Food Standards Agency

Dr. Naysmith: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about his Department's future relations with consumers' organisations following the establishment of the Food Standards Agency. [116826]

Mr. Nick Brown: The Ministry already has well-developed relations with consumers and their representative organisations which we intend to build on, following separation of the Food Standards Agency on 1 April.

The consumer interest in food safety will become the principal responsibility of the Food Standards Agency. The Ministry's aim already states clearly the central role which consumer benefit plays in our work. This will not change, but the Ministry's first Objective will be amended (the word "food" in the former Objective will be replaced by the words "farm produce") to become:

> To protect public health in relation to farm produce and to animal diseases transmissible to humans.

The Ministry will retain all its other objectives unchanged as set out in the Departmental Report.

I want to strengthen the Ministry's links with consumer organisations. I have given my noble Friend Baroness Hayman specific responsibility for MAFF's relationship with consumers. She and I intend to meet representatives of the main consumer organisations as soon as possible after the establishment of the Food Standards Agency. Our goal is to ensure that consumer concerns are fully reflected in decision making across the Ministry's responsibilities.

We will also be looking to change existing arrangements, which no longer serve to deliver real benefits to consumers. The Consumer's Committee for Great Britain was established under the Agricultural Marketing Act 1958. Despite its name, the Committee's statutory responsibilities relate only to the interests of consumers in the operation of marketing schemes made under the Act. As a result of changes over the years, only one such scheme now remains, covering wool, and this scheme does not have any direct impact on consumers. We are considering, along with the Scottish Executive and the Welsh Assembly, whether the Agricultural Marketing Act 1958 should be amended. In the meantime, I intend to leave the Committee in abeyance and not re-appoint members.

HOME DEPARTMENT

Passports

Ms Oona King: To ask the Secretary of State for the Home Department what measures he is taking to reduce the number of passports lost by his Department when returning them to their owners; and if he will introduce guidance to ensure they are returned using a registered delivery postal service. [115331]

Mrs. Roche: We believe that the most important factor in reducing the numbers of lost passports is the rapid turnaround of casework and the elimination of backlogs. Over 70 per cent. of all after entry casework is now completed within two weeks and we expect the backlog to be eliminated by the summer. In addition, we are examining our processes with a view to improving the security of passports. We are also examining the costs that would be associated with returning passports by recorded delivery.

Illegal Immigrants

Mr. Cox: To ask the Secretary of State for the Home Department what was the estimated number of illegal immigrants who entered the United Kingdom by hiding in motor vehicles during 1999. [115596]

Mrs. Roche: Information is recorded centrally on the numbers of persons issued with notice of illegal entry as clandestine entrants. This information is collated by the date of issue of notice of illegal entry and does not contain details of the date of entry to the United Kingdom. We have no estimate of the number of persons entering clandestinely whose illegal entry has not yet come to light or of those who claim to have entered illegally, but where a notice of illegal entry has not yet been served. For these reasons, I am unable to provide the information requested.

Provisional information indicates that around 16,500 persons were issued with notice of illegal entry as clandestine illegal entrants during 1999.

Budget Expenditure

Miss Widdecombe: To ask the Secretary of State for the Home Department (1) what proportion of the £100 million

for modernising policing across the UK referred to in paragraph 5.75 of Budget 2000 (HC 346) will be spent on DNA technology; if this funding is in addition to the £34 million for the DNA database announced in Home Office Press Release 299/99; how the money will be spent; and if he will make a statement; [116256]

(2) what proportion of the £100 million for modernising policing across the UK referred to in paragraph 5.75 of Budget 2000 (HC 346) will be spent on accelerating recruitment under the Crime Fighting Fund; by how much recruitment will be accelerated; whether this funding is in addition to the funding for 5,000 additional recruits announced in Home Office Press Release 304/99; if this funding means that more than 5,000 recruits will be recruited over the next three years using money from the Crime Fighting Fund; and if he will make a statement; [116258]

(3) if he will list the capital modernisation projects that have been approved for criminal justice agencies, referred to in Paragraph 5.75 of Budget 2000 (HC 346); [116260]

(4) how the £100 million for modernising policing across the UK referred to in paragraph 5.75 of Budget 2000 (HC 346) is to be spent; and if he will make a statement; [116255]

(5) what proportion of the £100 million for modernising policing across the UK referred to in paragraph 5.75 of Budget 2000 (HC 346) will be spent on police radios; whether this funding is in addition to the £50 million of central funding announced for the Public Safety Radio Communications Project in Home Office Press Release 3033/99; and if he will make a statement. [116257]

Mr. Straw *[holding answers 24 March 2000]:* I refer the right hon. Member to the replies I gave my hon. Friend the Member for Coventry, South (Mr. Cunningham) on 27 March 2000, *Official Report,* columns 1–3W.

Home Detention Curfew Scheme

Miss Widdecombe: To ask the Secretary of State for the Home Department how many offenders released under the Home Detention Curfew scheme to date were convicted of each category of drug offence. [116661]

Mr. Boateng: Of those prisoners released up to 14 March 2000 under the Home Detention Curfew scheme, 2,931 were convicted of drugs related offences. The numbers of prisoners convicted of each type of drugs offence are shown in the table.

	Number
Production	103
Supply	969
Possession with intent	1,238
Possession	396
Unlawful import/export	190
Other drugs	35
Total drugs	2,931

Miss Widdecombe: To ask the Secretary of State for the Home Department how many offenders released on the Home Detention Curfew scheme have subsequently been *(a)* charged with and *(b)* convicted of further offences after completing the scheme; how many such offenders were charged with or convicted of an offence similar in character to the one for which they were originally convicted prior to their release through the scheme; and if he will make a statement. [116533]

Mr. Boateng: Information about offences committed by offenders who have completed a period on the Home Detention Curfew scheme is not held centrally.

Prisons (Drugs)

Mr. Flynn: To ask the Secretary of State for the Home Department if he will list those prisons which he has assessed as being free from the use of illegal drugs. [115944]

Mr. Boateng: Figures from the random mandatory drug testing programme provide the best available measure of the levels of drug misuse across establishments, and over time. The table lists the establishments which have consistently produced rates of positive random drug tests of less than 5 per cent. during the last two years:

Prisons producing rates of positive random drug tests of less than 5 per cent. during the last two years

Establishments:

Albany

Blantyre House

Downview

East Sutton Park

Haslar

Parkhurst

Rochester

Wakefield

Werrington

Whatton

Mr. Flynn: To ask the Secretary of State for the Home Department how many prisoners have been identified as heroin users as a result of random drug testing in each of the last five years. [115947]

Mr. Boateng: The table shows the number of samples which have tested positive for opiates under the random mandatory drug testing programme in each of the last four years during which the programme has been running nationally.

Year	*Number of samples testing positive for opiates*
1996–97	3,096
1997–98	2,720
1998–99	2,860
1999–2000[1]	1,831

[1] Year to date figure for April—December 1999

Asylum Seekers

Mr. Lidington: To ask the Secretary of State for the Home Department which retailers have agreed to take part in the asylum seeker support voucher scheme administered by Sodexho Pass. [116590]

Mrs. Roche: A number of the large retail chains have agreed to take part in the asylum seeker support voucher scheme. A considerable number of smaller retailers have

also agreed to take part in the scheme. As of 27 March, 4,411 retailers incorporating 10,789 outlets have been signed up to the Sodexho Voucher Scheme.

Contractual negotiations are continuing with other retail chains and it would be inappropriate to release any of the names of the chains involved.

Global Cultural Diversity Congress

Mr. Lidington: To ask the Secretary of State for the Home Department what adjustments he plans to make to his forecast of income and expenditure of the Commission for Racial Equality, published on page 113 of the Executive NDPBs 1999 report (Cm. 4657) to take account of the losses incurred following the collapse of the Global Cultural Diversity Congress. [116526]

Mr. Mike O'Brien: None.

The forecast of income and expenditure published on page 113 of the Executive Non-Departmental Public Bodies 1999 Report was made by the Commission for Racial Equality.

Mr. Lidington: To ask the Secretary of State for the Home Department what estimate he has made of the total cost to public funds of the Global Cultural Diversity Congress. [116585]

Mr. Mike O'Brien: None. Until we have the report of the findings of the liquidator it is not possible to make any meaningful estimate of total costs.

Bonds

Mr. Lidington: To ask the Secretary of State for the Home Department to visitors from which countries he intends to apply his proposed pilot scheme for bonds. [116524]

Mrs. Roche: No decision has been made yet on where to run the pilot scheme. However, as the Minister of State, Foreign and Commonwealth Office, the hon. Member for Leicester, East (Mr. Vaz), announced on 20 March 2000, *Official Report*, columns 833–36, it will not operate in any of the countries in the Indian Subcontinent.

Public Bodies

Mr. Lidington: To ask the Secretary of State for the Home Department what plans he has to review the arrangements for the financial accountability of non-departmental public bodies linked to his Department. [116529]

Mr. Straw: I have no plans for such a review. Responsibility for reviewing the arrangements for the financial accountability of non-departmental public bodies (NDPBs) lies with Her Majesty's Treasury and the Cabinet Office. Each Home Office NDPB has an Accounting Officer who is responsible to the Home Office Departmental Accounting Officer, and operates in accordance with a financial memorandum agreed by the Department.

Sex Offender Orders

Mr. Lidington: To ask the Secretary of State for the Home Department how many sex offender orders under the Crime and Disorder Act 1998 have been made. [116525]

Mr. Charles Clarke: Information on the number of Sex Offender Orders made is currently not held centrally, although we are working on a system to ensure that we receive this information on a regular basis.

We are aware of at least 20 sex offender orders having been granted.

Immigration Applications

Mr. Welsh: To ask the Secretary of State for the Home Department what the current average processing time is for immigration applications requesting leave to remain indefinitely. [116580]

Mrs. Roche: The time taken to process an application for indefinite leave to remain in the United Kingdom is affected by a number of factors, including the complexity of individual cases. Over 70 per cent. of all after-entry casework, which includes applications for indefinite leave to remain, is now completed within two weeks of receipt. Applications where further inquiries are needed may take considerably longer. However, streamlined procedures have been introduced throughout the Integrated Casework Directorate to speed up the consideration of all applications, and these processes are regularly reviewed.

Police Statistics

Miss Widdecombe: To ask the Secretary of State for the Home Department if he will list the police officers available for ordinary duty on 30 September 1999, broken down by rank, for each police force in England and Wales. [116530]

Mr. Straw: The information requested is set out in the table.

Police strength in England and Wales—total strength for ordinary duty as at 30 September 1999

	All ranks[1]							
Police force	*Chief Constable*	*Assistant Chief*	*Superintendent*	*Chief Inspector*	*Inspector*	*Sergeant*	*Constable*	*Total police ranks*[1]
Avon and Somerset	1.0	3.0	23.0	36.0	147.6	452.4	2,325.7	2,988.7
Bedfordshire	1.0	2.0	13.0	10.0	54.8	141.5	826.1	1,048.4
Cambridgeshire	1.0	2.0	14.0	13.0	61.3	203.5	977.4	1,272.2
Cheshire	1.0	3.0	19.0	30.0	98.0	328.0	1,564.6	2,043.6
City of London	1.0	2.0	8.0	12.0	46.0	100.8	574.8	744.6
Cleveland	1.0	1.0	24.0	2.0	60.0	196.0	1,088.6	1,372.6
Cumbria	1.0	2.0	10.0	19.0	51.0	170.0	839.9	1,092.9
Derbyshire	1.0	3.0	23.0	28.0	94.0	289.0	1,325.6	1,763.6
Devon and Cornwall	1.0	4.0	33.0	45.0	133.0	422.8	2,222.3	2,861.1
Dorset	1.0	2.0	17.0	22.0	66.0	204.1	964.1	1,276.1

Police strength in England and Wales—total strength for ordinary duty as at 30 September 1999

Police force	All ranks [1] Chief Constable	Assistant Chief	Superintendent	Chief Inspector	Inspector	Sergeant	Constable	Total police ranks [1]
Durham	1.0	2.0	18.0	24.0	77.0	208.7	1,224.0	1,554.6
Dyfed Powys	1.0	2.0	15.0	18.0	46.0	179.0	787.6	1,048.6
Essex	1.0	3.0	24.0	46.0	124.0	446.4	2,190.3	2,834.7
Gloucestershire	1.0	2.0	10.0	15.0	55.0	162.2	852.8	1,098.0
Greater Manchester	1.0	6.0	79.0	89.0	337.3	999.6	5,298.4	6,810.3
Gwent	0.0	0.0	14.0	16.0	54.0	200.0	977.3	1,261.3
Hampshire	1.0	3.0	39.4	36.0	164.8	531.4	2,635.2	3,410.8
Hertfordshire	1.0	3.0	20.0	23.0	96.0	259.3	1,357.7	1,760.0
Humberside	1.0	2.0	20.0	26.0	103.0	279.6	1,494.6	1,926.2
Kent	1.0	4.0	26.0	38.0	142.0	473.4	2,572.3	3,256.7
Lancashire	1.0	3.0	34.0	36.0	164.0	519.1	2,464.4	3,221.4
Leicestershire	1.0	3.0	16.0	19.0	95.0	271.4	1,592.1	1,997.5
Lincolnshire	1.0	2.0	11.0	17.0	65.0	185.5	829.3	1,110.8
Merseyside	1.0	3.0	50.0	55.0	176.0	615.8	3,170.1	4,070.8
Metropolitan Police	7.0	29.0	214.0	388.6	1,208.5	4,050.9	19,986.5	25,884.5
Norfolk	1.0	2.0	17.0	22.0	73.0	203.4	1,063.2	1,381.5
Northamptonshire	1.0	2.0	12.0	10.0	50.6	174.1	880.3	1,130.0
Northumbria	1.0	4.0	36.0	56.0	183.8	532.9	2,986.4	3,800.1
North Wales	1.0	1.0	16.0	29.0	71.0	232.0	1,049.0	1,399.0
North Yorkshire	1.0	1.0	12.0	12.0	53.0	215.5	999.2	1,293.7
Nottinghamshire	1.0	3.0	21.0	19.6	117.0	328.0	1,737.4	2,227.0
South Wales	1.0	4.0	30.0	36.0	159.0	442.0	2,311.0	2,983.0
South Yorkshire	1.0	4.0	38.0	46.0	168.0	485.8	2,422.2	3,165.0
Staffordshire	1.0	3.0	21.0	27.0	112.0	337.7	1,704.3	2,206.0
Suffolk	1.0	2.0	13.0	15.0	55.0	171.4	902.6	1,160.0
Surrey	1.0	3.0	16.0	19.0	76.5	261.8	1,343.9	1,721.1
Sussex	1.0	4.0	27.0	38.0	152.4	466.0	2,221.0	2,909.3
Thames Valley	1.0	3.0	43.0	28.0	194.0	565.4	2,915.2	3,749.5
Warwickshire	1.0	1.0	10.0	8.0	47.0	124.5	724.2	915.7
West Mercia	1.0	3.0	18.0	30.0	99.0	299.7	1,528.7	1,979.4
West Midlands	1.0	4.0	59.0	46.0	307.0	987.4	5,892.0	7,296.4
West Yorkshire	1.0	4.0	45.0	75.0	238.0	669.4	3,840.6	4,873.0
Wiltshire	1.0	2.0	14.0	18.0	62.0	177.9	875.3	1,150.2
Total all forces	48.0	141.0	1,222.4	1,598.2	5,937.5	18,564.8	95,537.9	123,049.7

[1] Full-time equivalents

Note:

In addition 2,414 officers were on secondment to NCS, NCIS and central services, making 125,464 as the total officer strength at 30 September 1999

Rolling Electoral Register

Miss Widdecombe: To ask the Secretary of State for the Home Department when he intends to implement the rolling electoral register under the provisions of the Representation of the People Act 2000; if he will publish regulations relating to the rolling register in draft form; and if he will make a statement. [116657]

Mr. Straw: My intention is to bring regulations providing for rolling electoral registration into force with effect from 16 February 2001 (when the next electoral register will take effect). I hope that it will be possible to publish the regulations in draft form.

NORTHERN IRELAND

Plastic Baton Rounds

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will provide funding for a research programme to find a less potentially lethal alternative to plastic baton rounds. [107812]

Mr. Ingram: The Government have accepted Recommendation 69 of the Report of the Independent Commission on Policing, that a research programme to find a less potentially lethal alternative to plastic baton rounds should be established. The issue is at present being actively considered and a decision on the way forward is expected in the near future.

Police Officers (Oath)

Mr. McNamara: To ask the Secretary of State for Northern Ireland what statutory provisions prohibit serving police officers swearing a new oath. [110957]

Mr. Ingram: There is no statutory prohibition on police officers swearing new oaths voluntarily. However, to take a new police declaration the attestation which they have already made would have to be set aside by statute.

Education and Library Boards (Discretionary Awards)

Mr. Öpik: To ask the Secretary of State for Northern Ireland what the expenditure was on discretionary awards by each Education and Library Board in Northern Ireland in each of the last three years; and if he will make a statement. [114650]

Mr. Ingram: Discretionary awards expenditure by Education and Library Board in Northern Ireland in each of the last three years was as follows.

£000

	1997–98	1998–99	1999–2000 [1]	Total
BELB	1,006	718	558	2,282
WELB	1,382	778	676	2,836
NEELB	1,215	930	538	2,683
SELB	1,585	1,113	600	3,298
SEELB	1,014	575	280	1,869
Total	6,202	4,114	2,652	12,968

[1] Provisional figures

Further and Higher Education

Mr. Öpik: To ask the Secretary of State for Northern Ireland when the Charter for Higher Education for Northern Ireland will be published; and if he will make a statement. [114666]

Mr. Ingram: The Department of Higher and Further Education, Training and Employment has no plans to publish a Higher Education Charter for Northern Ireland.

Mr. Öpik: To ask the Secretary of State for Northern Ireland what plans the Department of Education for Northern Ireland has to promote sporting provision and facilities in the further education sector; and if he will make a statement. [114653]

Mr. Ingram: The Department of Higher and Further Education, Training and Employment has worked with the Further Education Sector to develop guidelines for colleges on a number of health related issues, including physical activities. Further, it has undertaken a mapping exercise on the provision and use of physical education and sports facilities, as part of the Northern Ireland Physical Activity Strategy Action Plan 1999–2002, and as a result has written to the colleges encouraging them to make increased use of such facilities.

The Department has also recently nominated a representative to the Northern Ireland Physical Activity Implementation Group (NIPAIG) which will oversee the implementation of the NI Physical Activity Strategy. One of the key activities of the groups is to consider ways in which Further Education and Higher Education students' participation in fitness and sporting activities can be enhanced and how the time allocated to higher education based teacher training in Physical Education might be increased.

Mr. Öpik: To ask the Secretary of State for Northern Ireland how many applications have been made by students from Northern Ireland during the current year to UCAS and CAO/CAS; and if he will make a statement. [114659]

Mr. Ingram: For entry in 2000, there were 13,539 NI applicants to Higher Education courses through the Universities and Colleges Admissions Service (UCAS) and 1,242 through the Central Applications Office at their respective closing dates for applications. The closing date for applications to UCAS was 15 December 1999 and 1 February 2000 for applications to CAO. Both UCAS and CAO expect further applications after the closing date.

Mr. Öpik: To ask the Secretary of State for Northern Ireland what the breakdown is by *(a)* gender, *(b)* age and *(c)* religious background of student enrolments in each further and higher education institution in Northern Ireland for each of the past five years; and if he will make a statement. [114676]

Mr. Ingram: The information requested has been placed in the Library.

Mr. Öpik: To ask the Secretary of State for Northern Ireland how many applications were made by students from Northern Ireland during each of the last three years to UCAS and CAO/CAS; and if he will make a statement. [114660]

Mr. Ingram: NI applicants to Higher Education courses through the Universities and Colleges Admissions Service (UCAS) and the Central Applicants Office (CAO) are as follows:

	UCAS applicants	CAO applicants
1998	15,515	1,348
1999	15,067	1,437
2000	13,539	1,242

Note:
Figures for 2000 are at the respective closing dates for applications (15 December for UCAS and 1 February for CAO) and do not include late applications

Mr. Öpik: To ask the Secretary of State for Northern Ireland what the student dropout rates were for each further and higher education college in Northern Ireland in each of the past three years; and if he will make a statement. [114678]

Mr. Ingram: This Department does not calculate drop out rates for Higher Education institutions. The Higher Education Funding Council for England (HEFCE) has calculated projected non-completion rates for full-time students starting first degree courses in Higher Education institutions in the UK. Currently, values are available for 1996–97 only. The values for the Queen's University of Belfast are 10 per cent., and for the University of Ulster are 17 per cent. It should be noted that differences between institutions, such as subject mix or the qualifications on entry of their students make comparisons between institutions unreliable. For this reason HEFCE has produced benchmarks against which an institution's value can be compared. The benchmarks for the Queen's University of Belfast and the University of Ulster are 12 per cent. and 18 per cent. respectively. The methodology used to calculate values and benchmarks is contained in the HEFCE publication "Performance indicators in higher education 1996–97, 1997–98".

Student dropout rates for each further Education College are not available.

Mr. Öpik: To ask the Secretary of State for Northern Ireland what research his Department has commissioned or evaluated on gender differences in the participation of Protestants from a manual work background in post-school education in Northern Ireland; and if he will make a statement. [114658]

Mr. Ingram: This Department has not commissioned or evaluated any research which has looked specifically at gender differences in the participation of Protestants from a manual work background in post-school education in Northern Ireland.

Mr. Öpik: To ask the Secretary of State for Northern Ireland if he will make a statement on the Government's current policy on promoting community relations programmes in post-school education in Northern Ireland. [114655]

Mr. Ingram: The Department fully recognises the importance of promoting community relations programmes in post-school education.

The Department is setting up a working group together with representatives from the further education sector and the National Union of Students/Unions of Students in Ireland (NUS/USI), to consider how cultural diversity can best be recognised and promoted.

The Northern Ireland Universities have affirmed their commitment to promoting a pluralist environment which celebrates diversity across their campuses. They are working closely with the Student Unions in support of their programme for promoting community relations among students.

Mr. Öpik: To ask the Secretary of State for Northern Ireland if he will make a statement on the PAFT analysis carried out by the Department of Education for Northern Ireland regarding recent changes to student financial support arrangements. [114664]

Mr. Ingram: The PAFT analysis of the student support arrangements introduced from the 1998–99 academic year recognised that the changes would have beneficial effects for some groups of students, but might also have the potential to act as a disincentive for others entering higher education. It concluded that, in general terms, the policy of maintaining parity in student support matters with England and Wales has been, over the long term, to the advantage of Northern Ireland students and that, in value for money terms, it represented an effective use of resources.

Mr. Öpik: To ask the Secretary of State for Northern Ireland what the expenditure was on promoting community relations work in each further and higher education college in Northern Ireland in each of the past three years; and if he will make a statement. [114677]

Mr. Ingram: The Department does not hold these details.

Mr. Öpik: To ask the Secretary of State for Northern Ireland what were the *(a)* number of and *(b)* expenditure on postgraduate awards in Northern Ireland in each of the last three years; and if he will make a statement. [114652]

Mr. Ingram: The number of, and expenditure on, postgraduate awards in each of the last three years are as follows:

Financial year	*Number of awards*	*Expenditure (£000)*
1997–98	575	4,565
1998–99	536	4,253
1999–2000	434	3,903

These figures exclude a small number of postgraduate awards made by the Education and Library Boards under the Department of Higher and Further Education Discretionary Awards arrangements. The collation of such information would involve disproportionate costs.

Mr. Öpik: To ask the Secretary of State for Northern Ireland what plans the Government have to make UCAS collect data relating to the religious background of applicants from Northern Ireland; and if he will make a statement. [114654]

Mr. Ingram: My Department has written to the Universities and Colleges Admissions Service (UCAS) asking it to include a question about community background on UCAS application forms completed by Northern Ireland-domiciled students. The request is under consideration and a conclusion may not be reached for some months. Pending the outcome I should say there is no question of my Department forcing UCAS to include a question on community background. Such a question would in any event be subject to voluntary response by the student applicant.

Mr. Öpik: To ask the Secretary of State for Northern Ireland what estimate his Department has made of the cost of restoring maintenance grants for students in Northern Ireland; and if he will make a statement. [114662]

Mr. Ingram: If maintenance grants for Northern Ireland-domiciled students were to be restored, the costs could be in the region of £40 million in a full year.

Mr. Öpik: To ask the Secretary of State for Northern Ireland what the access fund allocation and take-up rate was for each institution of further and higher education in Northern Ireland in each of the last three years; and if he will make a statement. [114657]

Mr. Ingram: Access Funds allocation and take-up rates for the last three years are:

£

	Academic year					
	1997–98		*1998–99*		*1999–2000*	
	Allocation	*Expenditure*	*Allocation*	*Expenditure*	*Allocation*	*Expenditure*
Armagh	7,618	7,720	16,033	15,931	14,046	—
BIFHE	94,612	94,503	180,076	104,220	302,739	—
Castlereagh	7,612	7,612	14,779	14,779	28,047	—
Causeway	10,927	10,927	33,913	19,040	42,923	—
East Antrim	19,763	21,097	38,048	28,500	54,998	—
East Down	14,188	14,196	28,945	26,196	42,735	—
East Tyrone	17,830	18,370	30,704	26,071	36,986	—
Fermanagh	12,990	12,920	38,410	34,927	51,878	—
Limavady	3,236	3,236	32,293	32,293	37,541	—
Lisburn	8,958	8,958	14,231	14,230	30,371	—

£

	Academic year 1997–98		1998–99		1999–2000	
	Allocation	Expenditure	Allocation	Expenditure	Allocation	Expenditure
Newry	44,212	43,480	53,168	48,444	70,229	[1]—
NIHCC	3,265	2,771	47,071	29,381	44,815	[1]—
North Down	33,202	33,202	68,075	60,639	89,571	[1]—
North East	40,522	42,997	67,303	54,521	74,053	[1]—
North West	31,142	33,235	102,440	95,961	118,265	[1]—
Omagh	12,595	12,595	18,902	18,902	28,507	[1]—
Upper Bann	28,264	26,066	32,920	26,015	60,296	[1]—
Total	390,936	393,885	817,311	650,050	1,128,000	[1]—

[1] Expenditure details not yet available

Note:

Funding has been substantially increased over this period and is evidence of Government's commitment to implementing their Lifelong Learning Policy

Mr. Öpik: To ask the Secretary of State for Northern Ireland what estimate his Department has made of the cost of abolishing the system of student tuition fees in Northern Ireland; and if he will make a statement. [114661]

Mr. Ingram: If the contribution towards the cost of tuition fees was to be abolished, the cost would be in the region of £15.5 million in a full year.

Mr. Öpik: To ask the Secretary of State for Northern Ireland how many student enrolments there were on a full-time and part-time basis for each further and higher education establishment in Northern Ireland over the past three years; and if he will make a statement. [114675]

Mr. Ingram: The information requested is contained in the tables.

Enrolments at NI higher education institutions 1996–97 to 1998–99

	1996–97			1997–98			1998–99		
	Full-time	Part-time	Total	Full-time	Part-time	Total	Full-time	Part-time	Total
The Queen's University of Belfast	11,763	6,794	18,557	13,750	6,712	20,462	13,575	7,446	21,021
University of Ulster	13,131	5,698	18,829	13,617	6,541	20,158	13,464	6,015	19,479
St. Mary's University College	601	19	620	590	22	612	609	29	638
Stranmillis University College	594	65	659	578	70	648	668	282	950
Total	25,989	12,576	38,665	28,535	13,345	41,880	28,316	13,772	42,088

Enrolments on vocational courses at NI further education colleges/institutes, by mode of attendance, 1996–97 to 1998–99

	1996–97			1997–98			1998–99		
College/Institute	Full-time	Part-time	Total	Full-time	Part-time	Total	Full-time	Part-time	Total
Armagh	1,287	605	1,892	1,374	591	1,965	1,295	613	1,908
BIFHE	4,680	17,462	22,142	4,407	17,456	21,863	4,030	18,336	22,366
Castlereagh	777	2,552	3,329	851	2,463	3,314	767	2,487	3,254
Causeway	1,211	2,143	3,354	1,065	1,958	3,023	1,070	1,834	2,904
East Antrim	1,127	3,763	4,890	1,152	3,923	5,075	1,069	3,769	4,838
East Down	1,227	2,879	4,106	1,227	2,523	3,750	1,154	2,722	3,876
East Tyrone	863	1,817	2,680	868	1,978	2,849	828	1,879	2,707
Fermanagh	1,076	1,790	2,866	1,060	2,060	3,120	948	2,318	3,266
Limavady	839	1,046	1,885	821	1,116	1,937	934	1,374	2,308
Lisburn	1,103	2,562	3,665	1,108	2,333	3,441	1,097	2,417	3,514
North Down and Ards	1,878	4,183	6,061	1,973	4,409	6,382	2,049	4,580	6,629
North East	2,098	4,227	6,325	2,181	3,790	5,971	2,107	3,915	6,022
Newry and Kilkeel	1,858	3,241	5,099	1,820	3,682	5,502	1,774	3,831	5,605
NIHCC	378	162	540	422	226	648	395	158	553
North West	2,496	5,442	7,938	2,474	6,247	8,721	2,358	6,212	8,570
Omagh	918	1,822	2,740	917	1,977	2,894	778	1,715	2,493
Upper Bann	1,217	4,373	5,590	1,248	3,969	5,217	1,201	4,286	5,487
Total	25,033	60,069	85,102	24,968	60,701	85,669	23,854	62,446	86,300

Note:

Figures represent snapshots of enrolments at 1 November each academic year

Prisoners (Parole)

Mr. Hunter: To ask the Secretary of State for Northern Ireland what financial grant was made available to prisoners who were subject to release under the early release scheme when they were granted parole over Christmas and the New Year. [115378]

Mr. Ingram: Each prisoner was paid a home leave allowance of £3 per day for every day he was on home leave. He also received a £1 subsistence allowance irrespective of the number of days out on home leave.

All prisoners granted Christmas Home Leave received the same financial allowances.

Cross-border Implementation Bodies

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if the remuneration and expenses due to board members of the cross-border implementation bodies continue to be paid since the suspension of the Northern Ireland Assembly on 11 February; and which members of the boards of the cross-border implementation bodies have declined to accept (i) remuneration and (ii) expenses since the suspension of the Northern Ireland Assembly on 11 February. [115336]

Mr. Mandelson: None of the members of the boards of the North/South Implementation Bodies has yet been paid any of the remuneration due to them since the bodies were established on 2 December 1999.

Since the suspension of the Northern Ireland Assembly, only members of the Board of the North/South Language Body have received reimbursement of expenses. These were in respect of a meeting that took place prior to suspension.

No members of the Boards have declined to accept remuneration or expenses since the suspension of the Northern Ireland Assembly.

RUC (Compensation Claims)

Mr. McNamara: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 14 March 2000, *Official Report*, column 124W, on RUC (Compensation Claims), what procedures are in operation recording expenses arising from compensation claims against the RUC; and for how long such records have been kept. [115799]

Mr. Ingram: From April 1998, following the introduction of the Police (Northern Ireland) Act, details of compensation claims against the Royal Ulster Constabulary are maintained under new claims; claims disposed of; damages paid; Plaintiff's solicitors costs; Crown Solicitors costs and Crown Solicitors outlay.

It is not possible to quantify other costs/expenses associated with compensation claims as work is carried out by many different branches within the RUC as a part of their overall responsibilities.

Adult Education

Mr. Hilary Benn: To ask the Secretary of State for Northern Ireland for what reason the decision was taken to discontinue funding awards for students from Northern Ireland to undertake courses at residential institutions for adult education in Great Britain from the beginning of the 1999–2000 academic year; and if he will make a statement. [115911]

Mr. Ingram: The Comprehensive Spending Review, which set public expenditure priorities for Government Departments in 1999–2000 and beyond, provided additional funding in education to develop Government policy of Lifelong Learning in a number of directions such as:

Increasing places in further and higher education;

establishing the University for Industry and Individual Learning Accounts in Northern Ireland, and

putting in place actions to address significant problems of adult literacy and numeracy.

Inevitably, however, reductions had to be made in a number of student support programmes to allow priorities to be clearly targeted and, as a consequence, some difficult decisions had to be made. Underpinning these decisions was the objective of concentrating available resources on those students awards which support domestic provision and which have the most economic relevance to Northern Ireland, such as research studentships.

In light of this it was decided not to continue to fund the very small number of awards usually made available to Northern Ireland students wishing to undertake courses at residential institutions for adult education in Great Britain from 1999–2000 academic year.

Nevertheless, support has been sustained for adult education access courses to higher education in Northern Ireland, both through continuing bursaries available at Magee College, University of Ulster and, more importantly, through funding of higher education access courses provided by the Further Education and Higher Education Colleges in conjunction with the local universities. These provide a very important domestic route to higher education for mature students in Northern Ireland who would otherwise be unable to enter higher education through conventional academic channels.

Camperdown Garden Village

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many dwellings are proposed in Planning Application No. X/2000/0001/0 for a residential development known as Camperdown Garden Village; what proposals there are for a foul sewage system for this development; how many new primary school places will be required for this development; what proposals there are to improve the existing road system at the site; and if he will make a statement. [116085]

Mr. George Howarth: Responsibility for this matter has been delegated to the Planning Service under its chief executive, Mr. H. S. Mckay. I have asked him to arrange for a reply to be given.

Letter from H. S. McKay to Mr. John D. Taylor, dated 28 March 2000:

The Secretary of State has asked me to reply to your recent Question about the proposed residential development known as Camperdown Garden Village.

A planning application received in December 1999 indicated a total of 2500 dwellings at the site.

There is no suitable foul sewage system to serve the proposed development and if permitted substantial infrastructure will be needed.

If the development were to be approved, additional education provision for about 665 children of primary school age would be required. A site for a new primary school is indicated on the sketch scheme submitted with the application.

Vehicular access to the site is via four junctions from existing roads; two are on the Comber Road and two are on the Ballyrainey Road, which is improved and re-aligned. The dedicated bus lane in the old railway line is served by a park and ride facility. The E-Way study, commissioned by the Northern Ireland Transport Holding Co. examines alternative public transport options for re-using the old railway line to Comber.

The application is currently under consideration and comments are awaited in relation to the application and the environmental statement. Following the receipt and consideration of these comments a decision will be taken on how best to progress the application.

I do hope you find this helpful.

FOREIGN AND COMMONWEALTH AFFAIRS

Federal Republic of Yugoslavia

Dr. Ladyman: To ask the Secretary of State for Foreign and Commonwealth Affairs when the EU flight ban against the Federal Republic of Yugoslavia was suspended. [116741]

Mr. Hain: I refer to the written answer given by the Minister for Europe to my hon. Friend the Member for Gedling (Mr. Coaker) on 14 March 2000, *Official Report*, column 142W. The EC Regulation required to give effect to Common Position 2000/176/CFSP suspending the flight ban against the FRY was adopted by the Council of the European Union on 20 March 2000. EC Regulation 607/2000 came into force on 22 March and, in addition to suspending EC Regulation 2151/1999 imposing the flight ban until 28 August 2000, permits, in relation to the suspension of the flight ban, specific exemptions from Regulation 1294/1999 concerning a freeze of funds and a ban on investment, and from Regulation 2111/1999 prohibiting the sale and supply of petroleum products to certain parts of the FRY.

Council of the European Union

Dr. Ladyman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the forthcoming business in the Council of the European Union for April together with the major European Union events for the next six months. [116742]

Mr. Vaz: The answer is as follows:

Monthly forecast of EU business: April 2000

This calendar is primarily concerned with European Union matters, but certain other relevant events are also included. Events and dates quoted are based on the information available on the date of issue.

April:

3–4 April—Cairo EU—Africa Summit

Socio-economic Issues

Prospects for Regional Integration

Integrating Africa into the world economy, including trade, investment, transfer of technology and debt.

Political Issues

Human rights, democratic principles and institutions, good governance and rule of law, including empowering the civil society, terrorism, migration issues and xenophobia.

Peace building, conflict prevention, management and resolution, including refugees and illegal arms trafficking.

Development Issues

Challenges to sustainable development in Africa, including poverty eradication, investment in human resources, education, health and environment

4 April—Brussels Intergovernmental Conference (Preparatory Group)

No agenda available

7–8 April—ECOFIN Council (Informal)

No formal agenda

10–11 April—Luxembourg General Affairs Council

No agenda yet available

11 April—Luxembourg EU/Turkey Association Council

Agenda not yet finalised

10–14 April—Strasbourg European Parliament Plenary

No agenda yet available

13 April—Luxembourg Consumer Affairs Council

No agenda yet available

14–16 April—Oporto Environment Council (Informal)

No formal agenda

17–18 April—Luxembourg Agriculture Council

No agenda yet available

European calendar: April—September 2000

This calendar is primarily concerned with European Union matters, but certain other relevant events are also included. Events and dates quoted are based on the information available on the date of issue.

Date	*Venue*	*Event*
April		
3–4	Cairo	EU-Africa Summit
4	Brussels	Intergovernmental Conference (Preparatory Group)
7–8	Lisbon	ECOFIN Council (Informal)
10–11	Luxembourg	General Affairs Council
11	Luxembourg	EU/Turkey Association Council
10–14	Strasbourg	European Parliament Plenary
13	Luxembourg	Consumer Affairs Council
15–16	Oporto	Environment Council (Informal)
17–18	Luxembourg	Agriculture Council
May		
2	Brussels	Telecommunications Council
3–4	Brussels	European Parliament Plenary
5–7	San Miguel, Azores	Informal Meeting of Foreign Ministers
8	Brussels	ECOFIN Council
8	Lisbon	EU/New Zealand Ministerial
11	Brussels	Health Council
15–16	Brussels	Agriculture Council
15–16	Oporto	WEU Council
15–19	Strasbourg	European Parliament Plenary
16	Brussels	Culture Council
18	Brussels	Industry Council
18	Brussels	Development Council
22–23	Brussels	General Affairs Council

Date	Venue	Event
May		
25	Brussels	Internal Market Council
25–26	Lisbon	EuroMed Foreign Ministers Meeting (Informal)
28–30	Evora	Agriculture Council (Informal)
29–30	Brussels	Justice and Home Affairs Council
30	Brussels	Energy Council
June		
5	Luxembourg	ECOFIN Council
6	Luxembourg	Social Affairs Council
7	Fiji	ACP/EU Ministerial
8	Fiji	Signing of post Lome convention
8	Luxembourg	Education Council
13–14	Luxembourg	General Affairs Council
13–16	Strasbourg	European Parliament Plenary
15	Luxembourg	Research Council
16	Luxembourg	Fisheries Council
19–20	Luxembourg	Agriculture Council
19–20	Sta. Maria de Feira	European Council
21–23	Cyprus	3rd Euro-Mediterranean Conference of the Ministers of Industry
22–23	Luxembourg	Environment Council
26–27	Luxembourg	Transport Council
28	Lisbon	EU/India Summit
July		
3–7	Strasbourg	European Parliament Plenary
6–7	Lille	Culture Council
7–8	Paris	Social Affairs Council (Informal)
10–11	Brussels	General Affairs Council
15–16	Paris	Environment Council (Informal)
17	Brussels	ECOFIN Council
17–18	Brussels	Agriculture Council
24	Brussels	Budget Council
27	Bangkok	ASEAN Regional Forum (ARF) Ministerial
28–29	Bangkok	ASEAN Post Ministerial
28–29	Arles	Justice and Home Affairs Council (Informal)
August		
There are no Councils scheduled for this month		
September		
1–2	Evian	Gymnich
3–5	Biarritz	Agriculture Council (Informal)
6	New York	EU/Ukraine Summit
9–10	Paris (tbc)	ECOFIN Council (Informal)
18	Brussels	Telecommunications Council
18–19	Brussels	General Affairs Council
25–26	Brussels	Agriculture Council
28	Brussels	ECOFIN Council
28	Brussels	Internal Market Council
28–29	Marseilles	Justice and Home Affairs Council

European Institutions

Mr. Chaytor: To ask the Secretary of State for Foreign and Commonwealth Affairs what were the running costs in the last year for which figures are available of *(a)* the North Atlantic Assembly, *(b)* the WEU Parliamentary Assembly and *(c)* the OSCE Parliamentary Assembly; and what was the United Kingdom's contribution in each case. [116650]

Mr. Vaz: These are the figures for 1999 budgets and estimated costs for 2000:

Organisation/ Year	Total cost (£)	UK contribution (£)	UK cost share (%)
NATO			
1999	1,764,634.91	316,233.42	18.32
2000	1,796,860.00	294,519.84	17.25
WEU			
1999	3,825,724.23	650,375.21	16.75
2000	3,409,062.90	579,540.69	16.75
OSCE			
1999	934,289	84,086	9
2000	No formal estimates available		

Mr. Chaytor: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the cost of the UK delegations to *(a)* the North Atlantic Assembly, *(b)* the WEU Parliamentary Assembly and *(c)* the OSCE Parliamentary Assembly, in the last year for which figures are available. [116651]

Mr. Vaz: Authorities for the House of Commons and House of Lords are responsible for the financing of delegates' attendance at the Assemblies. Costs are borne on the votes of the House of Commons and House of Lords.

Kosovo

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what representations he has received from *(a)* the US authorities, *(b)* the EU authorities and *(c)* NATO member states, concerning the internal US Defense Department report into the leaking of NATO military information during the Kosovo conflict; [116349]

(2) what assessment he has made of the United States Defense Department report into alleged espionage at NATO during the Kosovo conflict; and if he will make a statement on it; [116351]

(3) when his Department was first informed of the US report into alleged espionage at NATO during the Kosovo conflict; [116350]

(4) what representations he has made to NATO countries about the US internal report on alleged espionage at NATO during the Kosovo conflict. [116352]

Mr. Vaz: NATO and Pentagon spokesmen have made it clear they have no evidence of Serbian espionage at NATO during the Kosovo conflict. In the light of initial media reports, there were contacts with US and NATO officials to establish whether there was any substance to the allegations. But there were no representations made to, or received from, EU partners or NATO Allies.

Tartan Day Reception

Mr. Salmond: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the British Ambassador in Washington concerning invitations to Scottish politicians to attend the Tartan Day Reception in the UK Ambassador's residence in Washington. [116574]

Mr. Battle: The Secretary of State has had no discussions with the British Ambassador concerning invitations to the Tartan Day Receptions in Washington.

Ambassadors (Political Impartiality and Discipline)

Mr. Salmond: To ask the Secretary of State for Foreign and Commonwealth Affairs what *(a)* rules relating to political impartiality and *(b)* disciplinary procedures apply to ambassadors. [116575]

Mr. Hain: All members of the Diplomatic Service, regardless of grade or position, are subject to the Diplomatic Service Code of Ethics and to Diplomatic Service Regulations, which include Regulations on required standards of conduct. The Code of Ethics requires officers to maintain political impartiality at all times. Any member of staff found to have contravened Diplomatic Service Regulations is subject to the disciplinary procedures set out in the Regulations.

PRIME MINISTER

Health Spending

Mr. Corbett: To ask the Prime Minister, pursuant to his oral statement on 22 March 2000, *Official Report*, columns 981–84, what is the proportion of national income that is estimated will be spent on health by the end of 2003–04. [116869]

The Prime Minister: As announced by my right hon. Friend the Chancellor of the Exchequer on 21 March, provision has been made available for the UK which will allow the average real-terms increase for the UK health service over the next four years to be 6.1 per cent. So health service spending will rise from last year's £45.1 billion, and this year's £49.3 billion, to: next year, £54.2 billion; the year after, £58.6 billion; then £63.5 billion; and then from April 2003, £68.7 billion.

As a result, on current forecasts, UK health spending as a proportion of GDP will increase to around 7.6 per cent. by 2003–04. It is expected that spending within the private health care sector will remain at around 1 per cent. of GDP and the overall rise to 7.6 per cent. is almost solely accounted for by the real terms increase in NHS spending.

The 8 per cent. EU average, as calculated by the OECD, is based on total health care spending. It is therefore directly comparable to the 7.6 per cent. figure.

HOUSE OF COMMONS

Taxis

Miss McIntosh: To ask the Chairman of the Administration Committee if the Committee will establish a booking system for taxis to be available to hon. Members after late-night sittings. [116041]

Mrs. Roe: I do not consider such a system to be necessary, as there are adequate facilities available already. In addition to the taxi light and bell at the Members' Entrance in New Palace Yard, there is an auto-dial telephone programmed with two numbers to the Millbank taxi rank. Hon. Members have absolute priority at all times in summoning taxis at the Members' Entrance, and prior booking arrangements with taxi firms should remain the responsibility of individual hon. Members.

CULTURE, MEDIA AND SPORT

Wembley Stadium

Mr. Faber: To ask the Secretary of State for Culture, Media and Sport what is the basis for the reference in his Department's news release no. 49/2000 of 2 March to a 20 ft high, 10 acre concrete platform at the new Wembley National Stadium. [115228]

Kate Hoey: The reference to the 20 ft high proposed platform was based on fact. The reference to a size of 10 acres was an unfortunate error, picked up from descriptions given at earlier meetings; the reference should have been to a size of about 5 acres. The proposed

platform remains poor value for money and an inappropriate solution to the need for an international athletics facility.

TRADE AND INDUSTRY

BNFL

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 28 February 2000, *Official Report*, columns 51–52W, on the visit of British nuclear officials to Japan, for what reason details of the Nuclear Installations Inspectorate report on irregularities and safety of MOX production at Sellafield were released to the Japanese authorities prior to their official release in the United Kingdom; and which bodies in Japan received the NII reports and under what conditions of confidentiality. [114141]

Mrs. Liddell: The Health and Safety Executive's Chief Inspector of Nuclear Installations visited the Japanese nuclear regulator, the Ministry of International Trade and Industry (MITI), on 7 February 2000 when he made a detailed presentation of his findings into the falsification of pellet diameter quality assurance data in the MOX Demonstration Facility at Sellafield. He also handed over to MITI a pre-publication copy of the report prepared by HM Nuclear Installations Inspectorate (NII), "An investigation of pellet diameter data in the MOX demonstration facility at the BNFL Sellafield site and the effect of this on the safety of MOX fuel in use". He did this as part of the on-going dialogue between HSE/NII and MITI, as the relevant safety regulators, in view of the importance to Japan of the issues in the report and to allow the Japanese authorities sufficient time to prepare for any inquiries they might receive. The Japanese authorities agreed to make no public comment about the report or HM Chief Inspector's discussions with them before its publication.

Mr. Chaytor: To ask the Secretary of State for Trade and Industry if he will make an assessment of the effectiveness of Lloyd's Register Quality Assurance Ltd. as verification agents of British Nuclear Fuels environmental, health and safety policies and practices at Sellafield. [114823]

Mrs. Liddell *[holding answer 23 March 2000]:* Lloyds Register Quality Assurance (LRQA) Ltd. is a commercial organisation accredited by the United Kingdom Accreditation Service for the certification of quality and environmental management systems (ISO 9000 and 14000). They are contracted by BNFL for this purpose. BNFL's decision to use LRQA is a matter for BNFL.

Dr. Jack Cunningham: To ask the Secretary of State for Trade and Industry what is the normal period of service for a non-executive director of British Nuclear Fuels Ltd. [115994]

Mrs. Liddell *[holding answer 27 March 2000]:* The length of service of non-executive directors of BNFL varies according to the needs of the company. Subject to this, a non-executive director can normally expect to be appointed for a period of up to three years and, assuming satisfactory performance, can expect a re-appointment for a second term of a similar duration. Further re-appointments are sometimes made, taking account of the Code and Guidance of the Office of the Commissioner for Public Appointments.

Electricity Industry (Safety)

Liz Blackman: To ask the Secretary of State for Trade and Industry what account Ofgen took of the minimum staffing levels required in respect of safety when setting its revised price controls for the electricity industry; and if he will make a statement. [114132]

Mrs. Liddell *[holding answer 13 March 2000]:* Safety is of paramount importance in the electricity distribution industry and an issue which transcends price controls. Companies have statutory obligations, enforced by the Health and Safety Executive (HSE) as well as the Electricity Supply Regulations 1988, which is the responsibility of the Engineering Inspectorate in my Department. The Office of Gas and Electricity Markets, in proposing price controls, takes account of these obligations, and companies, in accepting the price controls, accept their obligations to operate safe networks with the revenues provided.

British Investments (Azerbaijan)

Mr. Cohen: To ask the Secretary of State for Trade and Industry if he will estimate the value of British investments in Azerbaijan in *(a)* oil and gas extraction, *(b)* oil and gas transport, *(c)* oil and gas support services, *(d)* hotels and leisure, *(e)* banking, *(f)* service industries, *(g)* manufacturing, *(h)* retail sales, *(i)* telecommunications, *(j)* construction and *(k)* agriculture. [115558]

Mr. Caborn: The exact figures are not available but our Embassy in Baku have estimated that the total amount of UK investment in Baku is around $1 billion. This represents money actually spent by UK companies like BP Amoco in the country on design or engineering work to date. The breakdown is as follows:

	$
(a) oil and gas extraction	755 million
(b) oil and gas transport	210 million
(c) oil and gas support services	25 million
(d) hotels and leisure	1 million
(e) banking	2 million
(f) service industries	2 million
(g) manufacturing	0
(h) retail sales	500 thousand
(i) telecommunications	2 million
(j) construction	2 million
(k) agriculture	500 thousand
Total	1 billion

Internal Market Council

Mr. Hood: To ask the Secretary of State for Trade and Industry what was the outcome of the Internal Market Council held in Brussels on 16 March; and if he will make a statement. [115548]

Mrs. Liddell: I represented the UK at the Internal Market Council in Brussels on 16 March.

There was an open debate on the Commission's outline proposals for an EU Food Authority, guided by a series of Presidency questions on the separation of risk assessment and risk management, the relationship between the EU Authority and national bodies, the scope of the Authority's responsibilities and access to the Authority. Other Councils will also be considering the Commission's White Paper and there will be a report to the European Council in June. The Commission will take account of the Council's views in formulating its detailed proposals which will be issued in September.

There was discussion of the Cardiff Economic Reform Process and of the preparations for the Lisbon Special Summit. The Council agreed Conclusions on economic reform to be forwarded to the Lisbon Summit and there was general support for the Presidency framework for Lisbon. The Council acknowledged the significance of Lisbon as a starting point for economic reform for the new economy and discussed the need for return to be accompanied by rationalisation of the Council structure.

The Commission introduced a review—which took full account of UK views—of the Simpler Legislation in the Internal Market (SLIM) initiative; the Council will be asked to agree Conclusions on the review at the IMC on 25 May. There was a debate on the Commission's eEurope initiative and the Presidency noted that an Action Plan will be adopted at the June European Council in Feira.

The Council reached political agreement on amendments to the Community Customers Code and on the Jams Directive, where the exclusion of "bakery jams" is preserved and is therefore a satisfactory outcome for the UK. The Presidency reported briefly on the Copyright Directive and the Spanish asked for rapid progress on the Community Designs Regulation.

During lunchtime discussion of the Takeovers Directive, UK and Spain reported that a solution of the issue of communications between Gibraltar competent authorities and counterparts in other member states was in sight.

Habitats Directive

Mr. David Stewart: To ask the Secretary of State for Trade and Industry if he will make a statement on the timing of the licensing of the White Zone. [115733]

Mrs. Liddell *[holding answer 21 March 2000]:* I refer my hon. Friend to my previous answer of 21 December 1999, *Official Report*, column 455W. I can inform him that officials are currently working to put in place a statutory framework for applying the Habitats Directive to offshore oil and gas activities.

Utilities Costs

Mr. Hilary Benn: To ask the Secretary of State for Trade and Industry what was the average cost of *(a)* 650 therms of gas and *(b)* 8,000 units of electricity to consumers (i) paying by direct debit and (ii) paying by means of a pre-payment meter in the last 12 months for which figures are available. [115912]

Mrs. Liddell: Provisional estimates of these costs for 1999 are presented in the table, as are equivalent bills for customers on standard credit terms. The majority of customers are still on standard credit terms.

Provisional estimates of 1999 annual electricity and gas bills for domestic consumers [1]

£

Payment method	*Gas (650 therms)*	*Electricity (8,000 kWh)*
Standard quarterly credit	320	594
Direct Debit	281	574
Pre-payment meter	336	608

[1] Average UK bills, including VAT

Nuclear Industry

Mr. Chaytor: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 15 March 2000, *Official Report*, column 190W, on the nuclear industry, if he will provide a technical description of the reasons which led to each of the shutdowns listed. [115914]

Mrs. Liddell: This information could be obtained only at disproportionate cost. All of the shutdowns are briefly described in each power station's fortnightly newsletters, which are in the public domain.

North Yorkshire Power Line

Miss McIntosh: To ask the Secretary of State for Trade and Industry if he will investigate alternative methods of providing electricity other than the proposed Lackenby-Picton transmission line; and if he will make a statement. [116238]

Mrs. Liddell: The decision on the North Yorkshire power line was made in March 1998. Development consents were granted for this line in 1998 following exhaustive public inquiries and there is no machinery for now reviewing those consents.

Government Offices, Eastcote

Mr. Jenkins: To ask the Secretary of State for Trade and Industry if he will make a statement on the future plans for the Government offices at Eastcote. [116739]

Mr. Byers: This site is currently owned by my Department (DTI), but shared with the MoD. DTI use has now come to an end, leaving the site under-utilised. It is my Department's intention, therefore, to make a free transfer of the Eastcote site to MoD ownership, as that department is best placed to explore the possibility of re-locating existing units to other sites. Depending on the outcome, this could lead to the site being released for alternative civilian use. This work will form part of MoD's ongoing review of its estate in Greater London, which has the objective of concentrating Defence activities on a smaller number of core sites.

Bilateral Concordat (Wales)

Mr. Levitt: To ask the Secretary of State for Trade and Industry when he expects to publish the bilateral concordat between his Department and the Cabinet of the National Assembly for Wales. [116740]

Mr. Byers: The First Secretary and I have today agreed the text of the Concordat between the Department of Trade and Industry and the Cabinet of the National Assembly for Wales. Copies of the Concordat have been placed in the Libraries of both Houses, and the text will be available on the Department of Trade and Industry website.

Rover

Mr. Burden: To ask the Secretary of State for Trade and Industry what actions the Government have taken in relation to the decision by BMW to sell part of the Rover Group; and if he will make a statement. [116868]

Mr. Byers: BMW's recent decision to divest itself of elements of the Rover Group was a commercial one. The Government are determined to help the people, communities and businesses respond to BMW's decision.

On Thursday 23 March I met the Chairman of BMW AG, Professor Milberg, and his senior management, impressing upon them the need for BMW's continuing involvement. After a useful and constructive discussion, BMW has agreed to look at ways to try to maximise job retention and at how the company might work with the recently established Task Force to promote the regeneration of Longbridge and the other sites affected.

During my visit to the region on 17 March I announced the establishment of a Task Force, headed by Alex Stephenson, Chairman of Advantage West Midlands, the Regional Development Agency. The Task Force membership includes people from key organisations concerned with regenerating the economy of the affected parts of the West Midlands. I asked it to report to me within six weeks.

The Task Force will:

Assess the impact of any reduction in activity at Longbridge on the people, businesses and communities of the region;

Advise on the public and private resources needed to help deal with the consequences, and

Draw up proposals for action by local partners and by central government.

I announced that £129 million of government funding would be available to support projects in the region aimed at dealing with the consequences of BMW's decision.

The Employment Service is setting up a Rapid Response Unit at Longbridge to help deal with any redundancies. This will involve establishing a job shop to give advance notice about job vacancies, careers advice and benefits, a fast-track claims process for employees who were made redundant, and access through the local TEC to training to meet the needs of the employees.

The Task Force has also made contact with the 98 leading suppliers to Rover and expects to have an analysis of their situation later this week. In addition it is contacting the remaining suppliers, including second and third tier suppliers. A hotline for handling queries from suppliers and from individual employees affected is also being established.

The Task Force has also held preliminary discussions with BMW about the future of the Longbridge site and will be holding further discussions with BMW, Alchemy and Ford about future intentions so far as employment is concerned, about the site and development issues.

The Government have also raised with BMW a range of other issues including their plans in relation to other sites and plants and the concerns of the network of dealers.

SCOTLAND

Shipbuilding (Clyde)

Mr. Sarwar: To ask the Secretary of State for Scotland if he will make a statement on the Government's support for shipbuilding on the Clyde. [115197]

Dr. Reid: This Government fully recognise the importance of shipbuilding industry generally, and the Clyde shipbuilding industry in particular. We will continue to do everything we can to support the industry.

Assisted Areas

Mr. Maclennan: To ask the Secretary of State for Scotland, pursuant to his answer of 29 February 2000, *Official Report*, column 260W, on assisted areas, what are the problems of population sparsity affecting the Inverness travel-to-work area. [115781]

Dr. Reid *[holding answer 21 March 2000]:* Extremely low population density leads to additional costs in the provision of goods and services. There is a lack of economies of scale and, in combination with peripherality, this makes for structural economic weaknesses. The whole of the Highlands and Islands Enterprise area was thus proposed for inclusion in the new Assisted Areas map.

Websites

Mr. Maclennan: To ask the Secretary of State for Scotland if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of websites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each website (i) the topics which have been covered, (ii) the current average number of hits per months and (iii) the estimated expenditure on each website for each of the next three years. [115802]

Dr. Reid: The information is as follows:

(a) Set up costs: £2,700

(b) Operating costs to date: £1,300

(c) Topics covered in the Scotland Office website *(www.scottishsecretary.gov.uk)*:

Welcome message from the Secretary of State
Scotland Office news releases
Profiles of the Ministers
Transcripts of speeches
What the Scotland Office does
Advocate General for Scotland (currently under construction)
Contact addresses and phone numbers
Selected links to other sites (mainly Government)

(d) The website was launched in November 1999. The number of hits has risen from 14,775 in November to 83,857 in February 2000. The number of page requests per month over the same period has risen from 2,407 to 8,883. The number of unique visitors to the site is not currently measured.

(e) Annual expenditure on the website over the next three years is currently estimated at £2,000 per year but the design and content of the site will be kept under review.

Insolvency

Mrs. Ewing: To ask the Secretary of State for Scotland what advice is given by the Accountant in Bankruptcy in Scotland to insolvency practitioners in personal sequestrations with regard to the vesting of *(a)* personal pensions, *(b)* retirement annuity contracts and *(c)* occupational pension schemes. [116230]

Dr. Reid *[holding answer 27 March 2000]:* The Accountant in Bankruptcy provides written guidance in the form of "The Accountant in Bankruptcy's Notes for the Guidance of Interim and Permanent Trustees". Section 6.18 of this guidance covers the treatment of pensions.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Housebuilding (Chelmsford)

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 20 March 2000, *Official Report*, column 402W, on housebuilding (ref. 114782) and his proposed changes to Regional Planning Guidance for the South East and East of England on 27 March, if he will assess the impact of his statement on housebuilding on 7 March 2000, *Official Report*, columns 863–67, on the Chelmsford local authority area, indicating the number of houses to be built in Chelmsford over the next *(a)* five years and *(b)* 16 years. [116029]

Ms Beverley Hughes: I would refer the hon. Member to the reply I gave him on 16 March 2000, *Official Report*, column 330W and to the pursuant answer of 20 March 2000, *Official Report*, column 402W. Full details of our proposed changes to the draft RPG for the South East were published on 27 March. These included an illustrative breakdown of housing within the region to county level, including an annual rate of provision for Essex. It will be for the Essex County Structure Plan to determine the level of housebuilding to be included in the Chelmsford Local Plan area.

Hedges

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions what response he has received to the consultation paper on controlling nuisance hedges in residential areas; and if he will make a statement. [116382]

Mr. Mullin: I refer the hon. Member to the reply given to my hon. Friend the Member for Coventry, South (Mr. Cunningham) on 21 March 2000, *Official Report*, column 471W.

Foreign Commercial Vehicles

Mr. Wyatt: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce a road tax or vignette on foreign commercial vehicles entering the United Kingdom. [116536]

Mr. Hill: Any vignette scheme, or any form of levy, would have to apply to domestic vehicles as well as foreign. To discriminate against foreign vehicles would be illegal under Community law. The Transport Bill contains enabling powers for local authorities to introduce charging schemes on their roads, but there are no plans at present to introduce widespread charging on the trunk road network.

Electronic Vote Counting (London Elections)

Ms Rosie Winterton: To ask the Secretary of State for the Environment, Transport and the Regions if electronic counting of votes will be used at the forthcoming election of the Mayor of London and the London Assembly on 4 May. [116695]

Mr. Hill: The Greater London Returning Officer has informed me that following a successful trial on 22 February 2000, he intends to use electronic counting equipment to count the votes cast in the first election of the Mayor of London and the London Assembly on 4 May. He is satisfied that the system can deliver a speedy and accurate result and at the same time safeguard the probity and secrecy of the ballot.

Wild Birds Directive

Angela Smith: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the sites so far classified or identified for classification as special protection areas under the EC Wild Birds Directive (79/409/EEC) in the UK. [116738]

Mr. Mullin: The Joint Nature Conservation Committee, in co-operation with the statutory nature conservation agencies, have been conducting a major review of the UK list of Special Protection Areas following the agreement and subsequent publication of SPA selection guidelines in July 1999. Ministers will be consulting interested parties about those sites which are not already classified as SPAs. The new list has today been placed in the Library.

TREASURY

Climate Change Levy

Mrs. Ewing: To ask the Chancellor of the Exchequer what assessment he has made of the impact of Article 52 of the EC Treaty on the provisions for persons to notify the Commissioners when they are liable to be registered for the climate change levy. [116581]

Mr. Timms: I am satisfied that the provisions for climate change levy which will appear in the Finance Bill will be compatible with all our obligations under the EC Treaty.

Mrs. Ewing: To ask the Chancellor of the Exchequer (1) if the climate change levy will be levied upon *(a)* actual and *(b)* estimated energy supply in a period; and what provisions are to be made for overpayment on the basis of estimated bills; [116586]

(2) what factors may be taken into account in determining culpability for the late submission of climate change levy returns; and if he will introduce an element of culpability to the penalty regime; [116587]

(3) if he will make a statement on the definition of *(a)* taxable commodity under schedule 1 paragraph A3(1)(b) of the climate change levy legislation and *(b)* utility, contained in the legislation to ensure that suppliers liable to climate change levy are easily identifiable. [116591]

Mr. Timms: HM Customs and Excise have undertaken an extensive consultation exercise on the draft climate change levy legislation published on 26 November 1999. The results of this consultation are being taken into account in the proposed legislation. This will be contained in the Finance Bill to be published shortly.

Mrs. Ewing: To ask the Chancellor of the Exchequer if he will confer on Her Majesty's Customs and Excise discretion to reduce penalties for late submission of climate change levy returns; and if he will review the interest rate on the penalty for small businesses. [116588]

Mr. Timms: As a result of the consultation exercise undertaken on the draft climate change levy legislation by HM Customs and Excise, I will be proposing changes to the penalty system for late submission of climate change levy returns. I have no plans to review the interest rate on the penalty for small businesses.

Mr. Swinney: To ask the Chancellor of the Exchequer if he will make a statement on his reasons for exempting Northern Ireland from the climate change levy. [116578]

Mr. Timms: I have announced that we shall be exploring with the European Commission the scope for allowing a temporary exemption from climate change levy for natural gas in Northern Ireland for a period of up to five years. This reflects the very different nature of the energy market in Northern Ireland and the fact that gas is only as yet available in a limited area. A temporary exemption will facilitate the development of the infrastructure and make gas available to a greater number of potential customers.

Mr. Swinney: To ask the Chancellor of the Exchequer to what extent the climate change levy will be charged on supplies of energy *(a)* from Northern Ireland to other parts of the United Kingdom and *(b)* from other parts of the United Kingdom to Northern Ireland. [116579]

Mr. Timms: Climate change levy is only charged on supplies to final consumers. If the proposed exemption from climate change levy for natural gas in Northern Ireland is approved by the European Commission, climate change levy will be charged on all sales of products within the scope of the levy where the customer is located in the United Kingdom, except for sales of natural gas where the customer is located in Northern Ireland. The location of the supplier is not relevant.

Scottish Power plc

Mr. Russell Brown: To ask the Chancellor of the Exchequer if he will make a statement about Her Majesty's Treasury's holding of debt in Scottish Power plc. [116743]

Mr. Andrew Smith: On 24 March 2000 HM Treasury sold back to Scottish Power the £142 million (nominal) bond it had held since the privatisation of the company in 1991. Proceeds from the buyback were £148,469,927.55.

Working Families Tax Credit

Mr. Willetts: To ask the Chancellor of the Exchequer how many recipients of the working families tax credit have a child less than one-year-old. [115247]

Dawn Primarolo *[holding answer 20 March 2000]:* About 92,000 working families' tax credit awards made to the end of February 2000 were to families with children aged less than one year.

Road Fuel Duty

Mr. Welsh: To ask the Chancellor of the Exchequer if he will make a statement on the levels of duty on unleaded petrol and lead replacement petrol. [116119]

Mr. Timms: In October 1999 the duty rate for higher octane unleaded petrol was cut from over 5 pence per litre to 2 pence per litre above the rate for unleaded. This was to facilitate the introduction of lead replacement petrol (LRP) which is treated as higher octane unleaded petrol for duty purposes. Following increases in road fuel duties announced in the Budget the rate of duty on higher octane unleaded petrol is now 2.07 pence per litre above that on unleaded petrol.

Although LRP does not contain lead, it will generally be used by cars that formerly used leaded petrol. This part of the car population tends to be older, less fuel efficient than newer cars and, consequently, to have poorer emissions performance. The twin aims therefore are to have a duty rate that is not as high as that on leaded petrol—indeed is less than the former rate on higher octane unleaded—but at the same time to leave in place a measure that encourages replacement of less fuel efficient cars.

Over-the-counter Drug Deaths

Mr. Flynn: To ask the Chancellor of the Exchequer what assessment he has made of the total number of deaths caused by *(a)* paracetamol/co-proxamol, *(b)* dothiepin, *(c)* aspirin, *(d)* ibuprofen and *(e)* benylin in each of the last five years. [115945]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger to Mr. Paul Flynn, dated 28 March 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your recent question asking for the latest assessment of the total number of annual deaths caused by (a) paracetamol/co-proxamol (b) dothiepin (c) aspirin (d) ibuprofen (e) benylin. I am replying in Dr Holt's absence.

The latest figures of drug related deaths caused by the substances listed above are provided for England and Wales in 1997. The information is supplied using the ONS database of deaths where the underlying cause of death was drug-related as described in Health Statistics Quarterly, Number 5. The table shows the number of deaths where the substances were mentioned on the death certificate. No deaths were recorded as being attributed to benylin.

Drug related deaths [1] for specific substances in England and Wales, 1997

	Number
Paracetamol/Co-proxamol[2]	562
Dothiepin	235
Aspirin	51
Ibuprofen	2

[1] Deaths with underlying codes 292, 304, 305.2–305.9, E850-E858, E950.0-E950.5, E962.0 and E980.0-E980.5, using the International Classification of Diseases, Ninth Revision, where the named substance was mentioned on the death certificate.
[2] Includes deaths where paracetamol or any compounds containing paracetamol, such as co-proxamol are mentioned in the death certificate.

SOCIAL SECURITY

Abolition of Feudal Tenure (Scotland) Bill

Mr. Welsh: To ask the Secretary of State for Social Security what assessment he has made of the impact of compensation payments by those on benefits under the Abolition of Feudal Tenure (Scotland) Bill; if he will take steps to take into account such payments in the calculation of benefit entitlement; and if he will make a statement. [116520]

Mr. Bayley: Departmental officials are in contact with the Scottish Executive about the full impact of the Abolition of Feudal Tenure (Scotland) Bill and will be examining the implications for benefit recipients.

IT Services

Kali Mountford: To ask the Secretary of State for Social Security what plans he has for the strategic management of information technology services within his Department; and if he will make a statement. [116744]

Angela Eagle: Following a review carried out in 1999, my right hon. Friend the Secretary of State approved a recommendation to transfer responsibility for the strategic management of the Department's information technology (IT) services from the Information Technology Services Agency (ITSA) to within the Department's HQ. This change will help maximise our ability to get the most out of our IT suppliers and facilitate the continued development of the Department's corporate IT strategy.

This development has been endorsed by colleagues in the Treasury and Cabinet Office and means that the ITSA will cease to be an Executive Agency from 1 April.

Asylum Seekers (Social Security Payments)

Mr. Steen: To ask the Secretary of State for Social Security if he will make payment of social security to political asylum seekers with children of school age conditional upon their children attending the appropriate school. [116534]

Mr. Bayley: No.

Poverty (Leeds)

Mr. Hilary Benn: To ask the Secretary of State for Social Security if he will estimate the total number of people living below the poverty line in *(a)* the Leeds, Central parliamentary constituency and *(b)* the City of Leeds in each year since 1990. [112044]

Mr. Bayley: Poverty and social exclusion are complex multi-dimensional issues, affecting many aspects of people's lives—their income, health, housing, the quality of their environment and their opportunities to work and learn. There is no single measure which captures the complex problems which need to be overcome.

We are determined to tackle the problems that condemn many individuals and communities to poverty. That is why we set out our strategy for tackling poverty and social exclusion in our first annual report "Opportunity for All" (Cm 4445). The report includes a range of indicators that capture the many aspects of poverty and social exclusion.

We are unable to present low income statistics for Leeds, Central parliamentary constituency and the City of Leeds because they are not statistically robust for areas smaller than geographical regions. However, information for the whole of Yorkshire and Humberside Government office region is shown in the table.

Number of individuals below 60 per cent. median income in Yorkshire and Humberside, including the self-employed

Million

	Before housing costs	After housing costs
1994–95	1.1	1.4
1995–96	1.0	1.1
1996–97	1.1	1.2
1997–98	1.0	1.2

Note:
Some of the fluctuation in numbers between years may be due to sample variability
Source:
Households Below Average Income

Some indicators of poverty and social exclusion are available at the local authority level. For example, the following table shows the number of beneficiaries receiving Income Support or income-based Jobseeker's Allowance.

Number of beneficiaries on Income Support or Jobseeker's Allowance (income-based) for the City of Leeds and Leeds, Central parliamentary constituency

Thousand

Period	Yorkshire and Humberside GOR	Leeds local authority district	Leeds, Central parliamentary constituency
August			
1993	894	n/a	n/a
1994	896	124	n/a
1995	901	118	n/a
1996	869	122	n/a
1997	805	108	30
1998	769	101	23
1999	763	98	23

n/a = Not available
Notes:
1. Beneficiaries are claimants, their partner, and any dependent child or young person aged 0 to 19.
2. Information by GOR is not available prior to 1993. However there were 747 thousand Income Support beneficiaries in May 1991, and 812 thousand beneficiaries in May 1992 in the Yorkshire and Humberside Government Standard Statistical region.
3. Information by parliamentary constituency is not available prior to August 1997.

4. Information on beneficiaries is not available for local authority districts prior to 1993.

5. Local authority areas are assigned by matching postcodes against the relevant ONS 1995–99 Version 1/Version 2 postcode directories.

6. Figures are rounded to the nearest thousand.

7. Numbers are based on a 1 per cent. sample up to 1994 and a 5 per cent. sample thereafter. Numbers are therefore subject to a degree of sampling error.

8. Income-based Jobseeker's Allowance replaced Income Support for the unemployed from October 1996.

9. Income Support (IS) figures quoted prior to October 1996, include unemployed IS claimants.

Improving educational attainment is an intrinsic part of our strategy for tackling the causes of poverty and social exclusion. In 1997 in Leeds, 63 per cent. of students in English and 63 per cent. in Maths achieved Level 4 and above in Key Stage 2. By 1999 this had improved to 72 per cent. in English and 71 per cent. in Maths.

The health of our children is also an important indicator of levels of poverty and social exclusion. In the City of Leeds in 1997–98, the rate at which children (aged under 16) were admitted to hospital as a result of an unintentional injury resulting in a hospital stay of more than three days was 1.0 per thousand (to the nearest 0.5 per thousand). This has fallen from 1.5 per thousand in 1995–96.

Further information on the indicators we will use to monitor its progress in tackling poverty and social exclusion, including definitions and baseline data, has been placed in the Library on 21 September to accompany "Opportunity for All".

Income-related Benefits

Mr. Dennis Turner: To ask the Secretary of State for Social Security if he will estimate the cost of raising the children's rates in the various income-related benefits (in addition to normal indexation) by *(a)* £5 per week in October 2000 and *(b)* a further £5 per week in April 2001. [115492]

Mr. Bayley: The cost of introducing these increases in Income Support, income-based Jobseeker's Allowance, Housing Benefit and Council Tax Benefit for children under 16, and those aged between 16–19 who remain in full-time non-advanced education, would be approximately £400 million in 2000–01 and £1.5 billion in 2001–02 (figures rounded to nearest £50 million).

These costs do not include the costs of any equivalent increases in working families tax credit but do include the impact that increases to working families tax credit would have on Housing Benefit and Council Tax Benefit.

Fraud

Mr. Sanders: To ask the Secretary of State for Social Security what action he will take to rectify the performance of local authorities where such performance is judged unsatisfactory by benefits fraud inspectors. [116115]

Angela Eagle: Following publication of a Benefit Fraud Inspectorate report, the local authority is invited to consider and respond to the report and to submit any proposals for improving its performance and remedying any failings that are identified.

The Secretary of State for Social Security has powers under section 139D of the Social Security Administration Act 1992 to direct an Authority as to the standards it is to attain and the time within which they are to be attained. As my right hon. Friend the Secretary of State announced in the House on 6 March 2000, *Official Report*, columns 755–56, councils have been warned that where investigation by the Benefit Fraud Inspectorate identifies persistent failings, he will use those powers to direct them to improve their performance.

Housing Benefit

Mr. Sanders: To ask the Secretary of State for Social Security what means he will use to ensure that the information collected by local authorities to meet the reporting requirements of the housing benefit best value performance indicators for 2000–01 is *(a)* verifiable and *(b)* accurate. [116114]

Angela Eagle: Best value performance indicators will from this April be the main yardstick against which local authorities' performance is judged. Authorities are required to set out each year in published best value performance plans details of past performance against the indicators and challenging targets for future improved performance. These plans and the performance information they contain are subject to statutory audit.

Auditors are responsible for ensuring that authorities have adequate systems in place for producing accurate performance data. In addition, the Department has made arrangements for performance data to be reported periodically by authorities as part of the normal provision of Housing Benefit management information. My right hon. Friend the Secretary of State has recently announced his intention to use his statutory powers to compel authorities to provide this information. Guidance on the Housing Benefit indicators and revised statistical forms were issued by the Department to all authorities last December.

The Benefit Fraud Inspectorate will also test the robustness of local authority performance data both as part of its on-going cycle of inspections of Housing Benefit administration, and in its role as a best value inspectorate.

Winter Fuel Payments (West Chelmsford)

Mr. Burns: To ask the Secretary of State for Social Security how many men there are in the West Chelmsford parliamentary constituency aged between 60 and 64 years; and when they will receive the £100 winter fuel payments for last winter. [116299]

Angela Eagle: The Department does not hold data to enable us to determine the number of men aged between 60 and 64 years in the West Chelmsford constituency.

Arrangements regarding payments to those newly eligible for Winter Fuel Payments will be announced shortly.

HEALTH

Cardiac Services

14. **Mr. Syms:** To ask the Secretary of State for Health if he will make a statement on cardiac services in England. [115161]

15. **Liz Blackman:** To ask the Secretary of State for Health if he will make a statement on the national service framework for coronary heart disease. [115162]

Yvette Cooper: On 6 March my right hon. Friend the Secretary of State launched the National Service Framework for Coronary Heart Disease. This framework is a radical and far-reaching blueprint to transform prevention, diagnosis and treatment of coronary heart disease and will help save 200,000 lives by 2010.

18. **Mr. Jack:** To ask the Secretary of State for Health if he will make a statement on the future of cardio-thoracic services in the north-west of England. [115165]

Yvette Cooper: Cardiothoracic services in the north-west of England will be improved in line with the National Service Framework for Coronary Heart Disease and the Strategy for the Development of Invasive and Tertiary Cardiac Services in the North-West Region (Dargie Report), published in April 1999.

Waiting Lists

16. **Mr. Paterson:** To ask the Secretary of State for Health if he will make a statement on acute waiting lists during the past winter. [115163]

Mr. Denham: The National Health Service has done this winter what it should always do—it has prioritised emergencies. There are always more pressures on the NHS from emergency admissions in the winter months. The waiting list figures for December and January reflect the fact that the NHS as planned did give priority to emergency cases.

The waiting list is currently 39,000 below the level inherited. We remain on track to achieve our manifesto commitment to reduce waiting lists by 100,000 from the level inherited.

Adoption

19. **Ms Keeble:** To ask the Secretary of State for Health if he will make a statement on the Government's plans to improve adoption procedures. [115166]

Mr. Hutton: My right hon. Friend the Prime Minister has announced that he is to conduct a review of adoption with ministerial colleagues. The review will consider how best to develop a modern adoption system which puts the interests of the child first and provides a sensitive and efficient service, building on the Government's Quality Protects programme for transforming children's services.

Intensive Care Beds

20. **Mr. David Heath:** To ask the Secretary of State for Health how many additional intensive care beds have been made available in NHS hospitals since 1 January. [115168]

Ms Stuart: More than 100 additional critical care beds were available this winter, and more will be opened next winter, following the current thorough review of critical care services.

Treatment Variations

21. **Mrs. Ann Cryer:** To ask the Secretary of State for Health what action he is taking to tackle wide variations in treatment in different parts of the country. [115169]

Yvette Cooper: Tackling unacceptable variations in performance and treatment is one of the key challenges we have set the National Health Service. We have already established new mechanisms; we are setting standards across the NHS through the National Institute for Clinical Excellence and the National Service Framework programme; ensuring delivery of these locally through clinical governance, and monitoring delivery through the performance assessment framework, the Commission for Health Improvement and a programme of national patient surveys. Over the next few months we will work with key professionals and frontline staff to see how we can improve NHS performance and productivity so that we make the best use of the record increases in NHS funding announced in the Budget.

Accident and Emergency Departments

23. **Mr. Love:** To ask the Secretary of State for Health how many accident and emergency departments are being modernised; and if he will make a statement on progress to date. [115172]

33. **Mr. Anthony D. Wright:** To ask the Secretary of State for Health how many accident and emergency departments are being modernised; and if he will make a statement on progress to date. [115182]

Ms Stuart: The £115 million capital investment in accident and emergency services is enabling 244 improvement schemes to be carried out in 182 hospital trusts in England. Good progress is being made: almost all the schemes are already under way and 90 (37 per cent.) have now been completed. 194 schemes (80 per cent.) are scheduled for completion by July 2000.

Consultant Neurologists

24. **Mr. Bob Russell:** To ask the Secretary of State for Health if he will increase the number of consultant neurologists. [115173]

Mr. Denham: We review the requirements for consultants in neurology annually. There are around 150 specialists in training and we expect most of these to become available for consultant posts between 2003 and 2004. This will be 90 more than are needed to replace consultants expected to retire.

Family Friendly Working Practices

25. **Mr. Watts:** To ask the Secretary of State for Health what action he is taking to extend family friendly working practices in the NHS. [115174]

Mr. Denham: In 1999 the Government launched the Improving Working Lives campaign. Each region has appointed a Champion to lead a multi disciplinary task force to develop family friendly policies and identify and

share good practice. They will pay particular attention to trusts with high levels of vacancies. A kitemarking system will be set up, so that National Health Service organisations that perform well can be recognised.

35. **Mr. Drew:** To ask the Secretary of State for Health if he will make a statement on progress made in introducing family friendly working practices in the NHS. [115184]

Mr. Denham: We have launched a £1 million Improving Working Lives campaign in the National Health Service. A similar budget has been agreed for 2000–01. Each region has set up a multi-disciplinary task force to share good practices. The task forces will support implementation of the Working Lives Standard and concentrate on those trusts with the most vacancies. In September 1999 Ministers launched a consultation exercise to develop a set of standards on good employment practices against which employers and their staff can measure themselves. Responses indicate general support from local NHS organisations, individuals and staff-side representatives. The re-drafted standards are currently out for consultation.

Last year's national recruitment campaign attracted over 5,000 former nurses back to the NHS, and 60 per cent. of those returning have taken up part-time posts, proving that NHS employers are becoming more flexible and family friendly.

Elderly People

26. **Dr. Starkey:** To ask the Secretary of State for Health if he will make a statement on the extra capitation given to health authorities in respect of the elderly. [115175]

Mr. Hutton: The current allocations formula recognises that the elderly make more use of health services than the rest of the population. Health authorities with a relatively elderly population have their weighted capitation targets increased accordingly.

NHS Funding

27. **Mr. Swayne:** To ask the Secretary of State for Health how much extra funding has been made available to the NHS since May 1997. [115176]

Mr. Denham: National Health Service net expenditure in 1996–97 was £32.9 billion. In 2000–01 NHS expenditure will be £44.2 billion, a real terms increase of 20.5 per cent. on 1996–97. By 2003–04 NHS expenditure will reach £56.4 billion, a real terms increase of 42.7 per cent. on 1996–97.

34. **Mr. Alan W. Williams:** To ask the Secretary of State for Health what percentage of the United Kingdom's gross domestic product was devoted to health care *(a)* in 1996–97 and *(b)* in 2000–01; and what was the European average for those years. [115183]

Mr. Denham: In 1996–97, United Kingdom Gross National Health Service expenditure was 5.7 per cent. of Gross Domestic Product (GDP).

Based on the latest forecasts of GDP and planned NHS expenditure figures, for 2000–01, UK gross NHS expenditure is forecast to be 6.1 per cent. of GDP.

The Department does not collect information on health care expenditure in other European countries. It is collected by the Organisation of Economic Co-operation and Development (OECD) and can be obtained from the 1999 OECD health database.

National Institute for Clinical Excellence

28. **Mr. Brake:** To ask the Secretary of State for Health what assessment he has made of the work of the National Institute for Clinical Excellence. [115177]

Mr. Denham: The National Institute for Clinical Excellence has made a good start to its work. NICE has produced a fast-track appraisal of the anti-flu drug Relenza and an appraisal on wisdom teeth. NICE's work programme was announced in November 1999 and has an agreed schedule of further appraisals, guidelines and GP referral protocols.

NHS Hospitals (Hygiene)

29. **Dr. Cable:** To ask the Secretary of State for Health what steps he is taking to raise standards of cleanliness and hygiene in NHS hospitals. [115178]

Mr. Denham: Trust chief executives are responsible for standards of cleanliness and hygiene in hospitals. All acute trusts have the assistance of the infection control team. The controls assurance framework published on 22 November 1999 has a section relating to infection control, including specific reference to cleanliness. The Infection Control Nurses Association and the Association of Domestic Managers have published "Standards for Environmental Cleanliness in Hospitals", which NHS Estates is sending to all NHS trusts.

Primary Care Trusts

30. **Mr. Jenkins:** To ask the Secretary of State for Health when he expects the first primary care trusts to become operational. [115179]

Mr. Denham: Seventeen primary care trusts will become operational on 1 April 2000. They will deliver more integrated primary and community services, ensuring better access for patients, therefore providing a stronger role for community services in the National Health Service.

32. **Miss McIntosh:** To ask the Secretary of State for Health what estimate he has made of *(a)* the cost of setting up primary care trusts and *(b)* the cost of their annual operation. [115181]

Mr. Denham: Each health authority where there is a proposal to establish a primary care trust (PCT) receives a contribution from central funds of £25,000 towards the costs of preparing the proposal for local consultation and of the consultation itself. If the proposal is approved by the Secretary of State, a further central contribution is made towards the preparatory costs of the PCT. This contribution comprises £100,000 for a commissioning only PCT or £175,000 for a PCT which will also provide services. In addition, local health systems are expected to contribute to the costs of establishing and developing a new PCT.

Seventeen PCTs have been approved to begin operating from 1 April at a total central cost of £3.325 million. Information is not, however, held centrally on the total cost of establishing each PCT.

NHS Direct (Cumbria)

31. **Mr. Martlew:** To ask the Secretary of State for Health when NHS Direct will start to operate in Cumbria. [115180]

Ms Stuart: The White Paper "The New NHS: Modern, and Dependable" announced the Government's commitment to NHS Direct. At present, NHS Direct covers 65 per cent. of the population. By the end of October this year, the whole of England, including Cumbria, will be covered.

Nurse Training

36. **Mrs. Heal:** To ask the Secretary of State for Health what steps he is taking to increase the number of places available for nurse training. [115185]

Mr. Denham: We provided increased investment to enable us to deliver 6,000 new nurse training places by 2002. This target was based upon delivering 1,000 of those new places in 1999–2000, but we are now planning to deliver around 1,600. Further investment will enable us to provide an additional 1,000 nurse and midwifery pre-registration training places in 2000–01.

Cancer

37. **Mr. Cohen:** To ask the Secretary of State for Health what steps are being taken to increase the availability of modern equipment for the diagnosis and treatment of cancer in NHS hospitals. [115186]

38. **Mr. Gareth R. Thomas:** To ask the Secretary of State for Health what steps are being taken to increase the availability of modern equipment for the diagnosis and treatment of cancer in NHS hospitals. [115187]

Yvette Cooper: In January, the Government announced a £100 million cash injection which will pay for the most up to date equipment (computed tomography, scanners, simulators and planning computers to calculate radiotherapy doses) to diagnose and treat cancer more quickly and effectively. This £100 million cash boost for cancer is the biggest-ever single investment in cancer equipment in the history of the NHS.

This record investment is on top of the allocation of £93 million from the National Lottery that has been allocated for cancer diagnosis and treatment equipment (breast screening equipment—mobile trailers, ultrasound and mammography machines, MRI scanners and linear accelerators) to over 200 NHS hospitals.

Painkillers

Mr. Flynn: To ask the Secretary of State for Health what proposals he has to reduce the number of deaths caused by painkillers. [115151]

Yvette Cooper: We have introduced tight restrictions on the pack sizes of over-the-counter painkillers, together with overdose warnings for paracetamol products. The effect of these measures is being monitored. We are currently reviewing the need for strengthened warnings for non-steroidal anti-inflammatory drugs with other European member states.

NHS Dentistry (Lincolnshire)

Gillian Merron: To ask the Secretary of State for Health what plans he has for improving access to NHS dentistry in Lincolnshire. [115171]

Mr. Hutton: The Investing in Dentistry initiative offered £210,000 in grants to Lincolnshire dentists in return for promises of 16,500 patient registrations. Lincolnshire Health Authority has submitted a proposal for a dental access centre which is now being considered. If the bid succeeds the centre will be operational by the end of this year. We will publish further plans to improve access to dentistry in a dental strategy for England in due course.

Miscarriages

Audrey Wise: To ask the Secretary of State for Health, pursuant to his reply of 14 February 2000, *Official Report*, column 387W, if he will list for the years for which they are available the estimated numbers of women diagnosed as receiving hospital care for miscarriage grossed to allow for missing, incomplete and inaccurate records; and if he will give an indication of the accuracy and completeness of this information. [113093]

Yvette Cooper: It is regretted that the reply of 14 February was incorrect. The information provided in the table showing the estimated numbers of women diagnosed as receiving hospital care for miscarriage for the years prior to 1997–98 was grossed to allow for missing, incomplete and inaccurate records. The difference between grossed and ungrossed figures in recent years is between 3–4 per cent. The following table contains the information requested.

Year	*Number of miscarriages*
1989–90	48,500
1990–91	50,600
1991–92	53,100
1992–93	52,400
1993–94	51,300
1994–95	48,700
1995–96	43,900
1996–97	44,500
1997–98	[1]41,800

[1] Provisional

The information in the table is obtained from the Hospital Episodes Statistics system. The data for the years prior to 1997–98 are grossed and have been adjusted to allow for missing, incomplete or inaccurate records.

Data extracted were those with the diagnosis code OO3 (ICD-10) Spontaneous Abortion.

Nursing Care

Mr. Burnett: To ask the Secretary of State for Health what steps the Government plans to take to provide compensation for nursing home patients and their relatives who have suffered financial loss and hardship due to

the imposition of means testing by social services departments based on eligibility criteria which have been found to be unlawful. [114741]

Mr. Hutton: The Department issued guidance in August 1999 following the Coughlan case (Health Service Guidance (1999) 180: Local Authority Circular (99)30) required health and local authorities to satisfy themselves that their criteria were lawful, taking legal advice where necessary. Where authorities subsequently revise their criteria in the light of the Coughlan judgment they should reassess clients against the revised criteria.

Any possible claims for compensation due to the operation of unlawful eligibility criteria for nursing home care are the responsibility of the relevant health authorities and local councils.

Psychiatric Beds

Dr. Cable: To ask the Secretary of State for Health what percentage of 24 hour staffed beds for people with severe and enduring mental illness were used in each health authority in London and the South East since 1998–99. [115787]

Mr. Hutton: Information on the percentage of 24 hour beds for people with severe and enduring mental illness used in each health authority in London and the South East since 1998–99 is not held centrally.

However the table contains data on the number of 24 hour beds in each health authority in London and the South East for the end of the financial year 1998–99 and the latest position available (December 1999).

Mental Health—number of 24 hour staffed beds

Region	*Health authority*	*Position at March 1999*	*Position at December 1999*	*Increase*
London	Barking and Havering	0	0	0
London	Barnet	15	15	0
London	Bexley and Greenwich	8	8	0
London	Brent and Harrow	32	32	0
London	Bromley	10	10	0
London	Camden and Islington	60	72	12
London	Croydon	0	0	0
London	Ealing, Hammersmith and Hounslow	39	43	4
London	East London and City	106	106	0
London	Enfield and Haringey	56	56	0
London	Hillingdon	0	28	28
London	Kensington, Chelsea and Westminster	13	13	0
London	Kingston and Richmond	62	62	0
London	Lambeth, Southwark and Lewisham	138	142	4
London	Merton, Sutton and Wandsworth	185	185	0
London	Redbridge and Waltham Forest	50	50	0
South East	Berkshire	0	0	0
South East	Buckinghamshire	29	29	0
South East	East Kent	45	45	0
South East	East Surrey	21	21	0
South East	East Sussex, Brighton and Hove	175	175	0
South East	Isle of Wight	0	8	8
South East	North and Mid Hampshire	167	167	0
South East	Northamptonshire	10	10	0
South East	Oxfordshire	0	20	20
South East	Portsmouth and SE Hampshire	47	54	7
South East	Southampton and SW Hampshire	83	83	0
South East	West Kent	0	0	0
South East	West Surrey	0	0	0
South East	West Sussex	18	18	0
England		4,013	4,301	288

Source:
Common Information Core, quarterly monitoring

Herbal Remedies

Mr. Fearn: To ask the Secretary of State for Health if he will make a statement on the progress made by the Pharmaceutical Committee of the European Union in establishing a secure route to market for herbal remedies. [115793]

Ms Stuart: The European Pharmaceutical Committee on 22 March considered the interpretation of Directive 99/83/EC relating to the use of bibliographic data to demonstrate that a medicine has well established use. In the light of the Committee's discussion we are assessing how the Directive may help us to move towards our objective of achieving more effective regulatory arrangements for herbal medicines, balancing public safety and consumer choice. We will make a statement when we have completed this assessment.

Medicines Control Agency

Mr. Fearn: To ask the Secretary of State for Health when he expects the Medicines Control Agency next to meet representatives of consumer, retailer and practitioner organisations. [115800]

Ms Stuart: The Medicines Control Agency has frequent meetings with a wide range of interest groups. The agency held meetings with a number of organisations

including representatives of businesses and practitioners in the natural health sector on 21 March. Further discussions with organisations representing consumers, retailers and herbal practitioners are to be held on 28 and 31 March.

Hospital Consultants (Distinction Awards)

Mr. Nicholas Winterton: To ask the Secretary of State for Health how many distinction awards were made to hospital consultants and at what total value in the last year for which figures are available. [116113]

Mr. Denham: In the 1999 awards round, a total of 481 new distinction awards were granted to hospital consultants. The breakdown of levels of award and their values is shown in the table.

Award	*Value [1] (£)*	*Number granted*	*Total value [2] (£)*
A+	58,525	37	2,165,425
A	43,125	142	6,123,750
B	24,640	302	7,441,280
Total		481	15,730,455

[1] As at 1 April 1999
[2] The total value of the awards granted assumes full-time employment

Hospital Matrons

Dr. Tony Wright: To ask the Secretary of State for Health what plans he has to reintroduce the post of matron in hospitals. [116356]

Mr. Denham: Each National Health Service trust has a nurse executive director who is a member of the trust board. Some are titled "chief nurse", and they could, if they so chose, be called "matron". They are therefore very senior people with influence in their organisation and are responsible for, among other things, quality and nursing standards.

Some are also patient services managers and their role equates more closely to the span of responsibility of the traditional matron. The role of the matron therefore still exists in many trusts across England, albeit with a different title.

Public Appointments

Mr. Amess: To ask the Secretary of State for Health if he will list the chairmen of primary care trusts and primary care groups, indicating the political background and affiliation of each where it is known. [116648]

Mr. Denham: We do not collect monitoring information on the political activity or affiliation of primary care group members because primary care group appointments are not made by my right hon. Friend the Secretary of State.

Primary care trust chairs are appointed by my right hon. Friend and, in accordance with guidance from the Commissioner for Public Appointments, information is collected on political activity undertaken by chairs and non-executives at the time they apply for a National Health Service appointment. The Department does not collect information on the political affiliation of those appointed to National Health Service bodies.

Primary care trust chair details are shown in the table.

PCT	*Region*	*Chair*	*Political Activity*
Southend	Eastern	Katherine Kirk	Labour
Southampton East	South East	Pauline Quan-Arrow	None
Epping Forest	Eastern	Susan Leggate	Other
South Manchester	North West	Michael Green	Labour
Poole Central and North	South West	Anne Holland	LibDem
Poole Bay	South West	Peter Harvey	None
Hillingdon	London	Sarah Pond	None
Mansfield	Trent	Tony Hughes	Labour
Newark and Sherwood	Trent	Bonnie Jones	None
Central Derbyshire	Trent	Stuart Fletcher	None
NE Lincolnshire	Trent	Valerie Waterhouse	None
Daventry and South Northants	South East	Simon Schanschieff	None
The Nelson	London	Kay Sonneborn	None
Fenland	Eastern	David Burall	LibDem
Peterborough North	Eastern	Mohammed Choudhary	Labour
Peterborough South	Eastern	Marco Cereste	Conservative
Tendring	Eastern	David Rex	Conservative

Transplants

Mr. Dalyell: To ask the Secretary of State for Health how much funding he has allocated to allow officials of his Department to study the co-ordination of transplant availability and organ procurement in Spain; and what were the results of the study, with special reference to early awareness by authorities of potential kidney donors. [115214]

Mr. Denham: As a matter of course, officials at the Department are in regular and frequent communication with the head of Organisation National de Transplant, Dr. Blanca Miranda, and the lead official in the Spanish Ministry of Health, Dr. Raphael Matesantz. The Department are aware of the Spanish developments in procurement of organs for transplantation.

In February we announced action plans for the modernisation of transplant services in England. These have taken into account lessons learned from the Spanish experience including all aspects of organ procurement.

Medicinal Drugs

Mr. Flynn: To ask the Secretary of State for Health what estimate he has made of the cost of medicinal drugs as a percentage of NHS funding for the next five years; and what the figure was for the last five years. [115943]

Ms Stuart: Decisions about the amount spent on drugs over the next five years will be made locally.

The table shows the expenditure on drugs as a percentage of National Health Service funding for each of the past five years.

Total NHS drugs bill as a percentage of total NHS expenditure

Year	*Percentage*
1994–95	12.1
1995–96	12.7
1996–97	13.3
1997–98	13.7
1998–99	13.8

Correspondence

Sir Brian Mawhinney: To ask the Secretary of State for Health when the right hon. Member for North-West Cambridgeshire will receive a substantive reply to his letter of 9 February on behalf of 40 of his constituents. [116532]

Ms Stuart: My right hon. Friend the Secretary of State replied to the right hon. Member on 27 March.

Trust Deficits

Mr. Swayne: To ask the Secretary of State for Health what plans he has to eliminate *(a)* current financial deficits of NHS trusts and *(b)* the accumulated NHS deficit; and if he will make a statement. [116537]

Mr. Denham: The new resources for the National Health Service announced by my right hon. Friend the Chancellor of the Exchequer in his Budget will help the NHS to run balanced budgets year after. A substantial part of the accumulated deficits represent longer term liabilities such as clinical negligence costs for which funding is made available as payment falls due.

Older Women

Mrs. Anne Campbell: To ask the Secretary of State for Health what steps he is taking to promote the health of older women. [115170]

Mr. Hutton: Modernising services for older people, including older women, is a priority for this Government. This is why we should be publishing a National Service Framework for Older People later this year. In the meantime, we have already launched an osteoporosis strategy and published an important resource pack for older women called "Enjoy your later life: Physical and Emotional Wellbeing for Older Women". These have been widely welcomed.

Written Answers to Questions

Wednesday 29 March 2000

ENVIRONMENT, TRANSPORT AND THE REGIONS

GM Crops

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions what the cost is of farm-scale trials of GM herbicide tolerant crops; what is the contribution from public funds; and what is the Government's policy with respect to funding such trials. [116689]

Mr. Meacher: The Farm-Scale Evaluations of genetically modified herbicide tolerant crops are being organised by the Government, in conjunction with the industry body SCIMAC. SCIMAC are providing the required number of fields of GM crops and equivalent non-GM crops (the crops involved are forage maize, beet, spring and autumn sown oil seed rape). The Government are funding an independent research consortium to carry out ecological studies. The cost of the ecological studies is currently £4.4 million over the period March 1999 to December 2003.

It is usually the responsibility of the organisation applying for consent to place GM crops on the market to provide evidence of environmental impact. This is likely to include the results of studies carried out to support that evidence. In the case of the GM herbicide tolerant crops involved in the Farm-Scale Evaluations programme, the Government and industry agreed that additional research on the environmental impact of growing and managing the crops was required before general cultivation could be contemplated. It was agreed that these studies would be jointly funded as described above. It is anticipated that, in future, applicants will include such evidence in their dossiers when making applications.

The Advisory Committee on Releases to the Environment sub-group on Wider Biodiversity Issues, announced in February 1999, is working on guidance and criteria for carrying out such assessments in the future.

Number Plates

Mr. Watts: To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has for new regulations relating to number plates. [117295]

Mr. Hill: The Department has recently concluded public consultation on proposals for new regulations relating to the display of vehicle number plates. Details of the Department's response in the light of the comments made will be placed in the Library of the House tomorrow.

Two Metre Rule

Mr. Fearn: To ask the Secretary of State for the Environment, Transport and the Regions what assessment his Department has made of the environmental impact on *(a)* historic hedges and *(b)* wildlife of the implementation of the two metre rule for subsidies. [115542]

Ms Quin: I have been asked to reply.

This Department has held discussions with all the principal farming organisations and statutory environmental bodies on the issues mentioned by the hon. Member as well as with the European Commission.

Last week my right hon. Friend the Minister reached agreement with the EU Agriculture Commissioner, Franz Fischler, that the United Kingdom should, for this year, apply the same criteria as were used in 1999 and earlier years for determining the acceptability of hedges and other field margins included in claims based on whole Ordnance Survey field areas under the Integrated Administration and Control System. For 2001 and subsequent years, MAFF will work with the Commission in order to clarify what types of margins are acceptable for inclusion in aid claims and identify ways of safeguarding environmentally valuable hedges so that we can reach a permanent resolution of this issue.

Methyl Tertiary Butyl Ether

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions how many tonnes of methyl tertiary butyl ether were imported into the United Kingdom in each of the last five years. [116246]

Mrs. Liddell: I have been asked to reply.

Methyl Tertiary Butyl Ether (MTBE) is not separately identified within the system for classifying products imported into the UK used by HM Customs and Excise. As such it is not possible to provide the information requested. However, we estimate that the average MTBE content in petrol in the UK is less than one per cent.

NORTHERN IRELAND

Killyleagh Sewage Works

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what is the estimated cost of his plans to pump foul sewage from Crossgar to Killyleagh; what percentage of the capacity of Killyleagh Sewage Works is available; what percentage of Killyleagh Sewage Works would still be available if the sewage were pumped from Crossgar into Killyleagh Sewage Works; what representations he has received concerning the plans to pump sewage from Crossgar to Killyleagh; what consultation there has been with the residents and elected representatives of Killyleagh; and if he will make a statement. [116088]

Mr. Ingram: Responsibility for this matter has been delegated to the Water Service under its Chief Executive, Mr. Robert C. Martin. I have asked him to arrange for a reply to be given.

Letter from Robert C. Martin to Mr. John D. Taylor, dated 28 March 2000:

You recently asked the Secretary of State a Parliamentary Question about Killyleagh Sewage Works. I have been asked to respond as Chief Executive of Water Service with operational responsibility for the provision of water and sewerage services.

An appraisal of the options for improving wastewater treatment facilities at Crossgar concluded that the most cost-effective option was to pump wastewater from Crossgar to Killyleagh for treatment. The estimated cost of this is almost £1.6 million. The scheme will also help to improve the water quality in the River Quoile system.

In undertaking the appraisal study, account was taken of projected residential and industrial expansion to the year 2021 on the basis of figures provided by the Department of the Environment's Planning Service. These figures allow for an additional 350 houses at Crossgar and 335 houses at Killyleagh. Following the closure of local industry, the wastewater treatment works in Killyleagh is currently operating at approximately 32% of its design capacity. After the transfer of the wastewater from Crossgar, and taking into account the projected increases up to 2021, the Killyleagh works will operate at approximately 71% of its design capacity leaving considerable surplus capacity for additional residential and industrial expansion.

No significant development work is required at the Killyleagh Works. Indeed, the key changes envisaged are mainly of an operational nature. In these circumstances the residents of the Killyleagh area were not directly consulted about the project. However, Down District Council was consulted and we received a small number of written representations, about various aspects of the project, from public representatives including the constituency Member of Parliament, Mr. E. McGrady. Our proposals were fully explained to these public representatives.

Childhood Funds

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland if an application for a nursery unit at Kircubbin Integrated Primary School would be eligible for financial support from the childhood funds; and if he will make a statement. [116087]

Mr. George Howarth: No. The deadline for commitment of funds under the EU Special Support Programme for Peace and Reconciliation was 31 December 1999, and no new project could be approved at this stage.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland at which locations nursery units have been provided with financial support from the childhood funds; how many of these units are associated with the Council of Catholic Maintained Schools; how many children of *(a)* Catholics and *(b)* Protestant background attend each of the units associated with the CCMS; and if he will make a statement on the impact of the EU package for peace and reconciliation on provision of cross-community nursery units. [116086]

Mr. George Howarth: Capital funds under the EU Childhood Fund were distributed on the basis of applications received and considered in the first place by the relevant Area Early Years Committee (AEYC), which made recommendations to the Department of Education. The Department considered and approved applications on the basis of whether the proposed provision: was sited where it would have maximum educational impact, in targeting area of greatest social/educational need; would create access for as many children as possible; and represented good value for money, taking account of viability considerations in particular.

The deadline for commitment of funds under the EU Special Support Programme for Peace and Reconciliation was 31 December 1999.

Nursery units have been provided or offered funding at the following locations under each tranche of the EU Childhood Fund:

Tranche 1

Ashlea Primary School, Londonderry
Barrack Street Boys' Primary School, Strabane
Bushmills Primary School
College Farm Nursery School, Armagh
Enniskillen Nursery School
Glendermott Primary School, Londonderry
Harpur's Hill Primary School, Coleraine
Kilcooley Primary School, Bangor
Old Warren Primary School, Lisburn
St. James' Primary School, Whiteabbey
St. John's Primary School, Carnlough
St. Joseph's Primary School, Newry
St. Patrick's Primary School, Castlederg
St. Patrick's Primary School, Crossmaglen
St. Patrick's Primary School, Cullyhanna
St. Patrick's Primary School, Dungannon (one unit in the school, one unit in Ballysaggart estate)
St. Patrick's Primary School, Newry
St. Ronan's Primary School, Lisnaskea
West Winds Primary School, Newtownards

Tranche 2

Holy Family Primary School, Magherafelt
Kircubbin Community Nursery
Limavady Nursery School
Magherafelt Nursery School
Newcastle Primary School
North Lurgan Nursery School
Portavogie Primary School
St. Patrick's Primary School, Loughguile
St. Peter's Primary School, Ardboe

Tranche 3

Annalong Primary School
Ballyward/Drumadonnell
Clonoe Nursery School
Cookstown Nursery School (additional room)
Edwards Primary School, Castlederg
Killowen Primary School, Lisburn
Longtower Primary School, Londonderry
McKinney Primary School, Dundrod
St. Laurence's Primary School, Fintona
St. Patrick's Primary School, Rasharkin.

Twenty-one of the projects are associated with the Council for Catholic Maintained Schools.

In October 1999, the religious backgrounds of children attending each of the Tranche 1 nursery units associated with CCMS were as follows:

School name	Roman Catholic	Protestant	Other	Total
Barrack Street Boys' Primary School, Strabane	52	0	0	52
College Farm Nursery School, Armagh	51	1	0	52
Glendermott Primary School	25	0	1	26
St. James' Primary School, Whiteabbey	25	46	2	73
St. John's Primary School, Carnlough	31	1	0	32
St. Joseph's Convent Primary School, Newry	78	0	0	78
St. Patrick's Primary School, Castlederg	51	0	0	51
St. Patrick's Primary School, Crossmaglen	52	0	0	52
St. Patrick's Primary School, Cullyhanna	26	0	0	26
St. Patrick's School, Dungannon	72	0	1	73
St. Patrick's Primary School, Newry	73	0	0	73
St. Ronan's Primary School, Lisnaskea	50	0	0	50

The nine projects under Tranches 2 and 3 which are associated with CCMS have not yet opened.

The EU Special Support Programme for Peace and Reconciliation has facilitated the provision of several new cross-community nursery units and has provided a very welcome 14 per cent. increase in the availability of pre-school education across Northern Ireland generally. Many nursery units of all management types have an established pattern of cross-community attendance, and all funded pre-school education provision is and will continue to be open to children from all sections of the community.

Early-day Motions

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will place a copy of his letter concerning an early-day motion tabled by the hon. Member for North-East Derbyshire (Mr. Barnes) and others in the Library; and on how many occasions since May 1997 he or his predecessor has entered into correspondence about an EDM. [100175]

Mr. Ingram: A copy of my letter of 9 March 2000 to my hon. Friend the Member for North-East Derbyshire (Mr. Barnes) has been placed in the Library. It is not appropriate to comment on correspondence between Ministers and hon. Friends.

HEALTH

Hospital Waiting Times

Mrs. Virginia Bottomley: To ask the Secretary of State for Health in which health authority *(a)* more than 10 per cent. and *(b)* less than one per cent. of patients have been waiting for in-patient treatment for more than one year. [116068]

Mr. Denham: The information is given in the table.

Waiting list at 31 January 2000

Health authority	Percentage waiting 12 months or more
North Essex	10.90
Gloucestershire	0.90
Bradford	0.90
Solihull	0.80
Doncaster	0.40
Sunderland	0.10
Dorset	0.04

NHS Volunteers

Mrs. Virginia Bottomley: To ask the Secretary of State for Health what action he has taken to implement the NHS Executive Working Party report entitled, "Making a Difference: Strengthening Volunteering in the NHS". [116443]

Mr. Denham: The National Health Service Executive has taken, and continues to take, action on the recom-mendations of the "Making a Difference: Strengthening Volunteering in the NHS" report. A response to the recommendations aimed specifically at the NHS Executive is summarised in Health Service Circular 1999–023, copies of which are available in the Library.

NHS Scientific Staff

Mr. Edwards: To ask the Secretary of State for Health what plans he has to review pay and grading of scientific staff in the NHS. [116441]

Mr. Denham: On 15 February 1999, the Department published proposals for modernising the National Health Service pay system in "Agenda for Change". Initial discussions with NHS trade unions on pay modernisation resulted in a Joint Framework of Principles and Agreed Statement on the Way Forward which was published on 8 October 1999. Negotiations continue, aiming for a pay system which pays fairly for work done, with career progression based on responsibility, competence and satisfactory performance.

The National Advisory Group for Scientists and Technicians is collaborating with the professions to develop a human resource strategy that will underpin the career development of scientists in the NHS.

Public Bodies

Mr. Quinn: To ask the Secretary of State for Health how many board members he appoints to each non-departmental public body. [116337]

Mr. Denham: Full lists of the non-departmental public bodies to which my right hon. Friend makes appointments are published in "Public Bodies 1999" (ISBN 0 11 430159 X) and in the "Department of Health Public Appointments Annual Report 1999", copies of which are available in the Library.

Severalls Hospital, Colchester

Mr. Bob Russell: To ask the Secretary of State for Health if he will make a statement on the sale of Severalls Hospital, Colchester. [116469]

Mr. Denham: Severalls Hospital land adjoins part of a larger developable site owned by my right hon. Friend the Secretary of State, Colchester Borough Council, Essex Rivers Healthcare National Health Service Trust and North East Essex Mental Health National Health Service Trust.

In partnership with the trusts, the National Health Service Executive and National Health Service Estates are working to review the disposal strategy to maximise the income from the land sale to help meet the current and future healthcare need.

Food Standards Agency

Mr. Ian Stewart: To ask the Secretary of State for Health what arrangements he has made concerning the establishment of the Food Standards Agency; and if he will make a statement. [117044]

Ms Stuart: The provisions establishing the Food Standards Agency under the Food Standards Act 1999 are due to come into force on 1 April. The Food Standards Agency will act as a non-ministerial Department, which will be accountable to Parliament through Health Ministers. As of 1 April, I will have day-to-day responsibility for parliamentary business relating to food safety and standards matters, including questions from Members. I will also be responsible for dealing with relevant correspondence from Members of this House. Details of the Food Standards Agency's role and organisation will be placed in the Library.

HOME DEPARTMENT

Arson

Siobhain McDonagh: To ask the Secretary of State for the Home Department when he will respond to the report of the Scoping Study in relation to arson prevention in England and Wales. [117116]

Mr. Mike O'Brien: I am pleased to announce today that the Government have accepted all of the main recommendations of the Scoping Study.

We have pledged quite clearly our determination and commitment to providing safer communities. The police and fire services have a vital role to play in helping to maintain a safer society, not just by reducing crime and the fear of crime, but also by reducing the number of deliberate fires and associated deaths and casualties.

The report of the Arson Scoping Study was published last May and set out a series of recommendations aimed at addressing the growing problem of deliberate fires. The report was welcomed as an enormous opportunity for the Government and the police and fire services to reduce the pain and suffering caused by deliberately set fires.

When the report was published we made it clear that we wanted to hear the views of chief officers, local authorities, the insurers and all those involved in the administration of justice, all of whom have a crucial role to play in translating the recommendations into action. I am pleased to say that the response to the Scoping Study has provided a strong mandate to carry forward all of its key recommendations and for a refocusing of efforts to prevent arson.

I am writing to those same organisations today to explain how we intend to take the recommendations forward. In particular, I want to see the efforts of Government, police and fire authorities, the insurers and other local agencies integrated and co-ordinated as the Scoping Study recommended so that the whole effort achieves more than the sum of its parts. We shall be taking steps to put these arrangements in place shortly. I also accept, with the strong endorsement of the police and fire services and the insurers, the recommendation to create a new Government-led Arson Control Forum to take forward the arson prevention strategy.

Arson prevention must become a core activity of the police and fire services and we must work in partnership with other agencies and with business to eliminate deliberately set fires. The success of this approach will mean a safer society for us all.

Juvenile Offenders

Mr. Gareth Thomas: To ask the Secretary of State for the Home Department what priorities will be set for placing juvenile offenders when the Detention and Training Order comes into operation. [117117]

Mr. Straw: The Detention and Training Order (DTO) will come into force on 1 April 2000. It will become the main custodial sentence for juvenile offenders aged 12 and under 18, replacing detention in a young offender institution for under-18s and the secure training order. Detention under section 53 of the Children and Young Persons Act 1933 will remain available for the minority of young offenders aged 10 and under 18 who commit grave crimes.

Subject to parliamentary agreement to an Order laid on 27 March, for under-18s sentenced to custody under the DTO or section 53, and those remanded to Prison Service custody or direct to local authority secure accommodation, new, more co-ordinated arrangements for the juvenile secure estate will start operation in April. The Youth Justice Board for England and Wales will commission and purchase places from the Prison Service, the Secure Training Centre (STC) contractors and Local Authority Secure Units (LASUs). This will give it considerable influence over the management of custodial placements for under-18s, and enable more appropriate and cost-effective use of facilities. The Board has drawn up commissioning and placement strategies to support its proposed new role and a copy of these has been placed in the Library.

Initially, there will be 13 Prison Service establishments holding under-18s, three STCs and 200 to 300 places the Youth Justice Board expects to purchase from LASUs, through current negotiations (LASUs have 480 places in total, but have to keep enough free for local authority placements for welfare purposes or for those placed in secure accommodation following a remand to ordinary local authority care). So altogether, there will initially be some 3,200 places for youth justice purposes.

Of these places, 2,800 will be provided by the Prison Service. There is £51 million being invested in a substantial capital development programme throughout the juvenile estate, plus improvements in education, training and work designed to prevent re-offending and drawing on "what works" evidence-based research. This

will, over time, make its establishments better equipped to deliver the acceptable and positive environment required to meet the needs of those held within them. However, the Government and the Youth Justice Board believe that further steps should none the less be taken to protect the most vulnerable under-18s. Within its total budget for secure placements in 2000–01, the Board will push this process as far as it can during the coming year, particularly in respect of the 100 girls under 18 serving custodial sentences.

Beyond this, what the Youth Justice Board can do to move them elsewhere, and how quickly, depends on the numbers remanded and sentenced to custody by the courts and the physical and financial resources available to cater for them. If the numbers decline, the new powers will provide further opportunities to place more of these vulnerable young people in LASUs and STCs. In all placement decisions, the focus will be on matching the needs of individual young people to the available accommodation, based on the evidence of "what works", not least in reducing crime. The Board will monitor establishments' performance—within the Prison Service, LASUs and STCs—against service specifications to ensure regimes are of an appropriate standard and that the well-being of the young people is being properly addressed.

As to future years, we have previously announced plans for two more STCs providing approximately 80 places. The Youth Justice Board will take over development work on these in April. We will be considering in this year's Spending Review what further provision should be made for new establishments to be commissioned by the Board.

With the improvements to the quality of the Prison Service juvenile estate, the greater flexibility available to place DTO trainees and the consolidation of commissioning and purchasing responsibilities with the Youth Justice Board, the new arrangements represent a significant opportunity to drive up standards and place young people according to their relative needs in terms of welfare and action to prevent re-offending. I am confident that the Youth Justice Board, working with the various providers, will fully seize this opportunity.

Home Detention Curfew Scheme

Miss Widdecombe: To ask the Secretary of State for the Home Department, pursuant to his answer of 22 March 2000, *Official Report*, column 561W, on the Home Detention Curfew Scheme, if he will provide a breakdown by offence committed of the number of prisoners released listed under *(a)* other homicide and attempted homicide, *(b)* wounding, *(c)* assaults, *(d)* drugs, *(e)* other violence against the person and *(f)* other motoring offences. [116692]

Mr. Boateng: A breakdown of the first five categories of original offences in question committed by prisoners released up to 14 March 2000 under the Home Detention Curfew scheme, and the number convicted of each type of offence, are given in the table. A breakdown of the 1,530 offences listed as "other motoring offences" is not available centrally.

Offence	*Number*
Other homicide/attempted	
Attempted murder	5
Making threats to kill	29
Conspire, aid, incite murder	1
Death by reckless driving	115
Total	150
Wounding	
Wounding (inflicting GBH)	1,392
Assault occasioning ABH	819
Assault with intent to cause GBH	48
Total	2,258
Assaults	
Assault with intent to resist arrest	8
Other assault	335
Obstruct/resist constable	7
Assault on police officer	91
Total	441
Drugs	
Production	103
Supply	969
Possession with intent	1,238
Possession	396
Unlawful import/export	190
Other drugs	35
Total	2,931
Other violence against the person	
Cause explosion, place explosive	2
Possess firearms with intent	133
Possess offensive weapon	83
Other violence against person	17
Total	235

Corporate Manslaughter

Mr. Cohen: To ask the Secretary of State for the Home Department if he will include in his proposals to combat crime further provisions relating to corporate manslaughter; and if he will make a statement. [116503]

Mr. Charles Clarke: The Government set up an inter-departmental working group of officials to consider the recommendations made by the Law Commission in their report number 237 "Legislating the Criminal Code: Involuntary Manslaughter". One of those recommendations was that there should be a new offence of corporate killing.

The conclusions of the inter-departmental working group were passed to Ministers in late December and we are continuing to consider how to take the matter forward. We expect to publish our conclusions for consultation shortly.

Correspondence

Mr. Brady: To ask the Secretary of State for the Home Department when he intends to reply to the letter dated 22 February from the hon. Member for Altrincham and Sale, West, regarding Samuel Adams. [115860]

Mr. Straw: I wrote to the hon. Member on 27 March.

Domestic Violence

Mr. Cox: To ask the Secretary of State for the Home Department what training is given to police officers on dealing with domestic violence; and if he will make a statement. [115915]

Mr. Charles Clarke: National Police Training (NPT) deliver training on domestic disputes and domestic violence during the Probationer Training Programme undergone by all recruits to the police service. This training is designed to make students aware of the legal framework within which they will operate, the role of the police service and other agencies, and the powers open to them.

The National Operations Faculty, part of NPT, offers a three-day course at Bramshill called "Quality of Service to Women Victims of Domestic Violence". The course is open to senior police officers of the rank of Inspector and above and covers a range of issues including:

the criminal victimisation of women;

applying quality of service to the care of women victims;

strategies to develop an appropriate response to domestic violence;

current patterns of victimisation;

role and status of women as victims;

current legal remedies; and

domestic violence and crime audits.

NPT has just completed a Training Needs Analysis to establish whether additional training is needed in this area of policing. The results are expected shortly and will be taken forward by the National Operations Faculty and NPT as quickly as possible.

Prisons (Reference Books)

Mr. Cox: To ask the Secretary of State for the Home Department what requirement his Department imposes concerning the availability of updated legal reference books to prison inmates in England and Wales; and if he will make a statement. [116333]

Mr. Boateng: All prison establishments in England and Wales are required to make legal reference books available to prisoners. Prison Service Headquarters issue a mandatory list of publications to be held, which is currently being updated.

Demonstrations

Mr. Meale: To ask the Secretary of State for the Home Department what his policy is on restrictions connected with demonstrations with placards within a one mile radius of the House of Commons. [116275]

Mr. Charles Clarke: There are no general restrictions connected with demonstrations with placards within a one mile radius of the House of Commons. Section 52 of the Metropolitan Police Act 1839 may be enforced when demonstrations may result in obstruction or disorder which may impede the free passage of Peers and Members to and from the Houses of Parliament on any day on which Parliament is sitting. Additional bye-laws apply within the Royal Parks and the Mall.

Remand Prisoners

Mr. Pike: To ask the Secretary of State for the Home Department what privileges are granted to *(a)* convicted and *(b)* unconvicted remand prisoners; and if he will make it his policy that all remand prisoners should be treated for this purpose as unsentenced prisoners. [116286]

Mr. Boateng: Under the national policy framework for incentives and earned privileges, Prison Service establishments in England and Wales operate local schemes which allow all prisoners to earn a range of privileges through good behaviour and performance. They include enhanced access to private cash, visits, pay, in-cell television, association, and the right of prisoners to wear their own clothes.

All unconvicted prisoners have certain minimum entitlements in view of their status. For example, they are permitted to have extra visits, letters and reading materials, to conduct business activities and to wear their own clothes. Incentive and privilege schemes for these prisoners must respect these minimum entitlements and provide further enhancements for good behaviour. We have no plans to extend unconvicted prisoners' privileges to convicted, but unsentenced, prisoners.

Crimestoppers

Mr. Bob Russell: To ask the Secretary of State for the Home Department what action he intends taking to increase public confidence in, and awareness of, the Crimestoppers system of reporting suspected criminals; and if he will make a statement. [116465]

Mr. Charles Clarke: The Government fully recognise the valuable work that Crimestoppers does to help in the fight against crime. Ministers attend Crimestoppers Trust events to support its work as other commitments allow. At the recent London Board of Crimestoppers annual dinner, my right hon. Friend the Home Secretary expressed his belief that all Crime and Disorder Reduction Partnerships should be aware of the potential benefits of involving Crimestoppers in their work when drawing up strategies. I intend to host a small seminar to discuss the possibilities of voluntary sector organisations such as Crimestoppers and Neighbourhood Watch working more closely together at local level to identify ways of increasing a more co-operative approach.

Mr. Bob Russell: To ask the Secretary of State for the Home Department how many people have been arrested in each of the last five years as a result of information supplied to Crimestoppers; and if he will break down the categories of offence in respect of the most recent year for which figures are available. [116466]

Mr. Charles Clarke: According to information supplied by Crimestoppers Trust, the number of people arrested and charged for each of the last five years as a result of information supplied to Crimestoppers was as follows:

Year	*Arrested and charged*
1995	3,355
1996	4,347
1997	4,726
1998	5,169
1999	5,300

These figures can be broken down into the following categories for 1999:

Crime	*Total arrested and charged*
Murder	38
Attempted murder	22
Rape	13
Robbery	202
Assault	181
Burglary	338
Firearms	28
Handling stolen goods	209
Drugs	2,308
Arson	34
Theft	410
Vehicle crime	667
Sexual assault	18
Fraud	141
Other crimes	691
Total	5,300

The total number of people arrested and charged as a result of information supplied to Crimestoppers for the period 1 January 2000 to 29 February 2000 is given as 842.

Mr. Bob Russell: To ask the Secretary of State for the Home Department on how many occasions he has met representatives of Crimestoppers. [116467]

Mr. Charles Clarke: Most recently, my right hon. Friend the Home Secretary attended the London Board of Crimestoppers' annual dinner on 14 March and attended a lunch to promote Crimestoppers to the Asian Community in October 1998. In addition, Ministerial colleagues attended the Crimestoppers' Tenth Anniversary Ball in December 1998 and intend to visit the Crimestoppers Trust Head Offices in Putney in the next few months.

Mr. Bob Russell: To ask the Secretary of State for the Home Department how much money was allocated by the Government to fund Crimestoppers in each of the last five financial years for which figures are available. [116468]

Mr. Charles Clarke: No funding has been allocated by the Government to Crimestoppers in the last five financial years.

Royal Prerogative

Mr. Baker: To ask the Secretary of State for the Home Department if he will list the occasions in the last three months when powers under the Royal Prerogative were exercised on the advice of ministers. [113281]

Mr. Mike O'Brien *[holding answer 7 March 2000]:* I regret that this information is not held centrally.

Asylum Seekers

Miss Widdecombe: To ask the Secretary of State for the Home Department, pursuant to his answer to my hon. Friend the Member for Aylesbury (Mr. Lidington) of 23 March 2000, *Official Report*, column 672W, on asylum seekers, *(a)* for what reasons local authorities (i) claimed more than their gross expenditure and (ii) did not claim the full amount of their gross expenditure and *(b)* what estimate he has made of the cost to each local authority in the (1) 1999–2000 and (2) 2000–2001 financial years of providing support to asylum seekers which they are unable to claim from the Home Office under the grant rules and which has been or will be met from their own funds; and if he will make a statement. [116691]

Mrs. Roche *[pursuant to her reply, 23 March 2000, c. 672W]:* The gross expenditure figure for East Sussex should read £279,979.

Data are available for the 1999–2000 financial year only in relation to the period 1 April 1999 to 5 December 1999. The data for 6 December 1999 to 31 March 2000 are not yet available in full, as not all claims have been received from local authorities. For the period 1 April 1999 to 5 December 1999, those local authorities who received more than their gross expenditure (as defined in the grant report rules) did so as a result of allowable commissioning costs. The grant rules covering this period entitle local authorities to claim the costs involved in commissioning premises to be used to accommodate asylum seekers. At the discretion of the Secretary of State, payment of up to £10 per week for each person supported in such premises was available. The provision was taken up only by a small number of authorities. In some cases, local authorities could not be reimbursed the full amount of their identified gross expenditure for a number of reasons—for example, because they incurred expenditure on items which were not covered by the grant rules or had exceeded the unit costs limits set by the grant report. No estimate has been made for the whole of 1999–2000 and 2000–01 of the cost to each local authority of providing support to asylum seekers for which they are unable to claim from the Home Office under the grant rules.

Miss Widdecombe: To ask the Secretary of State for the Home Department for what reason, in his Department's monthly asylum statistics published on 24 March, the number of asylum applicants *(a)* granted asylum or exceptional leave to remain and *(b)* refused, was listed as not available; on what data the figure for decisions in total was based, and for what reasons this could not be broken down by category; if monthly asylum statistics have been published previously without such a breakdown; and if he will make a statement. [116693]

Mrs. Roche: The figure for total asylum decisions in February was obtained from a manual count by caseworkers and is consistent with figures provided in previous months. A breakdown of decisions, by type, was not available in February due to the transition to a new computer system, the Asylum Cases Information Database (ACID). Although information on asylum decisions is satisfactorily recorded on this system for operational purposes, further quality checks are being carried out to ensure accurate statistical information is published.

It is expected that a full breakdown of the decisions will be published in due course. A preliminary analysis has shown that the breakdown of decisions, for cases considered under normal procedures, in February was consistent with that seen in recent months with a high proportion of refusals of asylum. Monthly asylum statistics have not been published previously without such a breakdown.

Criminal Justice and Court Services Bill

Miss Widdecombe: To ask the Secretary of State for the Home Department, pursuant to his answer of

22 March 2000, *Official Report*, column 559W, on release of prisoners, if he will provide a breakdown by type of offence of the additional prisoners he estimates would be released earlier than now as a result of the electronic monitoring provisions of the Criminal Justice and Court Services Bill. [116690]

Mr. Boateng: It is not possible to give such a breakdown at this stage. The new powers will be carefully tested in pilot schemes before they are made available, and it would be premature to judge the possible outcomes of those pilots. However, there is no question of electronic monitoring being used to facilitate the early release of sex offenders or other high risk offenders. The availability of electronic monitoring for such offenders will not influence the Parole Board when making decisions or recommendations on release. The Secretary of State will be issuing Directions to the Parole Board to make this clear, using the powers available to him under section 32(6) of the Criminal Justice Act 1991.

The measures in the Criminal Justice and Courts Services Bill will not change any prisoner's eligibility for release, and any discretionary release decision will continue to be subject to careful risk assessment. These proposals should provide additional protection for the public. High risk offenders—when eventually released at the end of their term in custody—could be made subject to electronic monitoring as a means of reinforcing curfew or exclusion conditions in their licences.

TREASURY

Tax Credits

Dr. Godman: To ask the Chancellor of the Exchequer (1) what was the *(a)* average working families tax credit and *(b)* average child care tax credit payment per week for persons in (i) Inverclyde and (ii) Scotland in the past year; [115950]

(2) what was the annual expenditure by Her Majesty's Government on *(a)* the working families tax credit and *(b)* the child care tax credit in (i) Inverclyde and (ii) Scotland in the past two years; [115951]

(3) if he will estimate the number of families with children in *(a)* Inverclyde and *(b)* Scotland who are eligible for the working families tax credit; [115952]

(4) how many persons in *(a)* Inverclyde and *(b)* Scotland are in receipt of (i) working families tax credit and (ii) the child care tax credit. [115953]

Dawn Primarolo: It is estimated that 83,900 families in Scotland had been awarded the working families tax credit (WFTC) by the end of February 2000, of which 1,700 were in Inverclyde.

About 8,900 of the awards in Scotland included a child care tax credit. There are too few cases in the 5 per cent. sample used for these analyses to provide a reliable estimate of the number of these in Inverclyde.

The average value of WFTC awards made by the end of February 2000 in Scotland is estimated at £69.91 per week. For families with eligible child care costs, the average extra amount of WFTC arising from the child care tax credit is estimated at £28.63 per week. It is not possible to provide reliable corresponding estimates for Inverclyde.

WFTC was introduced on 5 October 1999. It is estimated that expenditure in 1999–2000 on awards in Scotland will be about £80 million. Recalculating the awards excluding the child care tax credit would reduce this by about £5 million. It is not possible to provide corresponding estimates for Inverclyde.

Ms Harman: To ask the Chancellor of the Exchequer (1) what was the average *(a)* working families tax credit and *(b)* child care tax credit payment per week for people in Southwark in the last 12 months; [114836]

(2) what was the annual expenditure by Government on *(a)* working families tax credit and *(b)* child care tax credit in Southwark in each of the last five years. [114837]

Dawn Primarolo: The working families tax credit (WFTC) was introduced in October 1999. It is not possible to provide reliable estimates of the average award, or expenditure, for Southwark. However, for the United Kingdom as a whole, the average value of WFTC awards made up to the end of February 2000 was £71.48 per week, and for London the average was £73.92 per week. For the United Kingdom as a whole, for those with eligible child care costs, the average extra amount of WFTC arising from the child care tax credit was £31.04 per week.

Ms Buck: To ask the Chancellor of the Exchequer (1) how many claims for working families tax credit have been received in each region; [110544]

(2) what has been the average gain to working families from the working families tax credit in each region. [110545]

Dawn Primarolo: The estimated number of awards of the working families tax credit made by the end of February 2000 by region are given in the table. Estimates of the average weekly gain for families in receipt of WFTC compared with Family Credit in a full year were given to my hon. Friend on 14 July 1999, *Official Report*, column 245W. Full year figures made on actual awards are not yet available.

Government office region	*Number of WFTC awards made to end February 2000*
United Kingdom	879,400
England	712,300
North East	52,300
North West	127,700
Yorkshire and the Humber	96,900
East Midlands	70,100
West Midlands	89,900
East of England	59,200
London	64,900
South East	80,100
South West	71,100
Wales	52,400
Scotland	83,900
Northern Ireland	30,700

Ms Kelly: To ask the Chancellor of the Exchequer (1) what estimate he has made of the impact of the working families tax credit on the income of a couple, both earning the minimum wage, and with two children under 11 years, where one parent works full-time and the other *(a)* full-time and *(b)* 16 hours per week; [106100]

(2) what assessment he has made of the impact of the working families tax credit on the income of a couple, both earning the minimum wage, with two children under 11 years, where one parent works full-time and the other works *(a)* full-time and *(b)* 16 hours per week if the income were divided equally and the credit calculated on each half; [106101]

(3) what estimate he has made of the impact of the working families tax credit on the income of a single parent, with two children under the age of 11 years, earning the minimum wage and working *(a)* full-time and *(b)* 16 hours per week. [106099]

Dawn Primarolo: The amounts of working families tax credit for 1999–2000 payable to those earning the minimum wage and with two children under 11 are given in the table.

Amount of working families tax credit

	£ per week
Couple:	
both working full-time	25.13
one working full-time, one working 16 hours per week	56.12
Lone Parent:	
working full-time	87.80
working 16 hours per week	92.00

Figures on gross earnings, and earnings after income tax and national insurance contributions were as follows:

£ per week

	Couple, both working full-time	*Couple, one working full-time, one working 16 hours per week*	*Lone parent working full-time*	*Lone parent working 16 hours per week*
Gross earnings	252.00	183.60	126.00	57.60
Earnings net of income tax and national insurance contributions	231.67	175.33	117.73	57.60
Amount of working families tax credit	25.13	56.12	87.80	92.00

The estimated expenditure on the working families tax credit for 2000–01, the first full year of the credit, is £4.7 billion. If each partner in a couple received the full amount of credits, and each had an award based on half the couple's earnings, then the expenditure would increase to over three times this figure. Lone parents would be unaffected.

Heavily-indebted Poor Countries

Dr. Tonge: To ask the Chancellor of the Exchequer what plans he has to review the HIPC II process at the G8 Summit in Okinawa. [116545]

Miss Melanie Johnson: The Chancellor of the Exchequer discusses progress on the HIPC initiative with G7 colleagues on a regular basis, and will do so at the G7 meeting of Finance Ministers and Central Bank Governors on 15 April, and in the run-up to the Okinawa Summit.

Heads of Government will, at the G8 Summit in Okinawa, discuss progress on implementing the enhanced HIPC initiative agreed at last year's Cologne Summit.

Dr. Tonge: To ask the Chancellor of the Exchequer what recent discussions he has had with the World bank and IMF concerning the heavily-indebted poor countries due to qualify for debt cancellation by the end of 2000. [116546]

Miss Melanie Johnson: The Chancellor and Secretary of State for International Development wrote to the Managing Director of the IMF and the Chairman of the World bank in January. In addition, the Chancellor will be holding discussions with the World bank and IMF during the course of the Spring Meetings next month, in his capacity as chairman of International Monetary and Finance Committee. The Secretary of State for International Development, as a member of the Development Committee, will also be discussing the issue of HIPC and progress on Poverty Reduction Strategies.

National Insurance Contributions Office

Mr. Lidington: To ask the Chancellor of the Exchequer what target he has set the National Insurance Contributions Office for the prompt payment to the contracted-out money purchase pension schemes of the age-related element of NIC rebates; what proportion of payments met that target in *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000 to date; and if he will make a statement. [115983]

Dawn Primarolo *[holding answer 23 March 2000]:* There is no target for the payment of age related rebates to contracted-out money purchase schemes. Rebate payments depend on the successful processing of employers' end of year returns.

The targets set for processing of employers' End of Year Returns are as follows:

Percentage

Tax year/description	*Target set*	*Achieved*
1997–98		
National Insurance contributions properly recorded for 80 per cent. of appropriate notifications from employers in respect of Class 1 contributions by 31 December 1998	80	62.2
National Insurance contributions properly recorded for 98 per cent. by 31 March 1999	98	85.9

Tax year/description	Target set	Percentage Achieved
1998–99		
National Insurance contributions properly recorded for 80 per cent. of appropriate notifications from employers in respect of Class 1 contributions by 31 December 1999 and 93 per cent. by 31 March 2000	93	[1]98.53

[1] To date

Disincorporation

Mr. Burnett: To ask the Chancellor of the Exchequer what steps he plans to take to reduce the tax burden of disincorporation; and if he will make a statement. [115240]

Dawn Primarolo *[holding answer 17 March 2000]:* The Government have no plans to change the tax rules applying to disincorporation. Given the likely complexity, and length, of legislation needed to change the tax law affecting disincorporation there would need to be a strong case for making a change. Officials have consulted with representative bodies and other interested parties, but no strong case for change has so far emerged.

Income Tax

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will estimate the reduction in tax paid per year in cash terms, and as a percentage of total gross annual income, for each income decile group, resulting from a 1p reduction in the basic rate of income tax. [114179]

Dawn Primarolo *[holding answer 14 March 2000]:* This Government have introduced a range of measures designed to make work pay and to increase support for families with children, including the 10p starting rate of tax, the national minimum wage and the working families tax credit. The cut in the basic rate is another of those measures.

For taxpayers in 2000–01, the estimates for the reduction in tax paid and reduction as a percentage of total gross annual income for each income decile group resulting from a 1p reduction in the basic rate of income tax are given in the table.

Decile	Reduction in tax paid from 1p cut in basic rate in 2000–01 (£ million)	Reduction as a percentage of total gross income
Lowest	[1]—	[1]—
2nd	25	0.12
3rd	70	0.27
4th	125	0.39
5th	180	0.49
6th	250	0.56
7th	330	0.62
8th	420	0.66
9th	580	0.71
Highest	720	0.41

[1] Negligible

Note:

The estimates exclude an offsetting effect from the working families tax credit because this is allocated at family level and not at individual level.

The estimates are based on the 1997–98 Survey of Personal Incomes and are consistent with the November 1999 pre-Budget Report.

Mrs. Anne Campbell: To ask the Chancellor of the Exchequer how much revenue would have been raised by one penny on the basic rate of income tax in (i) May 1997, (ii) May 1998 and (iii) May 1999; and if he will estimate the amount for May 2000. [112746]

Dawn Primarolo: In the March 1999 Budget material the tax ready reckoner was published on a pre-Budget regime basis. This showed a figure for changing the basic rate by 1p in 1999–2000 of £1.85 billion compared with the estimate based on the current regime of £2.5 billion.

In the 1997 edition of Inland Revenue Statistics a figure of £1.8 billion was published for the full-year effect of a change in the basic rate of 1p in 1998–99.

In the 1996 edition of Inland Revenue Statistics a receipts figure of £1.3 billion was published for the in-year effect for changing the basic rate by 1p in 1997–98. We would expect this to be much lower than the current full-year figure of £1.65 billion, because only around 88 per cent. of the full year would be received in year.

Tax Benefit Reference Manual

Mr. Willetts: To ask the Chancellor of the Exchequer if he will place in the Library the latest edition of the Tax Benefit Reference Manual. [113578]

Dawn Primarolo: *[holding answer 8 March 2000]:* The latest edition of the Tax Benefit Reference Manual, for 1999–2000, was placed in the Library in July 1999.

Single Parents

Mr. Cox: To ask the Chancellor of the Exchequer how many (a) men and (b) women are single parents in the UK. [115917]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger to Mr. Tom Cox, dated 20 March 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your recent question about the number of single parents in the United Kingdom. I am replying in Dr Holt's Absence.

Latest estimates for the period September to November 1999 show that there were 166,000 male and 1,490,000 female single parents with dependent children. The estimates are drawn from the Labour Force Survey (LFS) household databases. Lone parents are defined in the LFS as those who are non-married, which includes single (never married), widowed, divorced, or separated, and not cohabiting.

PAYE

Mr. Ottaway: To ask the Chancellor of the Exchequer what estimate he has made of the aggregate cost to the Inland Revenue of issuing notices of pay-as-you-earn coding prior to 6 April 2000 for the tax year 2000–01 for

those aged 65 years and over which will have to be re-issued after 5 April 2000, in order to include an uplift in personal allowances as set out in section 257C TA1988. [115710]

Dawn Primarolo: There is no requirement to issue revised notices of PAYE codings solely to reflect any rise in the levels of personal income tax allowances announced in the Budget.

Mr. Ottaway: To ask the Chancellor of the Exchequer if he will estimate the interest on the revenue collected early from pensioners by the Exchequer through the temporary over-deduction of income tax caused by the Inland Revenue issuing pay-as-you-earn codings prior to 6 April 2000 for the tax year 2000–01 for those aged 65 years and over without taking account of section 257C TA1988. [115707]

Dawn Primarolo: Notices of coding issued to pensioners take full account of the requirements of Sections 203 and 257C of the Income and Corporation Taxes Acts 1988.

Mr. Ottaway: To ask the Chancellor of the Exchequer if, to prevent confusion, he will ensure that the only notice of pay-as-you-earn coding for the tax year 2000–01 pensioners receive before 6 April 2000 is based on the anticipated level of personal allowances for that year for those aged 65 years and over, increased as required by section 257C TA1988. [115708]

Dawn Primarolo: No. We believe that this would itself lead to confusion and, in some circumstances, could mean that people underpaid tax which had to be recovered.

Finance Bill

Mrs. Lawrence: To ask the Chancellor of the Exchequer when the Finance Bill will be published; and if he will make explanatory notes on the Bill's clauses available to hon. Members. [117043]

Dawn Primarolo: The Finance Bill will be published on Friday 7 April. Explanatory Notes on the Bill's clauses will be placed in the Vote Office and the Libraries of both Houses that day. Members of the public will be able to obtain copies of the Explanatory Notes from the Treasury; these will also be available on the Treasury's Internet site (http://www.hm-treasury.gov.uk).

Earnings (Greater London)

Mr. Cox: To ask the Chancellor of the Exchequer what is his estimate of the number of *(a)* men and *(b)* women living and working in the Greater London area who earn less than £4 per hour. [116321]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger to Mr. Tom Cox, dated 27 March 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your recent question on workers living and working in London earning less than £4 per hour. I am replying in Dr Holt's absence.

The Labour Force Survey (LFS) is the ONS's major source of labour market data on individuals. It can provide information on the earnings of employees both by their region of workplace and their region of residence. In autumn (September to November) 1999 the number of male employees living and working in London earning less than £4.00 per hour was 102,000. The corresponding figure for female employees was 120,000.

The LFS is the most appropriate source of data to answer this question. It provides fuller coverage of people on low pay than the other major source of earnings data, the New Earning Survey (NES). In addition the NES can only supply earnings information for the region of workplace of employees.

Tax Relief (Pensions)

Mrs. Lait: To ask the Chancellor of the Exchequer if he will break down the amount of tax relief for approved pension schemes by each category of scheme. [116322]

Miss Melanie Johnson: Available information on the breakdown of the costs of tax reliefs for approved pension schemes was published in table 7.7 of "Inland Revenue Statistics 1999", a copy of which is in the Library.

Software Provision

Mr. Luff: To ask the Chancellor of the Exchequer what plans he has to provide software to *(a)* self-employed persons and *(b)* small and medium sized businesses, to enable them to calculate money owed to Her Majesty's Government as a result of taxes (i) due from them and (ii) collected by them from their employees; and if he will make a statement. [116362]

Dawn Primarolo: The Budget contained a number of substantial new measures to help small firms comply with their payroll obligations. They will be able to claim 100 per cent. Capital Allowances for investment in Information and Communications Technology equipment, and will be eligible for discounts for internet filing and the use of Internet payroll services. A £60 million package of measures will help them get on-line and use on-line services. And the Inland Revenue Payroll Software Standard will further encourage small employers to use software packages, Internet payroll services and payroll bureaux to calculate their payroll.

Banking Services

Mr. Wray: To ask the Chancellor of the Exchequer what incentives the Government will propose to encourage wider use of banking services among benefit claimants. [116366]

Miss Melanie Johnson: The Government wish to encourage banks to develop basic bank accounts suitable for those who are financially excluded. From 2003 to 2005 the DSS will move progressively to the use of automated credit transfers to make benefit payments into bank or building society accounts. People who wish to continue to collect their cash at post offices will continue to be able to do so, before and after the change in 2003.

Mr. Wray: To ask the Chancellor of the Exchequer how many adults purchased no banking services *(a)* within the United Kingdom and *(b)* within Scotland in each of the last three years. [116367]

Miss Melanie Johnson: Various surveys indicate that the percentage of adults in the United Kingdom who have neither a current account nor a savings account is in the range 2.5 to 3.5 million. Figures supplied by the Association for Payment Clearing Services in respect of

Great Britain and Scotland, for adults aged 18 and over without a bank, building society or National Savings account are as follows:

Thousand

	Great Britain	*Scotland*
1997	2,222	271
1998	2,331	286
1999	2,381	312

CULTURE, MEDIA AND SPORT

Arts Council

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport how many employees the Arts Council of England *(a)* has currently, *(b)* had on 1 May 1997 and *(c)* had on 1 May 1999. [116540]

Mr. Chris Smith *[holding answer 28 March 2000]:* The number of full-time equivalent employees of the Arts Council of England was: 240.52 in May 1997; 278.3 in May 1998; 212.7 in May 1999; and 204.5 in March 2000. The Arts Council's staff numbers rose between May 1997 and May 1998, largely because of the operation of the Lottery Arts4Everyone programme, a major lottery revenue programme run centrally by the Arts Council of England.

Arts Boards

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if he will list the number of employees *(a)* currently, *(b)* in May 1997 and *(c)* in May 1999 of each of the regional arts boards. [116539]

Mr. Chris Smith *[holding answer 28 March 2000]:* I have asked the Arts Council of England, as the body responsible for the regional arts boards, to provide this information. When it is available, I will write to the hon. Member and place a copy in the Library of the House.

EDUCATION AND EMPLOYMENT

Quigley Committee

Mr. Michael J. Foster: To ask the Secretary of State for Education and Employment if he will make a statement on the report of the Quigley Committee. [117208]

Mr. Blunkett: I established a committee under the chairmanship of Sir George Quigley in December 1998, as required by section 25(4) of the Teaching and Higher Education Act 1998, to review fee support for students from England, Wales and Northern Ireland in the fourth year of first degree courses at Scottish institutions. The report is laid today before Parliament and placed in the National Assembly for Wales and the Scottish Parliament.

I welcome the report and congratulate Sir George and the other members of the committee on their thorough examination of all the relevant issues. The Government accept the recommendations addressed to it set out in the report. The Scottish Executive has accepted that it should meet the net costs of the tuition fees of students from England, Wales and Northern Ireland in their fourth year in Scottish universities.

The Government will discuss with the Executive the precise mechanism for paying those fees and the impact on student support. I expect this to come into effect for students who enter the first year of their courses in September 2001.

Public Bodies

Mr. Quinn: To ask the Secretary of State for Education and Employment how many board members he appoints to each non-departmental public body. [116339]

Mr. Wills: A full list of the non-departmental bodies to which the Secretary of State makes appointments can be found in the document "Public Bodies 1999" (ISBN 0–11–430159-X), copies of which are available in the House Library.

"Computers for Teachers"

Mr. Swayne: To ask the Secretary of State for Education and Employment what plans he has to include school librarians in the Computers for Teachers scheme; and if he will make a statement. [115591]

Dr. Cable: To ask the Secretary of State for Education and Employment what plans he has to classify school librarians as teachers for the purposes of the Computers for Teachers initiative. [115810]

Mr. Wills *[holding answer 22 March 2000]:* The scheme, as currently constituted, is focused upon serving teachers in state maintained schools. Schools have a legal obligation to teach Information Technology, both as a curriculum subject in its own right and across all other subjects. The burden of this teaching role falls largely upon the classroom teacher.

In order to provide teachers with the skills to discharge this responsibility, the New Opportunities Fund (NOF) ICT Training programme was developed specifically for teachers in schools, and it aims to give serving teachers the opportunity to raise their pedagogical capability to that now required of newly qualified teachers. The purpose of the Computers for Teachers initiative is to complement that training by raising teacher competence and confidence in their personal use of ICT. Given the access which school librarians generally have to ICT within the school library, the Government have decided to give priority for the funding available under this initiative to teachers.

Departmental Staff

Caroline Flint: To ask the Secretary of State for Education and Employment what provisions are made available to (i) departmental staff and (ii) employees of executive agencies under the control of his Department, for *(a)* maternity leave, *(b)* maternity pay, *(c)* paternity leave, *(d)* parental leave, *(e)* flexible working hours, *(f)* part-time work, *(g)* job sharing, *(h)* leave to care for sick children, *(i)* home-working, *(j)* term-time contracts, *(k)* annual hours contract, *(l)* child care allowances, *(m)* careers' leave and *(n)* career break schemes; and what criteria are used to judge eligibility in each case. [108843]

Mr. Wills: The following provisions are made available to departmental staff and employees of executive agencies (the Employment Service) under the control of the Secretary of State for Education and Employment:

(a) Maternity Leave

All employees are entitled to Statutory Maternity Leave of 18 weeks (for women with an expected week of childbirth on or after 30 April 2000. Before this date the entitlement is 14 weeks). Permanent employees are entitled to 52 weeks maternity leave provided they intend to return to work after the birth, are in paid service when the maternity period begins, and agree to refund any Departmental Maternity Pay (see below) if they do not return.

(b) Maternity Pay

All employees are entitled to Statutory Maternity Pay (SMP) for 18 weeks provided they fulfil the statutory requirements. Permanent employees who fulfil these requirements plus have one year's paid service are entitled to Departmental Maternity Pay (16 weeks at full pay) plus two weeks at SMP.

(c) Paternity Leave

Men are entitled to five days paid paternity leave which can be taken at or around the birth of the child.

(d) Parental Leave

Entitlement to Parental Leave follows the recently introduced regulations and parents of children born or adopted on or after 15 December 1999 are entitled to 13 weeks unpaid leave in blocks of weeks (limited to four in any year) for up to five years following birth or adoption. Parents of disabled children are entitled to the leave in days rather than weeks and up to the child's 18th birthday.

(e) Flexible Working Hours

Most people work flexi-time but have the option to work a set pattern of hours. Whatever pattern is worked, full-time employees are paid a salary that includes a paid lunch break. The full-time conditioned hours of work are 42 (London pay area 41) hours over a five day week, Monday to Friday (this includes a paid lunch break of one hour a day). The hours of work for people who work part-time will vary and will be agreed with their manager. The hours do not include a paid lunch break but the hourly rate is higher to compensate. Individuals have the right to use the Flexible Working Hours (FWH) scheme if one is operated within their office.

(f) (g) Part-time Work or Job Sharing

Part-time working or job sharing is generally open to anyone (subject to operational needs). All vacant posts are regarded as being open to people who work part-time or job share unless it is specifically stated otherwise in the vacancy notice. However, this is currently under review in the DfEE.

(h) Leave to care for sick children

The Employment Relations Act provides for individuals to apply for emergency leave to deal with events such as dependants being ill. DfEE and ES complies fully with the new and revised regulations.

(i) Homeworking

In DfEE homeworking is open to all staff. Managers must consider the needs of the individual applying to work from home, including the individual's welfare, the operational needs of the team and environmental issues such as health and safety. As ES is largely a front line organisation, homeworking will be relevant only to a small range of jobs within ES and operational requirements will need to be considered. For the majority of ES employees this flexibility may be considered only for small periods of ad hoc at-home working.

(j) Term Time Contracts

Part year appointments (of which term time is just one option) are open to all employees. Managers should try wherever possible to accommodate individuals' requirements. If however, having assessed all possible options, to do so would leave the office operationally deficient, managers have the right to refuse an application.

(k) Annual Hours Contracts

Annual Hours Contracts are not operated within the DfEE or Employment Service.

(l) Child Care Allowances

Child care subsidies are payable in certain circumstances (although child care allowances as such do not operate within DfEE or Employment Service). Where a business case supports the provision of nursery/playscheme places in a specific location a subsidy may be payable. Additional child care costs are reimbursed where staff have to work longer than their normal hours. DfEE is currently developing its child care policy and looking at ways of extending child care provision. In particular it is working towards improving equity on all four Head Office sites. User-friendly child care information is being developed to assist parents in finding the information they need on child care provision, both within and outside the Department.

(m) Careers Leave

This is not a term the DfEE or ES recognises, how ever, if my hon. Friend means leave to work in other organisations, the DfEE and ES operates loan/secondment/attachment schemes to outside organisations where there will be a possible business benefit to either organisation. If my hon. Friend means leave to pursue further education to enhance career prospects, individuals can apply for special leave to study for qualifications linked to their field of work.

(n) Career Break

A career break allows individuals to take an extended period of leave to cope with domestic responsibilities. This may be to care for young children, elderly or sick relatives. This allows individuals to preserve their career in the DfEE and ES and allows the organisation to retain skills and experience. Career breaks are taken as special unpaid leave and are classed as continuous employment. A career break may be allowed for a minimum of six months up to a maximum of five years. Individuals may take more than one career break or extend a career break, provided the period of absence does not exceed a total of

five years. Applicants must have a good attendance record and a "satisfactory" marking on their most recent annual report.

Robert Schuman Week

Mr. Bercow: To ask the Secretary of State for Education and Employment if he will make a statement on planned United Kingdom participation in Robert Schuman Week. [115546]

Mr. Vaz: I have been asked to reply.

In the week commemorating the 50th anniversary of the Robert Schuman Declaration, the UK will be participating in "my EUROPE week", organised by the European Schoolnet, a joint initiative of 20 European Ministries of Education.

UK participation is being organised by DfEE.

Capital Funding

Mr. Boswell: To ask the Secretary of State for Education and Employment how much money to date has been allocated to each higher education institution from the Joint Infrastructure Fund for capital projects; and how much remains unallocated. [116488]

Ms Hewitt: I have been asked to reply.

The Joint Infrastructure Fund (JIF) awarded just over £150 million to 22 universities in Round 1 and £320 million to 27 universities in Round 2.

Headline details for Round 3 will be announced on 4 April 2000. Bids to Round 4 will be considered in November 2000 and bids to Round 5 will be considered in March 2001.

The amounts awarded to each institution in Round 1 are listed in the table. The awards for Round 2 are still subject to negotiation to ensure best price and value for money for the funds approved. Final figures for Round 2 and Round 3 will be available as soon as those negotiations have been completed.

Institution	*Value of awards (£ million)*
Cambridge	30.4
Queen Mary and Westfield College	24.8
Oxford	17.9
Imperial College, London	11.3
Birmingham	11.1
London School of Economics and Political Science	6.6
Edinburgh	6.3
Liverpool	6.1
Nottingham	5.0
Surrey	4.7
Newcastle	4.4
Scottish Universities Environmental Research Centre	3.9
Southampton	3.8
University of Wales, Bangor	2.8
Leeds	2.4
Glasgow	2.1
Bristol	2.0
Manchester	1.8
Strathclyde	1.2
Warwick	1.0
Lancaster	0.6
Queen's University, Belfast	0.4
Total	150.4

WALES

Taskforces

Mr. Evans: To ask the Secretary of State for Wales if he will list the Government taskforces selecting to Wales and their members in *(a)* 1992, *(b)* 1993, *(c)* 1994, *(d)* 1995, *(e)* 1996, *(f)* 1997, *(g)* 1998, *(h)* 1999 and *(i)* 2000. [116325]

Mr. Paul Murphy: I will write to the hon. Member as soon as possible and place a copy of my reply in the Library of the House.

Office Running Costs

Mr. Evans: To ask the Secretary of State for Wales what is the cost for the current financial year of running the office of the Secretary of State for Wales. [116328]

Mr. Paul Murphy: The running costs budget for the Wales Office is £2,030,000 for 1999–2000, including Lord Lieutenants' expenditure.

Steel Industry

Mr. Barry Jones: To ask the Secretary of State for Wales what assessment he has made of the prospects for the steel industry in Wales; and if he will make a statement. [116232]

Mr. Paul Murphy: I am extremely optimistic about the future of the Welsh steel industry, particularly in light of the substantial restructuring the UK steel industry has undergone making it among the most efficient and cleanest in the world.

Naturally the Government keenly maintain an on-going dialogue with the steel industry.

National Assembly

Mr. Wigley: To ask the Secretary of State for Wales if he will bring forward legislation to empower the National Assembly for Wales to amend those Acts which have effect in Wales; and if he will make a statement. [115954]

Mr. Paul Murphy: A general power for the Assembly to amend Acts of the UK Parliament having effect in Wales would be unconstrained and inconsistent with the devolution settlement for Wales.

There are, and will continue to be, occasions when it is appropriate to give the National Assembly a power to amend Acts of Parliament for particular purposes. Powers of this kind are included in the Government of Wales Act 1998 and the Health Act 1999 and also in the Care Standards Bill, the Local Government Bill and the Transport Bill.

Employment Statistics

Mrs. Ann Cryer: To ask the Secretary of State for Wales what figures he can require from local authorities about the composition of their workforces in terms of *(a)* standard age groups, *(b)* ethnic origins and *(c)* gender. [104014]

Mr. Paul Murphy: I do not have executive functions which would require me to seek this kind of information from local authorities. My statutory powers to obtain

information from local authorities were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 No. 672. Among these powers is section 141(2) of the Local Government Act 1972 which allows the Assembly to require any information held by or available to a principal council in consequence of the exercise of any of the council's statutory powers.

DEFENCE

AWE Sites

Mr. Salter: To ask the Secretary of State for Defence if he will make a statement on what arrangements have been made to operate the Atomic Weapons Establishment sites at Aldermaston and Burghfield from 1 April. [117045]

Mr. Spellar: My right hon. Friend the Secretary of State for Defence announced on 21 February 2000, *Official Report*, column 1223, that we were reviewing the AWE contract to operate Aldermaston and Burghfield to ensure the pre-eminence of public health and safety. The Government have always made it clear that we would not allow the AWE Management Ltd. consortium to take over the operation of AWE unless we were convinced that safety would not be compromised.

As part of this review each nominee for a director's post at AWE was checked for suitability and to confirm they were not connected with any of the incidents that have caused concern at Lockheed Martin's US facilities or to problems at BNFL Sellafield. The Chief of Defence Procurement also carried out a detailed scrutiny of the terms and conditions of the contract placed with AWE ML. He has confirmed that safety was treated as the highest priority.

The Chief Executive of the Nuclear Installations Inspectorate (NII) has also confirmed that he is satisfied with the ability of AWE ML to operate the sites safely and effectively. He has therefore issued new nuclear site licences. The Environment Agency (EA) has already granted new site discharge authorisations under the Radioactive Substances Act to take effect from 1 April. As a condition of this the EA require AWE ML to submit a report by 30 April 2000 of any proposed changes to the existing management systems and resources and not to implement any changes without the prior consent of the EA. The NII and EA will of course continue to monitor rigorously the safety performance of the new company. Both have also agreed separately to carry out in-depth reviews of all aspects of safety at AWE and to issue public reports after three and 12 months.

Hugh Collum, the new Chairman of BNFL, is currently preparing a report for the Department of Trade and Industry on management and organisation at Sellafield and he has assured us that there will be nothing in his review that could reasonably be read as detrimental to the safe operation of AWE. The NII has also assured the MOD that the problems experienced at Sellafield will have no application to BNFL's proposed role as a shareholder in the AWE ML consortium.

A strict and comprehensive safety regime already exists, monitored by MOD officials as well as the EA and NII. All three authorities carry out regular inspections and have the powers to scrutinise any paperwork, interview any individual, and visit any of the facilities at Aldermaston or Burghfield. They have the authority to close down any part or all of the facilities for whatever reason should safety be put at risk. AWE ML does not have the authority to alter significantly the existing operating procedures without first seeking the approval of the regulators.

In view of the satisfactory outcome of these checks along with the effectiveness of the existing safety regime at AWE, we are satisfied that safety will not be compromised by the implementation of the new contract. This is also the opinion of the EA and the NII. Accordingly, we have decided that AWE ML will take over operation of the AWE sites as from 1 April 2000. However, we will continue to scrutinise closely the safety performance of the new management. We will also be looking to the new operators to preserve and, where possible, extend the policy of openness adopted by Hunting BRAE over the last seven years.

German Army

Mr. Hancock: To ask the Secretary of State for Defence what assessment he has made of the benefits to the United Kingdom of the German Army joining the L15A4 projectile programme; and if he will make a statement. [113899]

Dr. Moonie: None. We are currently in the process of procuring the L15A3 155 mm high explosive artillery shell as part of a five year large calibre training ammunition contract which was placed with Royal Ordnance in December 1998. An assessment of possible options for a new generation of high explosive shell to replace existing L15A2 and A3 shells has not yet been undertaken. We do not therefore have an approved L15A4 projectile programme, but any future procurement of a replacement for our existing L15 shells would examine all options, including collaboration.

Landmines

Mr. Cohen: To ask the Secretary of State for Defence what studies his Department has carried out into the movement of anti-personnel landmines in flood waters. [114370]

Mr. Spellar: None. My Department is keeping the possible requirement for such studies under review.

Armed Forces Personnel

Mr. Evans: To ask the Secretary of State for Defence how many people left *(a)* the Army, *(b)* the Royal Navy and *(c)* the Royal Air Force in (i) 1996, (ii) 1997, (iii) 1998 and (iv) 1999. [116326]

Mr. Spellar: The total number of people leaving the UK Regular Forces in 1996–99 is as follows:

	Army	Naval Service	RAF
1996	15,368	7,123	10,542
1997	13,993	5,263	7,512
1998	17,074	5,508	4,838
1999	15,951	5,889	4,712

The titles Army, Naval Service and RAF include Nursing Services. Naval Service includes Royal Navy and Royal Marines.

These figures are taken from Tri-Service Publication 1, which is available in the Library of the House.

University Cadetships

Mr. Hancock: To ask the Secretary of State for Defence (1) what is the average amount of money that has been expected to have been paid back by service personnel in the last 10 years in the *(a)* Royal Navy, *(b)* Army and *(c)* RAF who have received university education through cadetships and have subsequently left before completion of service; how this sum of money is calculated; and if he will make a statement; [116511]

(2) how many *(a)* Army, *(b)* RAF and *(c)* Navy personnel who were awarded cadetships in the last 10 years and subsequently left before completion of service were required to pay back money received for university education; how much money was expected to be paid back; how many cadets were required to pay the full amount; and if repayment was weighted against the time that they served; [116515]

(3) how many people were recruited into the *(a)* RAF, *(b)* Army and *(c)* Royal Navy on cadetships and how many of them (i) had their fees paid and (ii) received a salary, in each of the last five years; and if he will make a statement; [116512]

(4) what are the conditions relating to the award of cadetships in the *(a)* RAF, *(b)* Navy and *(c)* Army when students join the services, have their fees and a grant paid to them while completing university and then subsequently leave the force; what is his policy on the repayment of such funds by cadets if they leave before completion of service; and if he will make a statement; [116513]

(5) how many *(a)* Army, *(b)* RAF and *(c)* Royal Navy personnel who were awarded cadetships in the last 10 years subsequently left before completion of service; [116510]

(6) on what occasions in the last 10 years Army personnel leaving other than on health grounds were allowed to forgo repayment of money received from the Army for the cost of university education. [116559]

Mr. Spellar: I will write to the hon. Member and copies of my letters will be placed in the Library of the House.

South Korea (Joint Military Exercise)

Mr. Dalyell: To ask the Secretary of State for Defence what British forces are involved in the proposed joint military exercise with South Korea in June 2000. [116666]

Mr. Spellar: There are no plans for British forces to conduct a joint military exercise with South Korea in June 2000. However, we will be conducting a short maritime exercise with the South Koreans in late August/early September as part of the Naval Task Group Deployment to the Far East (NTG 2000).

Territorial Army (Working Time Directive)

Mr. Key: To ask the Secretary of State for Defence what advice he has issued to the Territorial Army on compliance with the Working Time Directive. [102901]

Mr. Spellar *[holding answer 20 December 1999]:* I refer the hon. Member to the answer I gave him on 27 March 2000, *Official Report*, column 28W.

Cadets (Seatbelts)

Mr. Key: To ask the Secretary of State for Defence when his Department issued instructions that Army, Royal Navy and Royal Air Force cadets must not travel in 4-tonne trucks or other military vehicles without seatbelts; and what assessment he has made of the impact of this ruling on *(a)* cadet training and *(b)* cadet financing. [107642]

Mr. Spellar *[holding answer 1 February 2000]:* I refer the hon. Member to the answer I gave him on 27 March 2000, *Official Report*, columns 25–26W.

SOCIAL SECURITY

Incapacity Benefit

Mr. Boswell: To ask the Secretary of State for Social Security if he will make a statement on developments over the last three years in Incapacity Benefit, including *(a)* the total number of claimants by quarter, *(b)* the number of appeals and *(c)* changes in the qualification criteria. [116487]

Mr. Bayley: Information on numbers of claims and appeals is not available in the form requested. Such information as is available is in the tables. There have been no changes to the qualification criteria for Incapacity Benefit in the last three years.

We are committed to removing barriers to work. We have introduced the New Deal for Disabled People, funded by £195 million from the Windfall Tax, which is helping disabled people to move into, or remain in, work. From October 1998 we introduced a new rule allowing people who leave incapacity benefits for work to return to their old rate of benefit if they have to stop working and make a reclaim within a year, and we removed the 16 hours a week restriction on voluntary work. In April 1999 we raised the limit on earnings for those doing therapeutic work from £48.00 to £58.00 a week. We are also currently piloting a range of measures to help sick and disabled people to return to work and from next month those on incapacity benefits will be able to take part in Work Trials or Work Placements without losing their benefit entitlement.

From 3 April the All Work Test for incapacity benefits will be replaced by the Personal Capability Assessment, which will focus not just on what people cannot do but also on what they are able to do despite their illness or

disability; this will help Personal Advisers give people the assistance they need to return to work where that is what they want to do. In the coming year we will also be trialling initiatives to ensure regular contact with people on incapacity benefits to check their circumstances, give benefits advice and offer assistance with a return to work.

From April 2001, we will introduce further changes. The contribution conditions for Incapacity Benefit will be modernised to ensure a closer link between benefit entitlement and recent work; some account will be taken of occupational and personal pensions, to reduce duplicate provision between the State and employers or individuals; and people disabled in youth, who have never had the opportunity to work, will be able to qualify for Incapacity Benefit without having made National Insurance contributions.

Number of claims to Incapacity Benefit in each quarter ending

	Number
30 November 1996	276,343
28 February 1997	269,062
31 May 1997	258,985
31 August 1997	255,657
30 November 1997	259,671
28 February 1998	238,514
31 May 1998	226,137
31 August 1998	232,210
30 November 1998	242,930
28 February 1999	224,952
31 May 1999	230,059
31 August 1999	230,503

Note:

Includes claims that are subsequently withdrawn and accident declarations (which are made in case a claim to benefit becomes necessary at a later date as a result of an industrial accident).

Source:

100 per cent. clerical count.

Number of appeals

	Number
1996	62,303
1997	76,132
1998	79,800

Sources:

Data up to July 1997—100 per cent. extract from ITS computerised records

Data from August 1997—100 per cent. download from the Generic Appeals Processing System (GAPS)

Disability Living Allowance

Mr. Boswell: To ask the Secretary of State for Social Security how many people have claimed disability living allowance in each quarter of the last three years. [116554]

Mr. Bayley: The information is in the table.

Number of claims made for disability living allowance

Quarter ending	*Claims*
1997	
March	124,281
June	132,092
September	121,067
December	110,813
1998	
March	97,387
June	96,125
September	103,061
December	96,022
1999	
March	103,069
June	98,997
September	97,542
December	91,311

Source:

Analytical Services Division: 100 per cent. data.

Mr. Gordon Marsden: To ask the Secretary of State for Social Security what the success rate of applications for Disability Living Allowance has been for *(a)* schizophrenia sufferers, *(b)* all categories of people suffering from mental illness and *(c)* all applicants for each of the most recent five years for which figures are available. [116514]

Mr. Bayley: The information is not available in the format requested. Such information as is available is in the table.

Applications for disability living allowance

Year	*All decisions*	*Successful decisions*	*Percentage successful*
1995	501,247	248,017	49
1996	523,812	246,173	47
1997	486,566	220,228	45
1998	391,583	178,802	46
1999	373,645	176,371	47

Source:

Analytical Services Division: 100 per cent. data.

Retirement Pension

Laura Moffatt: To ask the Secretary of State for Social Security what plans he has to improve the time it takes to calculate the state retirement pension for those in their final year of work. [116363]

Mr. Rooker: There are no plans to improve the time it takes to calculate the state retirement pension for those in their final year of work. I refer my hon. Friend to the answer I gave on 25 January 2000, *Official Report*, column 168W, relating to the time scales for processing claims to retirement pension.

Radiation Exposure (Compensation)

Mr. Llew Smith: To ask the Secretary of State for Social Security how many *(a)* former service personnel and medical auxiliaries and *(b)* members of their families, have made appeals to the Pensions Appeals Tribunal for compensation due to exposure to radiation from British nuclear weapons tests in the Pacific since 1970; how many have been awarded compensation; how many are awaiting adjudication; and if he will make a statement. [116014]

Mr. Bayley: The administration of War Pensions is a matter for Gordon Hextall, Chief Executive of the War Pensions Agency. He will write to my hon. Friend.

Letter from Gordon Hextall to Mr. Llew Smith, dated 28 March 2000:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many (a) former service personnel and medical auxiliaries and (b) members of their families, have made appeals to the Pensions Appeals Tribunal for compensation due to exposure to radiation from British nuclear weapons tests in the Pacific since 1970; how many have been awarded compensation and how many are awaiting adjudication.

The War Pensions Agency processes claims for war disablement pensions, war widows and other dependants' pensions and associated supplementary allowances under the provisions of the War Pension Scheme.

Details of claims relating to exposure to radiation in certain sites, including the South Pacific, are recorded on a radiation database. The earliest date of appeal recorded on the database is 1989. The database shows that from that date 57 service personnel and 31 widows have made appeals to the Pensions Appeal Tribunals. At the 22 March 2000 there have been 27 appeals allowed by the Tribunal of which 21 were former service personnel and 6 were widows. There are currently 5 appeals awaiting adjudication, 4 from former service personnel and 1 widow.

I am sorry to tell you that information relating to appeals in respect of exposure to radiation made before 1989 is not readily available and could only be obtained at a disproportionate cost.

If I can be of any further assistance then please do not hesitate to contact me.

Sure Start

Mr. Ennis: To ask the Secretary of State for Social Security how many mothers he estimates will benefit from the Sure Start maternity grant in *(a)* Barnsley and *(b)* Doncaster. [116079]

Angela Eagle: The administration of the Social Fund is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Jeff Ennis, dated 28 March 2000:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many mothers he estimates will benefit from the Sure Start Maternity Grant in (a) Barnsley and (b) Doncaster.

An estimate is not available in the format requested. It is expected that the Sure Start Maternity Grant (SSMG) take-up will be at approximately the same level as the existing Social Fund Maternity Payment, though because Working Families Tax Credit gives qualification to more mothers than Family Credit did, there could be a small rise.

The smallest unit for which we can supply information is at the level of the BA district. Both Barnsley and Doncaster are in the South East Yorkshire District, which also includes Goole. Such information as is available is in the attached table.

I hope this is helpful.

Social Fund Maternity Payments/SSMG estimate in South East Yorkshire

Year	*Number*
1997–98	2,060
1998–99	2,150
1999–2000[1]	1,773
2000–01[2]	2,495

[1] To February 2000
[2] Estimate

Notes:
1. The figures do not distinguish male and female applicants.
2. The 1997–98 figure is the total of the figures for Barnsley (799) and the former South East Yorkshire District (1,261) which were then separate.
3. Goole was not included until 1998–99. It was formerly a part of the East Yorkshire district. Separate figures are not available.

Pensioner Incomes

Mr. Sanders: To ask the Secretary of State for Social Security how many pensioners in *(a)* the Torbay constituency and *(b)* Torbay Unitary Authority are in receipt of the minimum income guarantee. [116447]

Mr. Bayley: The administration of benefits is a matter for Peter Mathison the Chief Executive of the Benefits Agency to answer. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Adrian Sanders, dated 28 March 2000:

The Secretary of State has asked me to respond to your recent Parliamentary Question asking how many pensioners in (a) the Torbay constituency and (b) Torbay Unitary Authority are in receipt of the minimum income guarantee.

The minimum income guarantee relates to Income Support (IS) pensioners aged 60 and over.

The information is displayed in the table attached.

I hope this is helpful.

Income Support pensioners aged 60 and over, by parliamentary constituency/local authority—November 1999

Thousand

Area	*Pensioners aged 60 and over*
Torbay parliamentary constituency	4.9
Torbay Unitary Authority	6.0

Notes:
1. Sample size 5 per cent. therefore subject to sampling error.
2. Pensioners are defined as benefit units where either the claimant and/or their partner are aged 60 years or over.
3. Figures have been rounded to the nearest hundred and quoted in thousands.

Source:
Income Support quarterly Statistical Enquiry, November 1999.

Benefits Agency Staff

Mr. Welsh: To ask the Secretary of State for Social Security (1) how many visiting officers there are in each Benefits Agency in Scotland; [116558]

(2) what was the cost of travel and subsistence for officers based in Edinburgh visiting clients throughout the rest of Scotland for each of the last three years; how many visits were involved and to what destinations. [116521]

Angela Eagle: This is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Andrew Welsh, dated 28 March 2000:

The Secretary of State has asked me to reply to your recent Parliamentary Questions asking for the cost of travel and subsistence for officers based in Edinburgh visiting clients throughout the rest of Scotland for each of the last three years; how many visits were involved and to what destinations. Also, how many visiting officers there are in each Benefits Agency (BA) office in Scotland.

The BA does not hold data on the cost of travel and subsistence by geographical location. Most visiting officers are based in District Offices and do not make visits outside their home areas. Officers based in Edinburgh who visit customers outside the Edinburgh area

BEST C

provide the Benefits Agency's Out of Hours Service (OOHS) and the Benefit Fraud Investigation Service (BFIS). Their travel and subsistence costs cannot be broken down for visiting officers as they are aggregated across the Agency. Figures would include travel for other official duties such as training courses and meetings.

The Disability Carer Benefits Directorate (DCBD) has calculated travel and subsistence costs of £8976.24, for the period from April 1999 to date, for their officers in Edinburgh visiting customers throughout Scotland.

The BA does not hold information centrally on the number of visits and destinations. These figures could only be obtained at disproportionate cost by manually counting entries in visiting officer's diaries.

The number of visiting officers based in Scotland is as follows:

	Number
Benefits Agency District Officers	352
DCBD (Disability Benefits Centres in Edinburgh and Glasgow)	13
Benefit Fraud Investigation Service	275
Benefits Agency Security Investigation Service (Organised Fraud)	16

I hope this is helpful.

FOREIGN AND COMMONWEALTH AFFAIRS

Dialogue on Europe

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the cost to public funds of the launch of the European Commission's Dialogue on Europe. [114136]

Mr. Vaz *[holding answer 14 March 2000]:* I refer the hon. Member to the answer I gave him on 27 March 2000, *Official Report*, column 53W.

General Affairs Council

Mr. Hood: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the outcome of the General Affairs Council held in Brussels on 20 and 21 March; and if he will make a statement. [115957]

Mr. Vaz: The General Affairs Council in Brussels on 20–21 March adopted the "A" points listed in document no. 6962/00 and noted resolutions, decisions and opinions of the European Parliament in its sessions of 2–3 February, 14–18 February and 1–2 March listed in documents nos. 5614/00, 6130/00 and 6490/00. Copies of these documents will be placed in the House Libraries as soon as they become available.

1. MEPs' Statute

The Presidency updated the GAC on its discussions with the European Parliament over a Statute for Members of the European Parliament.

2. Economic situation in Bulgaria and Romania

In line with a decision of the Helsinki European Council in December 1999, Enlargement Commissioner Gunter Verheugen reported to the GAC on economic developments in Bulgaria and Romania.

3. Mozambique

The GAC agreed that the member states and the European Community would continue actively to participate in the rehabilitation efforts in Mozambique and looked forward to making a positive contribution to the Donor Conference on 26–27 April in Rome.

4. EU-Africa Summit

The Presidency briefed partners on preparations for the Africa-Europe Summit (Cairo, 3–4 April).

5. Conflict in Africa

The GAC considered a discussion paper by the Council Secretariat Policy Planning and Early Warning Unit on the crisis in the Great Lakes region. They agreed to discuss it further at the April GAC if possible.

6. Freelance Interpreters

The GAC agreed that freelance interpreters should be taxed on the same basis as other employees of the EU institutions.

7. Council Formations

The GAC discussed Presidency proposals to reduce the number of Council formations to 16.

8. Lisbon European Council

The GAC discussed arrangements for the European Council on 23–24 March.

9. Inter-governmental Conference

The GAC held an exchange of views, focusing on vote re-weighting and the size and structure of the Commission after enlargement. Discussion will continue in the IGC Preparatory Group. The Presidency will report to the Feira European Council in June.

10. Defence/ESDP

The GAC discussed a draft Presidency report to the Lisbon European Council on follow-up to the Helsinki European Council report on strengthening the common European security and defence policy, including annexes on: elaboration of the 'head-line goal on military capabilities agreed at Helsinki; military bodies in the European Union; and the possible establishment of a committee for civilian crisis management.

11. UN Human Rights Commission—China

The GAC expressed its concern at the human rights situation in China and agreed to review the EU/China human rights dialogue to make it more focused and result-orientated. The GAC agreed to continue regularly to review its policy on human rights in China.

12. Russia

The GAC reiterated its deep concern over Russian actions in Chechnya, in particular continued reports of gross violation of human rights and international humanitarian law. It deplored the lack of Russian action to meet the EU's specific demands at the EU/Russia Summit on 3 March in Lisbon aimed at improving the international relief effort in Chechnya. The GAC called on Russia quickly to accede to the ICRC's request for free access to detainees in Chechnya. The GAC welcomed the Russian invitation to the UN High Commissioner for Human Rights and the OSCE Chairman-in-Office to visit Chechnya in April. It also welcomed Russia's invitation to the OSCE to monitor the presidential elections on 26 March and expressed the hope that the elections would further contribute to the development of democratic and economic reforms in Russia.

13. Mexico

The GAC gave political agreement for the formal adoption of the EU/Mexico Free Trade Agreement in the margins of the European Council in Lisbon.

PY AVAILABLE

14. Western Balkans

Kosovo

The GAC adopted conclusions deploring the security situation in Mitrovica and Presevo. It condemned extremism from both sides and reminded political leaders in Kosovo that they would be held accountable for any further spread of violence. It called for Kosovo Serb participation in the Joint Interim Administration structures and for the proper preparation of elections. It recalled the massive resources allocated by the EU for assistance to Kosovo.

Former Republic of Yugoslavia (FRY)

Following the recent extension of the visa ban list, the Council adopted a Regulation suspending the flight ban for six months, agreed to adopt revised financial sanctions before the end of the month. It condemned the harassment of the independent media and urged FRY democratic forces to intensify their efforts to build a unified front. It expressed its readiness to assist Montenegro and to consider the extension of the Kosovo reconstruction agency to Montenegro.

Danube

The GAC stressed the urgency of resolving the obstacles to freedom of navigation.

Bosnia

The GAC welcomed the road-map for Bosnia to help pave the way towards a feasibility study on a Stabilisation and Association Agreement. It stressed that the rate of progress will depend on the actions of the Bosnian authorities to take advantage of the opportunities offered by the SAA process.

Stability Pact

The GAC invited the Commission to present urgently a detailed proposal for the EU's contribution to the Stability Pact Regional Financing Conference at the end of March and stressed that EU support must be matched by credible and consistent reforms by the countries of the region.

European Community Monitoring Mission

The GAC underlined its wish for a restructured, flexible and streamlined European Community Monitoring Mission to support the EU's Common Foreign and Security Policy.

15. East Timor

Ireland briefed partners on the Taoiseach's visit to East Timor on 9 March.

Information and Intelligence Sharing

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received from US authorities concerning information and intelligence sharing between the United States and Britain. [116353]

Mr. Vaz *[holding answer 28 March 2000]:* Any correspondence of this nature is covered by Exemption 1c of the Code of Practice on Access to Government Information. It is long-standing practice of successive Governments that such information is not released.

Tartan Day Reception

Mr. Salmond: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if invitations have been sent to representatives of the Scottish National Party to attend the Tartan Day Reception at the British Ambassador's residence in Washington; who was responsible for drawing up the guest list; and what role the British ambassador had in monitoring and approving the guest list; [116576]

(2) if he will list the hon. Members and Members of the Scottish Parliament who have been invited to attend the Tartan Day Reception at the British Ambassador's residence in Washington; on what date each invitation was sent out; and if he will make a statement; [116584]

(3) if he will order a report from the British Ambassador in Washington on the preparations for Tartan Day in the USA and his discussions with the organising committee regarding the inclusion of Scottish National Party representatives in the organised events; and if he will place a copy of the report in the Library. [116583]

Mr. Battle *[holding answer 28 March 2000]:* The Ambassador and the Embassy have made clear from the outset that invitations will be sent to all visiting Members of the Scottish Parliament. They have been working with the Tartan Day Committee in the US to organise the reception and to draw up the guest list, which was seen and cleared by the Ambassador. The Ambassador has been in touch with the First Minister, Donald Dewar, and with the Presiding Officer of the Scottish Parliament, Sir David Steel.

The Embassy has been told that George Reid MSP and Patricia Fergusson MSP, two Deputy Presiding Officers, will be coming to Washington to represent the Scottish Parliament, and that John Swinney MSP and Fiona McLeod MSP will also be attending. All these were immediately sent invitations to the reception. If other Members of the Scottish Parliament are visiting Washington for Tartan Day they might like to get in touch with the Embassy, either direct, through the office of the Presiding Officer, or through the Tartan Day Committee. The Embassy will be delighted to include them in the reception.

In view of the above, a report will not be requested from the Ambassador in Washington on the preparations for Tartan Day.

British Overseas Territories

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 16 March 2000, *Official Report*, column 288W, on British overseas territories, when his Department expects to finish the review of whether to impose an order in council to ensure that the British Virgin Islands, Cayman Islands and the Turks and Caicos islands change their existing legislation on homosexual acts. [116556]

Mr. Battle: There is no set date for the completion of the review. Discussions are currently in progress with the relevant territory governments. We are pursuing these with all due expedition.

Indonesia

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Indonesian Government concerning the situation in West Papua. [116549]

Mr. Battle: We have made no recent representations on Irian Jaya. However, we closely monitor developments in West Papua. Our Ambassador to Indonesia and a visiting member of our South East Asia Department are visiting West Papua this week, where they will hold meetings with a wide range of contacts, including NGO representatives.

Zimbabwe

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Government of Zimbabwe concerning the situation of white farmers. [116551]

Mr. Hain: I spoke to the Zimbabwean Vice President on 6 March and wrote to the Foreign Minister on 7 March. My right hon. Friend the International Development Secretary wrote to the Vice-President on 15 March. The High Commission at Harare is in close touch with the Commercial Farmers' Union. The Government of Zimbabwe are in no doubt of our concern at the farm invasions.

UN Rapid Reaction Force

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals for the establishment of a United Nations rapid reaction force the Government will put forward at the Millennium Assembly and Summit in September. [116553]

Mr. Hain: We are keen to improve the UN's rapid reaction capability to enable it to respond more effectively to emerging crises. We are encouraging the UN Secretary-General to address this issue in his report on UN Peace Operations, due for publication this summer. We hope that rapid reaction will also be a subject for high-level discussion at the Millennium Summit, in the context of a wider discussion of peace, security and disarmament issues.

Tokyo Embassy

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will appoint a member of a non-Governmental organisation as the Atomic Energy Counsellor at the British Embassy in Tokyo. [116274]

Mr. Hain: There are no plans to make such an appointment at this time.

PRIME MINISTER

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Wednesday 29 March. [116300]

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House I will have further such meetings later today.

Rosemary Nelson

Mr. Corbyn: To ask the Prime Minister what representations he has received calling for an independent judicial inquiry into the circumstances surrounding the murder of Mrs. Rosemary Nelson on 15 March 1999; and if he will make a statement. [115280]

The Prime Minister *[holding answer 21 March 2000]:* Both my right hon. Friend the Secretary of State for Northern Ireland and I have received a number of representations, including some from Mr. Paul Nelson and the Magee family and a number of Human Rights organisations.

The Government have not ruled out an independent judicial inquiry. However we have made it clear that we will not consider an inquiry while the criminal investigation is ongoing and there remains the possibility of bringing the perpetrators to justice.

AGRICULTURE, FISHERIES AND FOOD

Two Metre Rule

Mr. Fearn: To ask the Minister of Agriculture, Fisheries and Food what discussions his Department has held with *(a)* farming organisations and *(b)* environmental organisations over the impact on (i) historic hedges and (ii) wildlife of the implementation of the two metre rule. [115543]

Ms Quin: This Department has held discussions with all the principal farming organisations and statutory environmental bodies on the issues mentioned by the hon. Member as well as with the European Commission.

Last week my right hon. Friend the Minister reached agreement with the EU Agriculture Commissioner, Franz Fischler, that the United Kingdom should, for this year, apply the same criteria as were used in 1999 and earlier years for determining the acceptability of hedges and other field margins included in claims based on whole Ordnance Survey field areas under the Integrated Administration and Control System. For 2001 and subsequent years, MAFF will work with the Commission in order to clarify what types of margins are acceptable for inclusion in aid claims and identify ways of safeguarding environmentally valuable hedges so that we can reach a permanent resolution of this issue.

Rendering

Mr. Randall: To ask the Minister of Agriculture, Fisheries and Food how many companies offering *(a)* rendering followed by incineration and *(b)* direct incineration, that were awarded a contract under the over-30-months scheme have not had contracts renewed; and if he will make a statement. [114826]

Ms Quin: The Intervention board (IB) has let a large number of contracts for services connected with the operation of the OTMS. In line with good procurement practice, IB has a rolling programme for reviewing and, if necessary, re-tendering these contracts which may involve changes to the service required or its delivery. IB reserves the right to terminate contracts if contractors fail to meet their obligations.

Since 1996, when the scheme began, 13 companies have been contracted to render OTMS material. Five of these companies are currently contracted for this service, contracts having been let following a competitive tender

in 1997. Each of the five companies is burning OTMS tallow produced on-site to fuel their rendering process. One of the contracts also covers the incineration of the OTMS meat and bone meal (MBM) in an incinerator that is under construction and due to start operation in late summer 2000.

IB awarded six contracts for direct incineration of carcase material following a competitive tender in 1996. One contract was terminated, but the remaining five companies are currently fulfilling their contracts to incinerate OTMS carcase material. One of these contracts was extended for a further period of 12 months during 1999.

Inshore Fishing

Mr. Moss: To ask the Minister of Agriculture, Fisheries and Food if he will support the lifting of the ban on the Fleetwood inshore fishing fleet from fishing in their traditional waters in zone VIIa; if he will act to curtail the activities of Belgian and Irish beam trawlers catching cod in the same zone; and if he will compensate the Fleetwood inshore fleet for the time they have been laid-up under the ban under Article 16 of the Structures Regulation. [116094]

Mr. Morley: The priority at present in the Irish Sea (zone VIIa) is to protect cod spawning given the serious state of cod stocks in this area. With this in mind the European Commission decided in February to close the area to most demersal fishing from 14 February until 1 May 2000. Shrimp and nephrops fisheries (in designated areas), however, remain open. I announced on 10 March that a voluntary agreement had been reached between the UK, Belgium and Ireland to withdraw flatfish beam trawlers from the closed area until 1 May. This has been welcomed by the industry.

In conjunction with the Fleetwood Fish Producers' Organisation, CEFAS is conducting trials in the inshore fishery to see what proportion of cod is likely to be taken. Results from these trials will enable us to decide what inshore fisheries could remain open without jeopardising the recovery of cod stocks in the event of closures in future years.

There are a number of conservation closures in place. The Government do not believe it is appropriate to compensate fishermen for a decline in stocks or for conservation measures designed to improve stocks and hence fishing opportunities in the future; there is no history of this under preceding Governments. Those fishermen who are unable to work in the nephrops and shrimp fisheries or in other fisheries outside the closed area may be entitled to claim Job Seeker's Allowance and other benefits.

Beef Imports

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food what was the *(a)* amount and *(b)* value of beef imported from the Argentine to the UK in 1999. [116211]

Ms Quin: The volume and value of imports of beef and beef products from the Argentine during 1999, as recorded in the Official Overseas Trade Statistics, are shown in the table.

Product	*Tonnes*	*£ million*
Meat and offal preparations[1]	7,719	10.9
Carcase meat	2,058	6.4
Offal	305	0.6
Total	10,082	17.9

[1] Primarily corned beef

BSE

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food if he will list the EU countries that have detected BSE in their cattle. [116247]

Ms Quin: BSE has been reported in home-bred cattle in Belgium, Denmark, France, Ireland, Luxembourg, the Netherlands and Portugal. In addition, cases of BSE have been reported in cattle imported into Germany and Italy, but these countries have reported no cases in native cattle.

Mr. Livsey: To ask the Minister of Agriculture, Fisheries and Food when he will publish the results of the BSE inquiry conducted by Lord Justice Phillips. [116461]

Ms Quin *[holding answer 28 March 2000]:* The BSE Inquiry requested a six-month extension beyond the deadline of 31 March 2000 to complete their task. The Government have agreed this extension and the report will be published shortly after receipt by Ministers.

Chernobyl

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food what restrictions exist on use of land and the movement of livestock as a result of the 1986 Chernobyl nuclear accident; and if he will estimate the cost to United Kingdom farmers of the restrictions introduced because of radioactive pollution from Chernobyl. [116269]

Ms Quin: There have never been restrictions on the use of land in the UK as a result of the nuclear accident at Chernobyl. However, restrictions on the movement, sale and slaughter of sheep were placed in certain areas of the UK. These restrictions have been progressively lifted from affected holdings so only approximately 430 of the holdings originally under restrictions are still under controls. This represents a decrease of around 95 per cent. Although the Chernobyl incident has undoubtedly affected the husbandry practices within the affected areas, the Government and devolved Administrations operate the Mark and Release Sheep Compensation Scheme to reimburse farmers for any market losses incurred.

Milk

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food if he will give the unit levels of export refunds in *(a)* euros and *(b)* sterling for (i) skimmed milk powder, (ii) whole milk powder, (iii) butter and (iv) condensed milk for each of the last 12 months. [116135]

Ms Quin *[holding answer 27 March 2000]:* The information in the form requested could be produced only at disproportionate cost.

Hop Growers

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food (1) if he will make a statement on the

terms of special temporary measures for hop growers and *(a)* identify the reference date from which areas should not increase and *(b)* specify if that date refers to areas planted or areas harvested; [116136]

(2) for what reason some hop growers received lower payments under special temporary measures for 1999 than those for which they applied. [116137]

Ms Quin *[holding answer 27 March 2000]:* The aim of the special temporary measures for hops is to allow producer groups and individual growers to adjust their production to market requirements during the period 1998–2002 by receiving aid on areas temporarily rested or permanently grubbed-up, provided certain requirements are met.

Under current arrangements, the reference date from which the total area should not increase is the area harvested in 1997. Payments to hop growers were made on this basis by the Intervention Board Executive Agency, which administers the scheme in the UK. In some cases, payments were reduced because growers did not comply with these arrangements. The arrangements have been questioned by some hop growers and we are presently reviewing the matter.

INTERNATIONAL DEVELOPMENT

Third-world Debt

3. **Mr. Cash:** To ask the Secretary of State for International Development if she will make a statement on current third-world debt. [115431]

Clare Short: Debt relief under the enhanced Heavily Indebted Poor Countries (HIPC) Initiative has been agreed for the first three countries, with Mozambique, Senegal and Tanzania being assessed next. Under the new framework, countries are required to develop poverty reduction strategies to qualify for debt relief. We are concerned that progress in finalising enhanced debt relief is slower than was originally agreed.

Conservation Projects

8. **Mr. Andrew George:** To ask the Secretary of State for International Development what assessment she has made of the impact of UK-sponsored conservation projects upon indigenous and nomadic people in Africa. [115437]

Clare Short: We have recently completed a substantial evaluation of British-funded project support for environmental improvement in five countries including Kenya and Tanzania. The study found that nearly two thirds of these projects achieved their objectives successfully but that they had a limited impact on the livelihoods of local people. Our current environmental policy places much greater focus on the need to improve the livelihoods of the poor to achieve sustainable development.

Kosovo

9. **Dr. Godman:** To ask the Secretary of State for International Development what discussions she had concerning the funding of post-conflict initiatives in Kosovo when she last met her colleagues from other member states of the European Union. [115438]

Clare Short: The UK has provided more than £100 million in humanitarian and rehabilitation assistance to Kosovo. The European Union has pledged 865 million euro over the last two years—of which the UK share is £112 million. I am frequently in contact with my EU colleagues on this and other issues.

10. **Dr. Starkey:** To ask the Secretary of State for International Development if she will make a statement on continuing support from her Department for projects in Kosovo. [115439]

Clare Short: The UK has provided more than £100 million in humanitarian and rehabilitation assistance to Kosovo. The European Union has pledged 865 million euro over the last two years—of which the UK's share is £112 million. I am frequently in contact with my EU colleagues on this and other issues.

17. **Mr. Campbell-Savours:** To ask the Secretary of State for International Development when she next intends to visit Kosovo to discuss aid for reconstruction. [115446]

Clare Short: I have no present plans to re-visit Kosovo. We are working closely with the United Nations Mission in Kosovo and other international agencies to support reconstruction.

Mozambique

11. **Miss McIntosh:** To ask the Secretary of State for International Development if she will make a statement on relief operations in Mozambique. [115440]

Clare Short: The search and rescue phase is over. Relief operations continue to progress as access improves under the co-ordination of the Government of Mozambique with support from the United Nations. The priority remains to stabilise the conditions of the flood-affected population by providing sufficient shelter, food, water, sanitation and healthcare both in accommodation centres and also to those returning to their homes.

We have allocated a total of £20 million for humanitarian assistance to those affected by the floods. This money is being channelled both to ensure the effective continuation of relief efforts, but also to start immediate work on establishing emergency physical access through repairs to roads and bridges, rehabilitating health and education services and also to help re-establish the livelihoods of the affected population.

We are assessing the need for additional longer-term support. We expect to concentrate on feeder roads, seeds and small livestock restocking and on strengthening planning in health and education. We already have plans to spend around £70 million over the next two years. This can be increased if necessary. We will attend the proposed donor conference on reconstruction in Rome at the end of April.

14. **Mr. McCabe:** To ask the Secretary of State for International Development if she will make a statement on her Department's plans for longer-term reconstruction and development in Mozambique. [115443]

Clare Short: We have already committed £70 million to our development programme in Mozambique over the next two years. We are currently assessing how our plans should be modified to help Mozambique recover from the recent crisis.

Sri Lanka

12. **Mr. Simon Hughes:** To ask the Secretary of State for International Development what assistance her Department plans to give to Sri Lanka in 2000–01. [115441]

Clare Short: Our development assistance programme for Sri Lanka focuses on three areas—providing relief and rehabilitation for those affected by conflict in the North and East; improving the quality of education (particularly at primary level); and exploring how we might help promote reconciliation.

Mr. Cox: To ask the Secretary of State for International Development if she will make a statement on the present British aid projects in place in Sri Lanka; and what is the value of those projects. [114253]

Clare Short: We published a Country Strategy Paper for our development assistance to Sri Lanka last year. I have placed a copy in the Library of the House. Our programme in Sri Lanka focuses on three issues important for poverty reduction: improving the quality of education, particularly at primary level; providing relief and rehabilitation for those affected by conflict; and promoting intercommunal reconciliation.

We expect to spend around £6.3 million this financial year. The major elements will be on education (£1.5 million), helping those affected by conflict (£3.5 million), and the final expenditure on some environmental projects approved under the previous Administration (£0.5 million).

25. **Mr. Llwyd:** To ask the Secretary of State for International Development what financial assistance is being given to the Government of Sri Lanka; and if she will make a statement. [115454]

Clare Short: Our bilateral development assistance programme to Sri Lanka will be around £6.3 million in the current financial year (1999–2000); next year we expect to spend around £6 million.

We published a Country Strategy Paper for our development assistance to Sri Lanka last year. I have placed a copy in the Library of the House. Our programme in Sri Lanka focuses on three areas—improving the quality of education, particularly at primary level; providing relief and rehabilitation for those affected by conflict; and promoting intercommunal reconciliation. Not all of the programme works directly through the Government of Sri Lanka; a significant proportion is channelled through international organisations and NGOs (including UNICEF, UNHCR, the International Committee of the Red Cross, Oxfam and Save the Children Fund).

Volunteers

13. **Mr. Gapes:** To ask the Secretary of State for International Development if she will make a statement on her Department's support for the work of British volunteers. [115442]

Clare Short: We support five British volunteer programmes: Voluntary Service Overseas, International Co-operation for Development, Skillshare Africa, International Service and British Executive Service Overseas. In 1999–2000, we provided over £28 million to support over 2,700 volunteers working world-wide.

Disaster Relief

15. **Mr. Malcolm Bruce:** To ask the Secretary of State for International Development if she will set up permanent arrangements for disaster relief operations. [115444]

Clare Short: Such arrangements and mechanisms already exist internationally through the United Nations and within the UK under the co-ordination of the Department for International Development.

Primary Education (Africa)

16. **Mr. Win Griffiths:** To ask the Secretary of State for International Development what measures are being taken by her Department to improve *(a)* access to and *(b)* the quality of, primary education in Africa. [115445]

Clare Short: We are committed to the International Development Targets of achieving universal primary education by 2015 and gender equality in primary and secondary schooling by 2005. In our bilateral programmes in Africa, substantial resources are allocated to education for the achievement of these targets. And in my meetings with representatives of African governments, I take every opportunity to discuss their commitment to, and progress in, achieving these targets.

We believe four things need to be done if these targets are to be met and there is to be significant improvement in access to, and the quality of, primary education in Africa. First, we need a real and sustained commitment by African governments to securing universal primary education. We need to work with those governments committed to reform, and help them put in place the structural changes necessary to deliver quality primary education for all their children.

Second, we need to address the issue of resourcing for education. There is a clear need to increase the level of resources that African governments commit to primary and basic education. Too often, the needs of the primary sector are not funded because the university sector has more vocal and politically influential constituents. In Africa, the public subsidy for a university student is 20 per cent. of a primary school pupil. And investing in primary and basic education should be a vital priority area for development assistance.

Third, we need to shift from a projects-based approach to a sector-wide approach which gives appropriate priority to basic and primary education. And we need to pull together the work of all the different development donors around a focused, agreed strategy drawn up by the government of the country concerned. This means encouraging and supporting a sound macro-economic framework which ensures a sustainable flow of resources for primary education. And it means help with reforms to ministries of education, to systems of management and teacher training, book production, and tax reform.

The fourth thing we need to do if we are to achieve universal primary education by 2015 is to link education policy with the wider development strategy of the country, including policies on health, sanitation, livelihoods and rural transport. African governments and donors need to address the serious obstacles that often exist to enrolment, as well as the causes of drop out from school. This is particularly vital in the case of girls, who often face barriers of prejudice and discrimination, as well as economic disadvantage.

These are our priorities for Africa. This is also the agenda that we will be taking to the World Education Forum in Dakar next month. This meeting provides an important opportunity for African government, development agencies and non-governmental organisations—from North and South—to recommit themselves to a quality primary education system for all Africans.

AIDS (Africa)

18. **Mr. Coaker:** To ask the Secretary of State for International Development what assessment she has made of the impact on children in Africa of the spread of AIDS. [115447]

Clare Short: AIDS is now the biggest killer in Africa. A first major impact on children in Africa is that there are now 10.4 million African children who will have lost their mothers or both parents to AIDS. This is 90 per cent. of the global total of AIDS orphans. Many of these orphans are infected with the disease from birth or from breast feeding, reversing the gains made in child survival rates over the last 30 years. DFID is working in collaboration with NGO partners in many countries in Africa to reach AIDS orphans with the care and support they need. We are a significant contributor to UNICEF who have extensive programmes with orphans throughout Africa (£10.5 million contributed in 1998).

A second major impact of the disease is on young people. About half of all new HIV infections world-wide occur in young people aged 15–24, with girls being particularly at risk to the disease. We need to reach children and young people early on and enable them to make preventative choices. DFID is funding a number of multi-media projects such as the BBC Great Lakes Lifeline service, and a children's radio service for the Great Lakes region, Angola and Mozambique. These services seek to reach young people and children with the right health and sex education information and messages.

Finally, the impact of HIV/AIDS on the education system is staggering. In the worst affected countries, more than 30 per cent. of teachers are infected with HIV, and many more students and teachers are not able to attend school because they are needed at home to care for sick relatives. Girls are particularly affected, often being the first family members to be pulled out of education to help in the home. DFID is working with a number of Governments in sub-Saharan Africa to assess and plan for the impact of the pandemic on their education systems, and to develop effective HIV/AIDS education programmes for schools. DFID is also working with NGO partners to provide support to girls and boys whose involvement in education is threatened by HIV/AIDS.

Mongolia

19. **Mr. Ian Bruce:** To ask the Secretary of State for International Development what assistance her Department is giving to Mongolia. [115448]

Clare Short: Most UK aid to Mongolia is channelled through multilateral agencies, in particular the European Commission, the World Bank and the Asian Development Bank. The UK contributes around £5.7 million through these agencies and this figure is set to rise slightly over the next two to three years.

We also support UK non-governmental Organisations' work in Mongolia, focusing on activities which benefit the poorest. Our bilateral development assistance totalled £470,000 in 1998–99 and a similar figure is expected for the current year.

In response to the recent severe weather crisis, we are contributing to the purchase of essential relief supplies in Mongolia. To date, the UK Government have contributed around £50,300 to the relief effort.

Madagascar

20. **Mr. Dalyell:** To ask the Secretary of State for International Development what action her Department is taking in Madagascar; and if she will make a statement. [115449]

Clare Short: Cyclones Eline and Gloria and the ensuing floods have caused damage directly affecting some 500,000 people in Madagascar. However, the number of people requiring immediate assistance is about 45,000. We have contributed some £600,000 for immediate relief including food, clean water, health services and the necessary logistics to ensure delivery of items to isolated communities. This funding has been channelled through UNICEF and the World Food Programme.

We continue to monitor the situation closely through our Embassy in Madagascar and operational partners in the field. We stand ready to respond further to assessed needs.

EU Tobacco Subsidies

21. **Mr. Wilkinson:** To ask the Secretary of State for International Development if she will propose to the Council of Ministers the transfer of the budgetary allocation for subsidies to European Union tobacco growers to international development projects outside the EU. [115450]

Clare Short: The Government strongly disapprove of subsidies to EU tobacco growers under the Common Agricultural Policy and would like to see an end to the tobacco regime on the grounds of health and cost. We believe that the Community should progressively disengage from support for tobacco production and will continue to press for further reform of the regime.

At the Berlin European Council of March 1999, EU heads of government agreed the overall ceiling and division of the Community's spending for the period 2000–06. Transferring funds from the Agriculture budget to the External Action budget would mean breaking this agreement on overall budget discipline.

Rather than increasing the EC's development budget, my Department is working with the EU to improve the effectiveness of its programmes, and focus them more on the poorest countries.

Debt Relief

22. **Mrs. Ann Winterton:** To ask the Secretary of State for International Development which countries have agreed to adopt *(a)* poverty relief and *(b)* education programmes to qualify for debt relief and further aid. [115451]

Clare Short: I refer the hon. Member to the answer I gave my hon. Friend the Member for Edinburgh, South (Mr. Griffiths) on 1 March 2000, *Official Report*, column 295W.

Dakar Education Summit

23. **Mr. Boswell:** To ask the Secretary of State for International Development if she will make a statement on the World Education Forum at Dakar. [115452]

Clare Short: The World Education Forum in Dakar from 26–28 April provides an important opportunity for governments, development agencies and non-governmental organisations—from North and South—to recommit themselves to Education for All (including the achievement of universal primary education by 2015, and gender equality in primary and secondary education by 2005). We have seven major priorities for this Forum.

First, we believe there must be collective re-affirmation of the Education for All (EFA) goals, allied to focused strategies for their achievement, and particularly the attainment of the international development targets for education. We know that where there is strong political commitment allied to well-defined and well-managed education strategies, dramatic progress can be made, even in some of the poorest countries.

Second, developing country governments need to give priority to basic education. In many countries, this will require greater efficiency of spending within the education sector and greater focus on basic education; it may also require an increased share of national income to education. But even with the improved mobilisation of resources within country there will be the need for additional funding from development agencies. The Dakar Framework for Action should also make clear the willingness of funding agencies to allocate significant additional resources to support the achievement of Education for All, where governments have developed well-focused education strategies. No government seriously committed to basic education within a sustainable development framework should be thwarted in the achievement of this goal by lack of resources.

Third, basic education should be firmly set within an overall, sustainable education sector framework. Funding agencies should shift from individual projects to broader support for a government-led education sector strategy which is coherent and able to exploit linkages with wider poverty elimination and development efforts.

Fourth, on gender, we must move beyond the language of awareness to the language of action. We have learned that where gender is mainstreamed through government development policy there is progress. Where it is "projectised" the gains are local and slow. The Framework for Action should set out these lessons and their implications for effective gender equity strategies.

Fifth, sub-Saharan Africa and south Asia should be accorded international priority. These regions are where the challenge to meet Education for All goals is greatest; they are also where efforts are greatly impeded by poverty, HIV/AIDS and by conflict.

Sixth, we need better monitoring of progress towards goals and targets. This requires investment in the development of national capacity allied to efficient international monitoring systems. The potential of UNESCO's Institute of Statistics will be important in this field.

Seventh, Dakar should look seriously at whether the existing inter-agency EFA structure will be adequate to its purpose in the future. Dakar should agree on principles for follow-up and monitoring which better engage national governments, civil society, bilateral and multilateral agencies and highlight Education for All as a development priority in all relevant international and regional fora, including the G8 and relevant high level meetings of the United Nations.

These are the priorities which the Government will be pursuing at Dakar.

Horn of Africa

24. **Sir Sydney Chapman:** To ask the Secretary of State for International Development what assessment she has made of the likely effects of crop failures in the Horn of Africa. [115453]

Clare Short: Crop failure is a regular occurrence in the Horn of Africa and communities have developed strategies for dealing with its effects. These include diversification of agricultural production systems and other socio-economic strategies, such as migration. Extreme hardship through crop failure is usually the result of conflict or poor crop management.

Harvests were poor in 1999 in some parts of the Horn of Africa. It is too early to say if 2000 is likely to see serious crop failure in Ethiopia and Somalia but the UN estimates emergency food needs for 2000 will be as follows:

Ethiopia (Disaster Preparedness and Prevention Commission)—900,000 metric tonnes for 8.1 million people

Eritrea (United Nations Country Team)—25,000 metric tonnes for 211,750 people

Somalia (United Nations Appeal)—25,000 metric tonnes for 400,000 people.

St. Helena

26. **Mr. Bob Russell:** To ask the Secretary of State for International Development what progress has been made towards constructing an airport on the Island of St. Helena. [115455]

Clare Short: I have agreed that my Department will finance a comparative study of air and sea access costs in order to identify the most cost-efficient permanent solution to the island's international passenger and cargo transportation needs. Terms of Reference for the study are

currently being prepared and will be agreed with the St. Helena Government. Consultants are expected to start work in the middle of the year.

Southern Africa

27. **Mr. Fabricant:** To ask the Secretary of State for International Development if she will make a statement on her policy regarding bilateral aid to Southern Africa. [115456]

Clare Short: Our policy for bilateral assistance to Southern Africa is set out in our Country Strategy Papers, copies of which are available in the Library of the House. Throughout Southern Africa we are working with the international community in support of national and regional programmes to achieve the international development targets, through public sector reform, better education and health, HIV/AIDS prevention and promoting economic growth and sustainable livelihoods.

Cuba

28. **Angela Smith:** To ask the Secretary of State for International Development what discussions she has had with representatives of the United States Government regarding medical services in Cuba. [115457]

Clare Short: I have not held discussions with the United States Government regarding medical services in Cuba. The United Kingdom Government are committed to providing medical care and equipment through the European Community Humanitarian Office (ECHO). The EC is the largest aid donor to Cuba and provided US$15.2 million in official development assistance (ODA) in 1998. In 1997, (the latest figures available) the UK share of the EC's £12.39 million aid programme to Cuba was £1.85 million.

Small Arms (Africa)

29. **Mr. Burstow:** To ask the Secretary of State for International Development what projects her Department supports which tackle the problems of small arms trafficking in sub-saharan Africa. [115458]

Clare Short: Working through sub-regional organisations and institutions, we support a number of projects aimed at reducing the proliferation of small arms in Africa including through controlling trafficking.

DFID has provided some £300,000 through UNDP for the implementation of the Economic Community of West Africa States (ECOWAS) Moratorium on the importation, exportation and manufacture of light weapons.

This year, we funded the conference on "Tackling Small Arms Proliferation in Eastern Africa and the Greater Horn" which led to an outline Action Plan for the sub-region which will tackle the subject of arms trafficking. This contributed to the March 2000 Nairobi Declaration which maps out a sub-regional approach to the proliferation of small arms.

In 1998, DFID funded the seminar that produced the EU/Southern Africa Development Community (SADC) sub-regional action programme on small arms which was endorsed by EU/SADC Ministers in Vienna. DFID has provided funding to take this action programme forward, including holding a conference in South Africa in May 1999 with all key stakeholders to define practical measures. We have also supported the participation of representatives of the sub-region at the UN Firearms Protocol negotiations.

Indonesia

Dr. Tonge: To ask the Secretary of State for International Development which environmental projects her Department supports in Indonesia. [116541]

Mr. Foulkes: The importance of environmental protection and sustainable management in Indonesia cannot be denied. They are essential if poverty is to be eliminated.

Illegal logging, land clearing and forest fires, habitat loss and haze are among the problems focusing the environment and which ultimately affect poor people's livelihoods. These issues pose a very significant threat to the environment as deforestation continues at an alarming rate.

We intend to help tackle these problems but as part of a collective effort with the international community to facilitate Indonesian solutions to Indonesian problems. The result should be a programme that helps Indonesia to manage forests more equitably and sustainably, giving poor people a greater share of the benefits.

Drug Enforcement

Dr. Tonge: To ask the Secretary of State for International Development what recent representations she has made to the UNDCP concerning the programme scope. [116548]

Clare Short: My Department continues to contribute to the Government's dialogue with United Nations Drug Control Programme (UNDCP) on the scope of their programme. DFID officials were involved in the Government's preparations for the meetings in March of the Commission on Narcotic Drugs which oversees the work of UNDCP, and of the Major Donors to UNDCP.

Drug Eradication Programmes

Dr. Tonge: To ask the Secretary of State for International Development what recent discussions she has held with the World bank concerning its policy towards drug eradication programmes in poor countries. [116547]

Clare Short: My Department scrutinises World bank Country Assistance Strategy Papers to ensure that illicit drugs are properly covered in countries where they are an issue. Discussion on illicit drugs takes place with the bank at official level where appropriate.

Forest Fires (Sumatra)

Dr. Tonge: To ask the Secretary of State for International Development what recent representations her Department has received concerning forest fires in Sumatra; and if she will make a statement. [116542]

Clare Short: No formal representations have been made to my Department regarding the forest fires in Sumatra. Rapid deforestation over the past two decades

has led to a situation where forest fires and smoke pollution from illegal land clearing has become an annual problem during the mid-year dry season. The fires have started unusually early this year, although most recent reports suggest that the rains have again quelled the fires in both Sumatra and Kalimantan.

A number of donors are supporting efforts to combat forest fires directly. My Department is keen to work with others to address the underlying causes. We are helping design a programme that will promote more equitable and sustainable management of Indonesia's forests and give poor people a greater share of the benefits.

Seychelles

Dr. Tonge: To ask the Secretary of State for International Development what financial assistance her Department has provided to the Government of the Seychelles; and if she will make a statement. [116552]

Clare Short: Britain's bilateral assistance to the Seychelles since 1996–97 was as follows:

	£
1996–97	406,000
1997–98	328,000
1998–99	216,000

Uruguay Round

Mr. Alexander: To ask the Secretary of State for International Development what plans she has to support calls from developing countries to extend the deadline for compliance with the Uruguay Round agreements. [116111]

Clare Short: The UK, with our EU partners, recognises the difficulties faced by some developing countries in implementing WTO Agreements. We are ready to look sympathetically at requests for deadline extensions on a case-by-case basis, and agree that there should be no action to enforce implementation for the duration of negotiations on a new trade Round. Consultations are currently under way in Geneva on this and other implementation issues and I hope that a formally agreed position will emerge soon.

In the meantime, our £16 million programme of trade-related technical assistance is helping developing countries participate in the multilateral trading system more effectively. (Details have been placed in the House of Commons Library). This programme provides assistance with implementation of Uruguay Round Agreements.

Education Aid

Dr. Harris: To ask the Secretary of State for International Development what percentage of United Kingdom aid to developing countries is for basic education. [115791]

Clare Short: In 1998 about 5 per cent. of the UK's bilateral official development assistance, which is £800 million, was spent on basic education.

Zimbabwe

Mr. Nicholas Winterton: To ask the Secretary of State for International Development if she will make a statement on the future of her Department's aid programme in Zimbabwe. [115434]

Clare Short: Our programmes in Zimbabwe are focused on assisting the poor—who are suffering most from the current crises. We have made clear since 1997 that we strongly support the case for land reform in Zimbabwe and have been willing to support reforms that are transparent, lawful and focused on providing land for poor Zimbabweans. I have recently approved a £5 million programme to support a land reform initiative that respects these principles which are being organised by civil society and the private sector.

TRADE AND INDUSTRY

Company Mergers

Mr. Berry: To ask the Secretary of State for Trade and Industry what research his Department has undertaken into the effect on employment of mergers. [115517]

Dr. Howells: The Department of Trade and Industry has not undertaken any research specifically on the employment effects of mergers. However, last year the Invest in Britain Bureau commissioned a study on the effects of acquisition of UK manufacturing companies by foreign investors. This included some analysis of the effects of foreign acquisition on employment. This report is available from the IBB.

Mr. Berry: To ask the Secretary of State for Trade and Industry how many mergers between UK companies have taken place in each of the last five years; how many of these mergers have been referred to him; and in how many of these mergers he has intervened. [115518]

Dr. Howells: The annexe gives details of merger cases in the last five years.

Annexe—Merger Statistics 1995–99

1. Table 1 details the number of mergers that there have been between UK companies in the last five years.

Table 1: Mergers between UK companies

	Number
1995	505
1996	584
1997	504
1998	635
1999	492

Source:
Office for National Statistics

2. Strictly comparable figures are not-readily available, but the number of merger cases (which includes mergers between foreign and UK companies) in the last five years on which the Director

General of Fair Trading (DGFT) has submitted advice to the Secretary of State on whether to refer them to the Competition Commission is given in Table 2.

Table 2: Mergers cases on which DGFT advised the Secretary of State

	Number
1995	203
1996	198
1997	186
1998	222
1999	220

3. Table 3: gives information on the Secretary of State's decisions in the light of the DGFT's advice. He could refer the merger to the MMC/Competition Commission (CC); ask the DGFT to seek undertakings in lieu of reference; or clear the merger without a reference.

Table 3: Secretary of State's decisions on advice from the DGFT

	1995	1996	1997	1998	1999
Referred to the MMC/CC	9	13	10	8	10
Undertakings in lieu	2	4	1	3	4

4. Table 4: gives information on the Secretary of State's decisions in the light of the MMC/CC report. In all newspaper cases, and for other cases where the MMC/CC has found that the merger may be expected to operate against the public interest, the Secretary of State can allow the merger to proceed with no conditions; allow it to proceed under certain conditions; or prohibit it. In non-newspaper cases where the MMC/CC has found that the merger may be expected not to operate against the public interest, the Secretary of State can take no action on the merger.

Table 4: Decisions on mergers referred to the MMC/CC in each year

	1995	1996	1997	1998	1999
Mergers referred	11	14	11	9	18
Cleared	5	4	4	1	7
Prohibited	3	6	2	4	0
Conditions	3	4	2	3	3
Set aside	0	0	3	1	4
Not yet published	0	0	0	0	4

Notes:
1. The number of mergers referred includes newspaper cases on which the DGFT does not give advice. This accounts for the discrepancy between the first rows of tables 3 and 4.
2. Although this table details decisions in the year in which the reference took place, the decision on a merger which has been referred is often taken in a year other than that in which the reference took place.

Blue Arrow

Mr. Peter Bradley: To ask the Secretary of State for Trade and Industry what other DTI investigations into Blue Arrow have been *(a)* undertaken or *(b)* commissioned by his Department other than that which led to the report published on 24 September 1992. [114471]

Dr. Howells *[holding answer 16 March 2000]:* It is my Department's well established practice not to comment on whether or not confidential investigations have been or are being carried out.

Mr. Peter Bradley: To ask the Secretary of State for Trade and Industry (1) to whom the inspectors' report on Blue Arrow was distributed prior to its publication in September 1992; [114468]

(2) which *(a)* companies and *(b)* individuals who had access to the inspectors' report on Blue Arrow prior to its publication in September 1992 made representations as to its contents; [114469]

(3) if amendments to the draft inspectors' report on Blue Arrow report were made following representations by interested parties prior to its publication. [114470]

Dr. Howells *[holding answer 16 March 2000]:* It is standard practice to offer the parties involved, which would include the company, those criticised and other principal figures, access to an inspectors' signed report prior to its publication. This is in accordance with section 437(3) of the Companies Act 1985. The practice, which was followed prior to publication of the Blue Arrow report, is a confidential process. Representations were received about the content of the report and its publication but no amendments were made to it prior to publication. The report published was that signed by the inspectors on 4 June 1991.

Phoenix Fund

Mr. Chope: To ask the Secretary of State for Trade and Industry how many applications have been received for payments from the Phoenix Fund for the current financial year; how many have been successful; and how much money has been distributed. [114389]

Mr. Caborn *[holding answer 13 March 2000]:* The only application for payment this year has been in respect of the Business Volunteer Mentoring Association, details of which were set out in the answer on 16 March 2000, *Official Report*, column 273W.

Mr. Chope: To ask the Secretary of State for Trade and Industry if he will place in the Library a copy of the guidance issued to applicants to the Phoenix Fund, pursuant to his News Release of 10 November 1999; and if he will make a statement. [114390]

Mr. Caborn *[holding answer 13 March 2000]:* In line with the timetable set out in the report of the Policy Action Team 3 (on Enterprise and Social Exclusion), guidance will be published next month. I shall ensure that a copy will be placed in the Library of the House.

Astra

Mr. Cohen: To ask the Secretary of State for Trade and Industry if he was requested to hand over file bundles 120, 121, 140 and 141 in the Astra case to the JDS tribunal in the case of Gerald James; and what factors underlay his decisions in respect of those file bundles. [115411]

Dr. Howells: No requests for disclosure of information were received from the JDS tribunal in the case of Gerald James.

Pakistan (Exports)

Mr. Cohen: To ask the Secretary of State for Trade and Industry if he will list the *(a)* standard and *(b)* open individual export licences for export to Pakistan that have been granted since 12 October 1999, showing in each case the Military List rating; and how many applications for each category of licence are awaiting a decision. [116124]

Dr. Howells: For the period 12 October 1999 to 14 January 2000, I refer my hon. Friend to the answer I gave him on 25 January 2000, *Official Report*, column 202W.

The entry in the relevant legislation under which the export of goods is controlled is known as their rating. The Export Control Organisation's computer databases have been interrogated. Between 15 January 2000 and 17 March 2000, no Standard Individual Export Licences (SIELs) and no Open Individual Export Licences (OIELs) were issued covering the export to consignees or end-users in Pakistan of goods subject to export control by being listed in Part III of Schedule 1 to the Export of Goods (Control) Order 1994, commonly known as the Military List.

As at 17 March 2000, decisions had not yet been taken on 85 applications for a SIEL and 15 applications for an OIEL to export such goods to Pakistan.

Individual licence applications pending as at 17 March 2000 covering the export to Pakistan of goods on the Military List

Rating	*Number of pending applications for SIELs covering goods with this rating*	*Number of pending applications for OIELs covering goods with this rating*
ML1	5	0
ML2	2	0
ML3	4	0
ML4	5	0
ML5	1	0
ML6	5	2
ML9	10	4
ML10	32	7
ML11	2	0
ML13	1	4
ML14	1	1
ML16	4	1
ML17	2	1
ML18	11	0
ML21	0	1
ML22	1	4
PL5001	0	1
PL5017	3	1
End-use	1	0

This information should be considered in light of the answer I gave to my hon. Friend the Member for Kingswood (Mr. Berry) on 27 July 1999, *Official Report*, columns 307–08W.

In addition, Pakistan is a permitted destination on certain Open General Export Licences covering the export of goods on the Military List; copies of all Open General Export Licences valid at any time during the period are in the Library of the House.

Regional Aid

Mr. Redwood: To ask the Secretary of State for Trade and Industry if he will amend his regional aid map proposals to bring them into line with EU rules. [115839]

Mr. Byers *[holding answer 22 March 2000]:* Discussions with the Commission on a new regional aid map are continuing. The new regional aid map must be approved by the Commission.

Mr. Redwood: To ask the Secretary of State for Trade and Industry if regional aid can be paid prior to the regional aid map being approved. [115961]

Mr. Byers *[holding answer 23 March 2000]:* I refer the right hon. Member to the reply which I gave my hon. Friend the Member for Bolton, North-East (Mr. Crausby) on 21 December 1999, *Official Report*, column 465W.

Mr. Redwood: To ask the Secretary of State for Trade and Industry how large a reduction in the number of people covered by the regional aid map the United Kingdom is required to make. [116595]

Mr. Byers *[holding answer 28 March 2000]:* I refer the right hon. Member to the reply given to the hon. Member for Christchurch (Mr. Chope) on 31 March 1999, *Official Report*, columns 804–05W.

Mr. Redwood: To ask the Secretary of State for Trade and Industry if Alchemy has applied for regional selective assistance for the Longbridge site. [116218]

Mr. Byers *[holding answer 24 March 2000]:* No.

Mr. Redwood: To ask the Secretary of State for Trade and Industry how much regional aid money will be available in the financial year 2000–01 for *(a)* England, *(b)* Scotland, *(c)* Wales and *(d)* the UK. [116216]

Mr. Byers *[holding answer 24 March 2000]:* The figures for England will be set out in the DTI's Expenditure Plans, Command Document 4611, which we expect to publish on 11 April. A copy will be placed in the Library of the House. Expenditure in Scotland and Wales is a devolved matter.

Mr. Redwood: To ask the Secretary of State for Trade and Industry how much regional aid he plans to spend in the budget year 2000–01 in *(a)* the North-East, *(b)* Devon, *(c)* Cornwall and *(d)* the West Midlands. [115963]

Mr. Byers *[holding answer 23 March 2000]:* Details of regional aid will be set out in the DTI's Expenditure Plans, Command Document 4611, which we expect to publish on 11 April. A copy will be placed in the Library of the House.

Mr. Redwood: To ask the Secretary of State for Trade and Industry when he plans to meet the EU Commissioner to discuss the regional aid map. [115837]

Mr. Byers *[holding answer 22 March 2000]:* Commissioner Monti and I have regular contact on a range of issues including the regional aid map. I last met him on 2 March 2000 when we discussed the regional aid map.

Mr. Redwood: To ask the Secretary of State for Trade and Industry if he is able to make regional aid available to Alchemy to invest at Longbridge on the same basis as was proposed for BMW. [115838]

Mr. Byers *[holding answer 22 March 2000]:* The area in which Longbridge is located will qualify for Regional Selective Assistance.

Rover Dealerships

Mr. Redwood: To ask the Secretary of State for Trade and Industry what assessment he has made of the number of jobs which are dependent on Rover dealerships. [115962]

Mr. Byers *[holding answer 23 March 2000]:* Almost 12,000 people are employed in Rover's 300 franchised dealerships in the UK.

Arachnoiditis

Mr. David Taylor: To ask the Secretary of State for Trade and Industry if he will commission research into the causes and treatment of arachnoiditis; and if he will make a statement. [116107]

Ms Hewitt: The Government fund health and medical research mainly through the Medical Research Council (MRC) and the Department of Health.

The MRC has a broad remit which covers all areas of research relating to human health. Although the MRC do not fund research specifically into the treatment of arachnoiditis, the MRC are funding research on one of the causes of arachnoiditis, meningitis. In 1998–99 the MRC spent about £525,000 on research of direct relevance to the cause and treatment of meningitis.

Ice-cream Market

Mr. Wigley: To ask the Secretary of State for Trade and Industry if he will implement the findings of the Competition Commission to ensure that consumers obtain the benefits of effective competition in the impulse ice-cream market for the coming season. [115955]

Dr. Howells: My right hon. Friend announced on 28 January his proposals for remedying the adverse findings of the Competition Commission report.

Mr. Wigley: To ask the Secretary of State for Trade and Industry on what date the undertakings by Birds Eye Walls will come into effect in relation to the impulse ice-cream market. [115956]

Dr. Howells: Undertakings on interim remedies given on the 16 February came into effect immediately. The Director General of Fair Trading is negotiating further undertakings concerning outlet and freezer exclusivity and retrospective discounts. My right hon. Friend the Secretary of State asked the Director General of Fair Trading to seek to obtain undertakings by 31 March. The date at which they would come into effect, together with the terms themselves, are subject to negotiation.

National Weights and Measures Laboratory

Mr. Anthony D. Wright: To ask the Secretary of State for Trade and Industry what his plans are for the next quinquennial review of the National Weights and Measures Laboratory. [117206]

Mr. Byers: The Modernising Government White Paper (Cm 4310, March 1999) set out the Government's commitment to delivery of high quality, responsive public services and the approach to quinquennial reviews of Executive Agencies has now been re-focused to reflect this modernisation agenda. I have set in train therefore a Review of the National Weights and Measures Laboratory (NWML) which will, in keeping with the new approach, consider all the organisational options for the Laboratory and ways in which to improve performance.

The Review Steering Board is chaired by Mr. Robert Foster, Director, Innovation Policy and Standards, at the DTI. Mr. John Lee of the National Measurement Laboratories Unit in the DTI is the Secretary to the Board. The Board has appointed Mr. Martin Rumbelow as Reviewer.

The Board has adopted the following Terms of Reference for the Review:

The Reviewer is to consider and recommend:

first, whether Agency status remains the most suitable way of delivering the services provided by NWML, considering all the options, including abolition, continued Agency status, market testing, merger or rationalisation, privatisation and strategic contracting out, taking into account NWML's contribution to the objectives of the Department and of the Government as a whole, developments in the national and international legislative, regulatory and commercial environment in which it operates, and the views of its customers and staff; and

second, what additional services and functions could be provided, whether fee income could be increased, whether NWML's call on DTI resources could be reduced, and how its services and functions could be provided more effectively, for example through the increased use of partnership working and better use of information and communication technology, ensuring that lessons learned and best practice are clearly identified in the Report.

The review is to be undertaken in accordance with the latest Cabinet Office guidance. The Reviewer will report at intervals to a Steering Board. It will be the task of the Steering Board to respond flexibly to the Reviewer's proposals during the progress of the Review, each member contributing guidance and knowledge, including where appropriate the good offices of his or her parent department. The Steering Board will ensure that Ministers, the Treasury, the Cabinet Office, and the staff and customers of the NWML are kept informed of the progress of the Review and will facilitate the gathering of information for the Reviewer and his or her communication with staff and customers.

The membership of the Review Steering Board is as follows:

Mr. Robert Foster (Chairman)—Director, Innovation Policy and Standards, DTI

Mr. Noel Hunter—County Trading Standards Officer, Warwickshire County Council

Mr. Dick Farman—Strategic Planning Director, Avery Berkel Group

Mr. Harold Gay—Group Trading and Safety Legislation Manager, The Boots Company plc

Dr. Seton Bennett—Director and Chief Executive, National Weights and Measures Laboratory

Mr. Shelley Charik—Director, National Measurement System, DTI

Mr. Howard Ewing—Director, Consumer Advice and Information, DTI

Dr. Les Whalley—Deputy Director, Standards and Technical Regulations, DTI

Mr. Clive Fleming—Assistant Director, Executive Agencies, NDPBs And Service First, DTI

Mr. Tim Dymond—Cabinet Office

Ms Debbie Edwards—Enterprise Team, HM Treasury.

The Reviewer, Mr. Rumbelow is contacting interested parties he believes can provide information and advice to assist him with his work. Information and advice from other interested parties is also welcome and should be sent to the Secretary to the Board:

Mr. John Lee
National Measurement Laboratories Unit
Room 351
Department of Trade and Industry
151 Buckingham Palace Road
London
SW1W 9SS
Telephone: 020 7215 1416
Fax: 020 7215 1350
E-mail:john.lee@dti.gsi.gov.uk

BNFL

Mr. Blizzard: To ask the Secretary of State for Trade and Industry if he will make a statement on the timing of a public-private partnership for BNFL. [117205]

Mrs. Liddell: Recent events at BNFL have clearly been a set back for the company. It is important that BNFL now responds positively to the HSE's reports on the Sellafield site and works to achieve necessary improvements in its safety and commercial performance. This will take time. As a result, it now appears that the earliest possible date for the introduction of any PPP into BNFL could not be before the latter part of 2002. The introduction and timing of any PPP remains subject to BNFL's performance against the targets set by Government as well as the further work being undertaken by the Government and their advisers.

EEA (Parallel Trading)

Mrs. Ewing: To ask the Secretary of State for Trade and Industry if he will make a statement on Her Majesty's Government's policy regarding the legality of parallel trading of goods from outside the European economic area markets; and what estimate he has made of the impact on United Kingdom manufacturing if such trading is rendered lawful. [116589]

Dr. Howells: The judgment of the Court of Justice of the European Communities in the Silhouette case [C-355/96] of July 1998 highlighted the extent of powers afforded by European law to trade mark owners. In particular, the Court decided that they can prevent the import into the Community of goods which they themselves have already sold in other parts of the world. This confirmed as a matter of law that the European Trade Marks Directive does allow trade mark owners to use their rights to prevent import of their goods into the Community after they have been marketed elsewhere.

Since this judgment, the European Commission has produced a study [Trade Mark exhaustion—Study on the economic consequences of alternative regimes, by National Economic Research Associates for the European Commission] on the economic affects of such rights, and the results which can be expected if trade mark owners were to be denied them. The conclusions of this study are that a move to so-called international exhaustion would create beneficial impacts on the European economy. In particular, prices in some key consumer sectors would fall significantly, and competition in these sectors would increase as brand owners and retailers respond to increasingly competitive markets.

Our own studies agree with the conclusions reached by the Commission. In particular there is likely to be a beneficial, if small, impact on the United Kingdom economy. We expect a maximum of about £400 million of additional imports would be generated by moving to international exhaustion. Total United Kingdom imports are around £220 billion, of which £180 billion are imports of goods. Additional levels of parallel imports would, therefore, be equivalent to approximately 0.2 per cent. of United Kingdom imports. Such imports are likely to arise in a limited number of sectors, principally clothing, footwear, sports and luxury goods for which there is already a strong import market. It seems likely that parallel imports would take market share from existing imports rather than domestic manufacturers.

In the light of these studies, we are discussing trade mark rights with our European partners with a view to changing current legislation. However, in some sectors where the Single Market is not yet complete or which are subject to other special conditions, for example pharmaceuticals, the benefits of international exhaustion are not clear, and care will be needed to ensure that unwanted results do not arise.

Synchrotron

Mr. Field: To ask the Secretary of State for Trade and Industry which physical scientists were consulted and on what dates as part of the decision-making process for the relocation of the synchrotron. [116672]

Mr. Byers: A user consultation for the physical scientists was held on 22–23 January 1999 and on 14 December 1999 that addressed issues relating to the synchrotron location.

Telewest Communications

Dr. Cable: To ask the Secretary of State for Trade and Industry if he will invite the Office of Fair Trading to investigate Microsoft's proposed purchase of a stake in Telewest Communications. [116658]

Dr. Howells *[holding answer 28 March 2000]:* The size and European dimension of this case mean that it has fallen to the consideration of the EC competition authorities under the EC Merger Regulation (ECMR).

I understand that the European Commission announced on 22 March that it was opening a full investigation into this case and it now has four months within which to come to a final decision. Member states have a formal role in this process.

Zimbabwe

Mr. Salmond: To ask the Secretary of State for Trade and Industry what military materials have been given approval for delivery to Zimbabwe in *(a)* 1999 and *(b)* 2000. [116263]

Dr. Howells *[holding answer 27 March 2000]:* The entry in the relevant legislation under which the export of goods is controlled is known as their rating. The Export Control Organisation's computer databases have been

interrogated. Between 1 January 1999 and 17 March 2000, 18 Standard Individual Export Licences (SIELs) and six Open Individual Export Licences (OIELs) were issued covering the export to consignees or end-users in Zimbabwe of goods subject to export control by being listed in Part III of Schedule 1 to the Export of Goods (Control) Order 1994, commonly known as the Military List. Individual licences may cover a range of goods with various ratings (and OIELs may also cover a range of countries). Where this is so, the licence is included in the table in the total for all of the relevant ratings.

Individual Licences issued between 1 January 1999 and 31 December 1999 and 1 January 2000 and 17 March 2000 covering the export to Zimbabwe of goods on the Military List

	No. of SIELs issued covering goods with this rating		*No. of OIELs issued covering goods with this rating*	
Rating	*1999*	*2000*	*1999*	*2000*
ML1	1	2	1	0
ML2	5	0	1	0
ML3	1	0	0	0
ML4	0	0	0	0
ML5	0	0	1	0
ML6	1	0	1	0
ML7	0	0	0	0
ML8	0	0	0	0
ML9	0	0	0	0
ML10	0	7	0	0
ML11	0	0	2	0
PL 5002	0	0	1	0
PL 5018	1	0	2	0

This information does not cover any Media OIELs that may have been issued during this period. Media OIELs authorise the export to all destinations of protective clothing, mainly for the protection of aid agency workers and journalists, when working in areas of conflict.

Information on export licensing decisions in 1999, including details of the military equipment licensed, will be set out in the 1999 Annual Report on Strategic Export Controls, which will be published in due course. Similar details of the military equipment licensed in later years will be set out in the relevant Annual Reports.

This information should be considered in light of the answer I gave to my hon. Friend the Member for Kingswood (Mr. Berry) on 27 July 1999, *Official Report*, columns 307–08W.

In addition, Zimbabwe is a permitted destination on certain Open General Export Licences, covering the export of goods on the Military List; copies of all Open General Export Licences valid at any time during the period are in the Library of the House.

Rome Convention

Mr. Duncan: To ask the Secretary of State for Trade and Industry (1) what *(a)* committees and *(b)* working groups his Department has set up to consider the revision of the Rome Convention; and if he will list the members and meetings scheduled; [116060]

(2) what consultation *(a)* he has undertaken and *(b)* is planned by his Department on the revision of the Rome Convention; [116062]

(3) if he will list the meetings his Department has held with outside bodies on the revision of the Rome Convention; what conclusions were reached; and if he will deposit these in the Library. [116065]

Dr. Howells *[holding answer 24 March 2000]:* I refer the hon. Member to the answer given by my hon. Friend the Parliamentary Secretary, Lord Chancellor's Department on 24 March 2000, *Official Report*, column 691W.

Mr. Duncan: To ask the Secretary of State for Trade and Industry what discussions have taken place with the Lord Chancellor's Department on the implications of the revision of the Rome Convention for electronic commerce; and if he will make a statement. [116063]

Dr. Howells *[holding answer 24 March 2000]:* The Department and the Lord Chancellor's Department have had a number of general discussions about the Rome Convention and electronic commerce. Recently these have concentrated on the timing of the review of the Convention. When the plans for the review are known the Departments will work closely together on the policy issues affecting electronic commerce, in consultation with business and other organisations.

West Midlands Task Force

Miss Kirkbride: To ask the Secretary of State for Trade and Industry what representation will be given to Bromsgrove District Authority on the West Midlands Task Force. [116280]

Mr. Alan Johnson: The Chair of the Longbridge Task Force has invited David Bryant, Chief Executive of Bromsgrove District Council to join the Development SubGroup of the Task Force.

The Task Force will take the work of the SubGroup into account when producing its comprehensive report and supporting recommendations to my right hon. Friend the Secretary of State for Trade and Industry.

BMW

Mr. Redwood: To ask the Secretary of State for Trade and Industry what reports he has received concerning BMW's plans for the location of the production of the new medium saloon. [116215]

Mr. Byers *[holding answer 24 March 2000]:* BMW are still considering where to locate production of their new medium saloon.

Mr. Redwood: To ask the Secretary of State for Trade and Industry what estimate he has made of the number of people employed in BMW dealerships and spares operations in the UK. [116221]

Mr. Byers *[holding answer 24 March 2000]:* Approximately 5,550 people are employed in BMW dealerships in the UK and about 1,000 more are employed in BMW's parts operations.

Mr. Redwood: To ask the Secretary of State for Trade and Industry what estimate he has made of the number of people employed in Rover dealerships in the UK. [116220]

Mr. Byers *[holding answer 24 March 2000]:* Almost 12,000 people are employed in Rover's 300 franchised dealerships in the UK.

Mr. Redwood: To ask the Secretary of State for Trade and Industry what representations he has made to BMW about the sale of the new Mini through Rover dealerships. [116214]

Mr. Byers *[holding answer 24 March 2000]:* Discussions with representatives of BMW continue. They include the situation faced by Rover dealerships.

Mr. Redwood: To ask the Secretary of State for Trade and Industry what financial aid packages will be made available and on what timescale to assist workers who lose their jobs following the sale of Rover. [116217]

Mr. Byers *[holding answer 24 March 2000]:* I refer the hon. Member to the reply given to my hon. Friend the Member for Birmingham, Northfield (Mr. Burden) on 28 March 2000, *Official Report,* columns 109–10W.

Mr. Redwood: To ask the Secretary of State for Trade and Industry what estimate he has made of the number of jobs that will be lost at Longbridge in the next 12 months. [116219]

Mr. Byers *[holding answer 24 March 2000]:* Neither BMW nor Alchemy Partners have given an estimate of the number of jobs which might be lost.

LORD CHANCELLOR'S DEPARTMENT

Independent Tribunal Service

Mrs. Fyfe: To ask the Parliamentary Secretary, Lord Chancellor's Department, what criteria are applied for selecting members for Independent Tribunal Service panels. [116302]

Mr. Lock: Job descriptions and statements of eligibility and criteria are available for applicants for each office advertised. Copies of the eligibility and criteria for appointment guidance for posts within the Appeals Service have been placed in the Libraries of both Houses.

Mrs. Fyfe: To ask the Parliamentary Secretary, Lord Chancellor's Department, what reasons have been given to former members of the Independent Tribunal Service panels in the past year as to why their services were no longer required. [116301]

Mr. Lock: All former panel members who satisfied the age and appropriate qualifications criteria were offered interviews. Those who accepted and were unsuccessful at interview were given only this information, but were provided with the panel's reasons for rejection on request.

Mrs. Fyfe: To ask the Parliamentary Secretary, Lord Chancellor's Department, what is the process for selecting members of the panels for the Independent Tribunal Service. [116303]

Mr. Lock: Vacancies are advertised in the national press and professional journals. Appointment is on the basis of interview and of consultation with the relevant professional community. The Lord Chancellor appoints the candidates who best demonstrate that they meet the appropriate criteria.

Mrs. Fyfe: To ask the Parliamentary Secretary, Lord Chancellor's Department how many persons with a trade union background were appointed or re-appointed as members of the panel for hearing appeals by the Independent Tribunal Service for *(a)* Glasgow and *(b)* Scotland in 1999; and how many in each category held a position on such panel immediately before panel members were informed that they had to re-apply for their positions. [116555]

Mr. Lock: There is not, nor ever has been, a formal requirement that any panel members have a trade union background and this information is not accordingly collected. It is not therefore possible to provide a breakdown by category. An independent review of all relevant appointments could be conducted only at disproportionate cost.

Legal Services Ombudsman

Helen Jones: To ask the Parliamentary Secretary, Lord Chancellor's Department if Ms Ann Chant has completed her review of the Office of the Legal Services Ombudsman; and when it is intended to publish her report. [117207]

Mr. Lock: Ms Chant has completed her Review of the Office of the Legal Services Ombudsman. The Department has today published her Report and copies have been placed in the Libraries of both Houses.

CABINET OFFICE

Advertising Budgets

Mr. Baker: To ask the Minister for the Cabinet Office what is her Department's advertising budget for *(a)* 1999–2000 and *(b)* 2000–01. [110257]

Mr. Stringer: The advertising budgets for the Cabinet Office for the 1999–2000 and 2000–01 are as follows:

Year	*£000*
1999–2000	8,998
2000–01	69.5

These figures include the advertising undertaken by executive agencies in publicising their services provided to other parts of government. The Central Office of Information undertakes advertising on behalf of other parts of government, and this expenditure is excluded from Cabinet Office figures. Of the 1999–2000 total, £8,918,000 is associated with the Millennium Bug Information Programmes.

Civil Service (Secondment)

Dr. Tony Wright: To ask the Minister for the Cabinet Office how many people from the private sector are on secondment to the Civil Service; and in which Departments they are employed. [116357]

Mr. Stringer: The Modernising Government White Paper and Sir Richard Wilson's recent report to the Prime Minister on Civil Service reform made it clear that this

Government are keen to promote the exchange of people and good practice between the Civil Service and other organisations. Such opportunities can take many forms, ranging from temporary secondments, to short term attachments, to job sharing and joint training.

In the year ended 31 March 1999 there were 362 secondments and attachments from business and industry to the Civil Service. A breakdown of this figure by Department is attached. Figures from 1 April 1999 to 31 March 2000 are due to be provided by Departments.

Interchange returns—1998–99

Inward only	*Industry and Commerce—secondments*			*Industry and Commerce—attachments*		
Department/agency	*Male*	*Female*	*Total*	*Male*	*Female*	*Total*
Cabinet Office	3	5	8	0	0	0
Charity Commission	0	0	0	0	0	0
COI	0	0	0	0	0	0
CPS	0	0	0	0	0	0
Crown Office	0	0	0	0	0	0
DCMS	—	—	0	0	0	0
DETR	14	3	17	3	1	4
DfEE	0	0	0	1	3	4
DfID	0	1	1	1	0	1
DoH	6	4	10	0	0	0
DSS	0	0	0	—	—	0
DTI	160	23	183	3	0	3
Employment Service	16	11	27	0	0	0
FCO	0	0	0	0	0	0
Government. Actuary's Department	0	0	0	0	0	0
Government. Office for the Regions	16	3	19	0	0	0
GCHQ	0	0	0	0	0	0
Health and Safety Executive	2	0	2	0	0	0
HM C and E	0	1	1	0	0	0
HM Land Registry	—	—	0	—	—	0
HM Treasury	16	5	21	1	0	1
Home Office	0	0	0	0	1	1
Inland Revenue	0	1	1	0	0	0
Intervention Board	0	0	0	0	0	0
LCD	0	1	1	0	0	0
Legal Sec. to Law Officers	0	0	0	0	0	0
MAFF	0	0	0	1	0	1
MOD	23	2	25	1	0	1
National Savings	0	0	0	0	0	0
NILO	0	0	0	0	0	0
Northern Ireland Office	0	0	0	0	0	0
Northern Ireland Court Service	0	0	0	0	0	0
Offer	—	—	0	—	—	0
Ofgas	0	0	0	0	0	0
Oflot	—	—	0	—	—	0
Ofsted	0	0	0	0	0	0
Oft	0	0	0	0	0	0
Oftel	3	3	6	0	0	0
Ofwat	0	0	0	0	0	0
Ohmcis	0	0	0	0	0	0
Opraf	—	—	0	—	—	0
Ordnance Survey	0	0	0	0	0	0
ORR	0	0	0	0	0	0
Privy Council Office	0	0	0	0	0	0
Public Record Office	—	—	0	—	—	0
Registers of Scotland	0	0	0	0	0	0
Royal Mint	0	0	0	0	0	0
Scottish Office	7	8	15	0	1	1
Serious Fraud Office	0	0	0	0	0	0
Treasury Solicitors Department	0	0	0	0	0	0
War Pensions Agency	0	0	0	0	0	0
Welsh Office	4	4	8	0	0	0
Total	270	75	345	11	6	17

Car Pool

Mr. Cox: To ask the Minister for the Cabinet Office how many motor vehicles in the Government car pool are available for use by Ministers. [116334]

Mr. Ian McCartney: Responsibility for this matter has been delegated under the terms of the Framework Document to the Government Car and Despatch Agency. I have asked its Chief Executive, Mr. Nick Matheson, to write to my hon. Friend.

Letter from Nick Matheson to Mr. Tom Cox, dated March 2000:

The Minister of State, Cabinet Office has asked me in my capacity as the Chief Executive responsible for the Government Car Service to reply to your Parliamentary Question about the number of cars available to ministers.

The Government Car Service (GCS) provided 85 vehicles allocated permanently to Ministers' Private Offices. In addition, GCS has a fleet of 28 "pool" cars which Ministers may use if their usual car and driver is unavailable.

Ministers are not obliged to use GCS and Departments are free to choose other providers of these services.

Written Answers to Questions

Thursday 30 March 2000

CABINET OFFICE

Modernising Government

Angela Smith: To ask the Minister for the Cabinet Office what changes she intends to make to the Modernising Government Action Plan targets for delivery of Government services electronically. [117046]

Mr. Ian McCartney: In October 1997, the Prime Minister announced that within five years a member of the public would be able to carry out a quarter of dealings with Government electronically through their telephone, television, or computer. Further, in March 1999, in our Modernising Government White Paper we proposed that all Government services should be available online by 2008.

We have been making good progress. Already, we offer online tax returns and online advice in areas such as health, overseas travel and consumer protection. Businesses can make online returns to Companies House, and soon they will be able to make VAT returns online. Next week the Small Business Service will launch a website offering small and medium businesses tailored advice based on their size, location, and sector.

But we want to increase the pace of change in Government so that we can offer our businesses and citizens more efficient and effective services. I am pleased to announce that the Prime Minister has today decided to bring forward the date by which all Government services should be available online from 2008 to 2005. Also, in line with the outcome agreed at the Lisbon summit, Government Departments will be expected to prioritise their proposals for offering all services online by 2005 so as to ensure online access to main basic public services by 2003.

We are also introducing an improved monitoring regime. Progress towards the target will no longer be based on the number of individual transactions with Departments. Instead we will monitor progress on the basis of the number of services that we deliver online. The monitoring regime for UK based services will as far as possible be aligned with public service agreements and service delivery agreements.

Business Regulation

Mr. Page: To ask the Minister for the Cabinet Office if she will estimate the total administrative cost imposed on businesses as a result of regulation since May 1997. [R] [115689]

Mr. Stringer: The information required is not held in the form requested and could be obtained only at disproportionate cost.

All regulatory proposals likely to impact on business are subject to Regulatory Impact Assessment (RIA). RIAs are published and placed in the Libraries of the House. In addition a series of Command Papers list RIAs for each six month period, the most recent being Cm 4664.

RIAs contain a wide range of information on the costs and benefits of each proposal.

Taskforces

Mr. Maclennan: To ask the Minister for the Cabinet Office if an agreed definition of taskforces has been identified since the publication of the sixth report of the Neill Committee (Cm 4557-I). [116640]

Mr. Stringer: I refer the right hon. Member to the answer given to the right hon. Member for Wells (Mr. Heathcoat-Amory), on 9 December 1999, *Official Report*, column 634W. We are considering carefully the recommendations made in the sixth Report of the Committee on Standards in Public Life and will respond in due course.

EDUCATION AND EMPLOYMENT

Disability Rights Taskforce

Mr. Berry: To ask the Secretary of State for Education and Employment when the Government will respond to the final report of the disability rights taskforce. [117387]

Ms Hodge: The final report of the Disability Rights Taskforce, "From Exclusion to Inclusion", was published on 13 December 1999. The Government have already announced that they intend to legislate to address the Taskforce's recommendations on education, introducing significant new civil rights for disabled children and students in school, further, higher and adult education. We issued a public consultation paper on the measures to be included in the legislation on 17 March 2000.

Further to the response to the education recommendations, the Government have issued today an interim response to the Taskforce's report, which is available on the Government's Disability website at www.disability.gov.uk or from the DDA Helpline on 0345 622 633. Copies have been placed in the House Libraries. The interim response covers a range of the Taskforce's recommendations in the areas of local government, health and social services, housing and the environment and participation in public life.

The Taskforce made a number of recommendations that require changes to the Disability Discrimination Act and the Government are still considering these. A final response to the report will be made in due course.

Teachers' Pension Scheme

Mr. Campbell-Savours: To ask the Secretary of State for Education and Employment if he will make a statement about the outcome of the latest valuation of the teachers' pension scheme. [117306]

Mr. Wicks: I have today laid formally before both Houses; the Report and Supplementary Report of the Government Actuary on the Teachers' Pension Scheme

for the period 1991–96. As a result of the Supplementary Report, the rate of contribution payable by employers will be increased by 0.95 per cent. from 1 April 2002.

In the Government Actuary's initial report on the valuation of the scheme he recommended that the employer contribution rate should be increased from April 2000 to remove the balance of liability over the next 40 years as required under the pension regulations. The Government Actuary was subsequently asked to advise on the consequences of an alternative approach which would enable the increase in the employer contribution rate to come into effect in 2002, but with the deficit still being removed within 40 years from 2000. We have decided to adopt the alternative approach with the result that some £90 million will be available in each of the next two years for the direct benefit of schools. Teachers can be assured that this approach does not in any way affect the security of the Teachers' Pension Scheme or the level of benefits payable to its members.

Education Spending

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment what amounts are projected to be spent from public funds in *(a)* the United Kingdom, *(b)* England, *(c)* Wales, *(d)* Scotland and *(e)* Northern Ireland (i) in cash terms and (ii) as a proportion of GDP for financial years 1999–2000, 2000–01 and 2001–02 on education; and if he will make a statement. [116645]

Mr. Blunkett: Next year, the proportion of GDP spent on UK education and training will be around 5.0 per cent., not including education and training supported under the New Deal.

UK education spending will increase from £41.1 billion in 1999–2000 to £45.8 billion in 2000–01, using the narrower definition of education in "Budget 2000", and, subject to spending review decisions to be announced in the summer, £48.0 billion in 2001–02.

The Manifesto commitment was to increase the share of national income spent on education. We shall meet that commitment: spending will be higher as a proportion of GDP by 2001–02 than it was in 1996–97, and over 16 per cent. higher in real terms.

Details of spending in England will be published shortly in the DfEE Departmental Report. Spending in Wales, Scotland and Northern Ireland is the responsibility of the National Assembly, Scottish Executive and Northern Ireland Office.

Internet Access

Dr. Cable: To ask the Secretary of State for Education and Employment what impact there has been on *(a)* the timetable for and *(b)* the cost of providing internet access to schools as a result of delays caused by the Competition Commission's review of the proposed acquisition by NTL of Cable and Wireless Communications' cable interests. [116960]

Mr. Wills: The Government do not anticipate any delays in the programme for connecting all schools to the internet by 2002. The cost of providing internet access for schools is subject to a number of factors, including the availability of relevant services and competition in the market. It is not yet clear what effect, if any, the proposed merger will have on the cost of such services.

Permanent Exclusion

Ms Buck: To ask the Secretary of State for Education and Employment what was the permanent exclusion rate *(a)* per 1,000 pupils, *(b)* per 1,000 white pupils and *(c)* per 1,000 black pupils in each local education authority in (i) 1996–97, (ii) 1997–98 and (iii) 1998–99. [116075]

Ms Estelle Morris: The information requested is available in tables, copies of which have been placed in the Library. Information on permanent exclusions for the academic year 1998–99 is currently being collected and national estimates are expected to be published in a Statistical First Release in May.

New Deal (Young People)

Mr. Allan: To ask the Secretary of State for Education and Employment if he will list by unit of delivery *(a)* how many people joined the full-time education and employment option of the New Deal for 18 to 24-year-olds between January 1998 and the end of September 1999 and *(b)* how many people were on this option at the end of each month between January 1998 and the end of September 1999. [113677]

Ms Jowell *[holding answer 9 March 2000]:* There are four separate New Deal options—full-time education and training, employment, voluntary sector and environment task force. There is no full-time education and employment option.

Teacher Training

Mr. Clappison: To ask the Secretary of State for Education and Employment what factors he took into account in setting recruitment targets for 1999–2000 for recruitment into initial teacher training for secondary school teachers of *(a)* mathematics, *(b)* science, *(c)* languages and *(d)* technology. [112978]

Ms Estelle Morris: Targets for recruitment to initial teacher training use teacher supply models which take into consideration: future demand for teachers; projected flows of teachers into and out of the maintained nursery, primary and secondary sectors, split by age and gender.

Further details of assumptions used in the Teacher Supply Models can be found in 'Teacher Supply and Demand Modelling: A technical description', published in July 1998, copies of which are available in the Library.

DEFENCE

Chemical Protection Programme

Helen Jones: To ask the Secretary of State for Defence if he will publish information about the United Kingdom's chemical protection programme. [117307]

Mr. Spellar: The UK's chemical protection programme is designed to protect against the use of chemical weapons. Such a programme is permitted by the Chemical Weapons Convention, with which the United Kingdom is fully compliant. Under the terms of the

Convention, we are required to provide information annually to the Organisation for the Prohibition of Chemical Weapons. In accordance with the Government's commitment to openness, I am placing in the House of Commons Library a copy of the summary which has been provided to the Organisation outlining the UK's chemical protection programme for 1999.

Infantry Units

Mr. Malcolm Bruce: To ask the Secretary of State for Defence (1) what proposals he has for moving infantry units to the north of Scotland; [116781]

(2) what plans he has to assess proposals for the closure of the Aldershot infantry base; [116784]

(3) when Major General Anthony Palmer's report on location changes for Army units will be *(a)* published and *(b)* evaluated by Ministers. [116782]

Mr. Gerald Howarth: To ask the Secretary of State for Defence if he will make a statement about the future of the Aldershot military garrison. [116783]

Mr. Spellar: An internal discussion document entitled, "The Strategic Development of the Army Training and Recruiting Agency" has been prepared by the Chief Executive of the Agency. The document does not address the location of trained units of the Field Army but rather outlines a possible future strategy for the Agency and covers training establishments only. The report constitutes internal discussion and advice and will not be published under Exemption 2 of the Code of Practice on Access to Government Information.

The work is at a very early stage and recommendations will not be made to Ministers until detailed staffing at an official level has taken place.

Naval Vessels

Mr. Duncan Smith: To ask the Secretary of State for Defence what plans he has to acquire Primary Casualty Receiving ships. [116452]

Dr. Moonie *[holding answer 27 March 2000]:* Our current requirement for a Primary Casualty Receiving ship capability was identified in the Strategic Defence Review and is based on the provision of two ships at different states of readiness each capable of carrying a 200 bed hospital. We hope to place a contract for this in 2002 with the ships being available from 2005.

Mr. Duncan Smith: To ask the Secretary of State for Defence what progress has been made in the upgrading of afloat medical support facilities. [116450]

Dr. Moonie *[holding answer 27 March 2000]:* The three vessels whose medical support facilities are to be upgraded are the Royal Fleet Auxiliaries Argus, Fort George and Fort Victoria. The design work necessary to upgrade the facilities is well advanced and the procurement of equipment has commenced. We plan to carry out the installation work on Argus and Fort George in 2001 and on Fort Victoria in 2002, during scheduled maintenance periods.

Mr. Duncan Smith: To ask the Secretary of State for Defence (1) when the expected in-service date is for the Royal Navy survey ships which will replace HMS Beagle and HMS Bulldog; [116454]

(2) when he will withdraw from service *(a)* HMS Roebuck, *(b)* HMS Hecla and *(c)* HMS Herald; [116455]

(3) what plans he has to procure new survey ships for the Royal Navy. [116456]

Dr. Moonie *[holding answer 27 March 2000]:* The existing Royal Navy Hydrographic Survey Squadron includes HMS Herald, HMS Bulldog, HMS Beagle, and HMS Roebuck (HMS Hecla was taken out of service in December 1996). The first three of these vessels are planned to leave service between mid 2001 and early 2002 with HMS Roebuck being maintained into 2003.

To meet our future requirements, we plan to replace these ships with new, more capable, multi-role survey vessels, backed by a long-term in-service support contract. These new vessels will provide both hydrographic and oceanographic military surveying data, as well as a combat survey and mine warfare support capability. Balance of investment considerations, including the number of vessels to be acquired, are ongoing, as are contractual negotiations with the preferred bidder, Vosper Thornycroft. We plan to place a contract in the next few months, with new vessels entering service from 2002.

Mr. Duncan Smith: To ask the Secretary of State for Defence what will be the cost of each Type 45 destroyer. [116449]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Robert Walmsley to Mr. Iain Duncan Smith, dated 30 March 2000:

I am replying to your question to the Secretary of State for Defence about the cost of the Type 45 destroyer. This matter falls to me to answer within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

The total programme cost for the twelve currently planned Type 45 warships including their missiles is approximately £6Bn. This includes approximately £1.2Bn for the development, design and build of the first of class ship and £1Bn for the development and initial production of the Principal Anti Air Missile System (PAAMS). The balance contains funding for further missile procurement and allows for the incremental acquisition of the combat system. As a result, the platform design will incorporate significant growth margins. The actual cost per individual ship is thus difficult to assess but the average is expected to be within a target cost of about £270M excluding missiles.

Ro-ro Ferries

Mr. Key: To ask the Secretary of State for Defence what civilian use he envisages for the new roll-on, roll-off ferries on order for his Department. [116132]

Mr. Spellar *[holding answer 27 March 2000]:* This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Robert Walmsley to Mr. Robert Key, dated 30 March 2000:

I am replying to your question to the Secretary of State for Defence asking whether civilian use is envisaged for the roll on roll off ships that will be provided to meet the MOD's strategic sealift requirements. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

MOD is currently proposing to meet its strategic sealift requirement through Private Finance Initiative arrangements, with the objective of maximising value for money and affordability. Rather than procuring ships ourselves we plan, instead, to procure sealift capability in the form of a service. This will comprise a number of vessels (with crews) at differing readiness periods designed to meet our needs, including those of the Joint Rapid Reaction Force. This approach will afford the ship-owner the opportunity to use the vessels for commercial trading when they are not required by MOD. The extent of such commercial use of any underused capacity will depend upon the service provider. Selection of a preferred bidder will be made in late Spring.

Alternative Landing Ships

Mr. Duncan Smith: To ask the Secretary of State for Defence when he will place a contract for the Alternative Landing Ships Logistic Programme; and at which shipyard the work will be carried out. [116458]

Dr. Moonie *[holding answer 27 March 2000]:* This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Robert Walmsley to Mr. Iain Duncan Smith, dated 30 March 2000:

I am replying to your question to the Secretary of State for Defence about the Alternative Landing Ships Logistic (ALSL) Programme. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

An Invitation to Tender (ITT) has been prepared by the ALSL Integrated Project Team and on current plans will be issued to 5 UK Shipyards in late Spring 2000. Contract placement would occur in late 2000 on completion of tender assessment and final negotiations.

The contract will be awarded to the shipyard that offers the highest confidence that they will provide the best whole life value for money.

United States National Missile Defense Strategy

Mr. Flynn: To ask the Secretary of State for Defence what proposals have been made by the United States Department of Defense to use the communications bases at Menwith Hill and Fylingdales as part of the planned United States National Missile Defense Strategy. [116271]

Mr. Spellar: We have received no formal request to this effect, nor would we expect any until after a US decision on whether or not to proceed towards deployment of such a system.

WALES

Workplace Parking

Mr. Gray: To ask the Secretary of State for Wales how many workplace car parking spaces are available at the buildings used and controlled by his Department. [116771]

Mr. Paul Murphy: My Department uses and controls only one building, which has six workplace car parking spaces available.

Additionally, my Department has offices in the National Assembly building in Cardiff, where we share the car parking facilities, although no specific car parking spaces are reserved for my Department's use.

Websites

Mr. Maclennan: To ask the Secretary of State for Wales if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of websites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each website (i) the topics which have been covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each website for each of the next three years. [115843]

Mr. Paul Murphy: My Department has one website which contains information about the purpose and structure of my office, together with all our press notices. It was built "in house" at no extra cost to the Welsh Office, our predecessor Department. It is operated on our behalf by NISS (National Information Systems and Services) based at Bath University. Their charges—now and in the future—are a matter of commercial confidentiality but are well within the expenditure budgeted for them. At the present time we are averaging 4,000 (mainly document) hits per month.

New Deal (Over-50s)

Mr. Rowlands: To ask the Secretary of State for Wales what estimate he has made of the expenditure on the New Deal for those aged over 50 years in 1999–2000; and what is his estimate for 2000–01. [115077]

Ms Jowell: I have been asked to reply.

New Deal 50 plus was introduced in nine selected areas in October 1999. Forecast expenditure for 1999–2000 is £1.7 million. The New Deal for 50 plus will be available nationally from 3 April 2000 with estimated expenditure for 2000–01 set at £16.1 million from the Windfall Tax and a further £102 million set aside within this Department's Annually Managed Expenditure to cover Employment Credits.

New Deal (Over-25s)

Mr. Rowlands: To ask the Secretary of State for Wales what estimate he has made for the New Deal expenditure for over 25-year-olds in 1998–99 and 1999–2000; and if he will estimate the expenditure for 2000–01. [115076]

Ms Jowell: I have been asked to reply.

My Department has spent or allocated the following sums to the New Deal for people aged 25 years and over:

	£ million
1998–99[1]	26
1999–2000[2]	90
2000–01[3]	130

[1] Outturn
[2] Estimated outturn
[3] Provisional allocation

In addition New Deal for 25 plus clients have access to the Work Based Learning for Adults programme which has an annual budget of £328 million.

New Deal (Under-25s)

Mr. Rowlands: To ask the Secretary of State for Wales what estimate he has made of the spending on the New Deal for 18 to 24-year-olds in each year since 1997–98; and what estimate he has made of expenditure in 2000–01. [115075]

Ms Jowell: I have been asked to reply.

My Department has spent or allocated the following sums to the New Deal for 18 to 24-year-olds in each year since 1997–98:

	£ million
1997–98[1]	36
1998–99[1]	254
1999–2000[2]	345
2000–01[3]	470

[1] Outturn figures
[2] Estimated outturn
[3] Provisional allocation

HOME DEPARTMENT

Metropolitan Police

Mr. Dismore: To ask the Secretary of State for the Home Department if he will make a statement on the progress towards implementing the change to the boundaries of the Metropolitan Police District to make them coterminous with the boundaries of the London boroughs. [117309]

Mr. Straw: The change to the boundaries takes effect on 1 April, as planned. The responsibility for policing those parts of Essex, Hertfordshire and Surrey which are currently within the Metropolitan Police District will pass from the Metropolitan Police to the respective county forces.

Essex Police, Hertfordshire Constabulary, Surrey Police, their Police Authorities, and the Metropolitan Police have prepared for the changeover in a thorough and professional manner. A great deal of detailed work has been put in since I announced the change in June 1998. I commend them for their close co-operation, and I am confident that there will be a smooth transfer of responsibilities. People in the transferring areas need have no concerns about disruption to their local policing service.

The funding for the three county Police Authorities will be increased from April to reflect their enlarged areas. In addition, we are making special payments out of the police grant totalling £10 million to go towards costs arising out of the transfer.

I am confident that the benefits of the boundaries change will soon show through. I decided to change the boundaries for three main reasons.

First, it makes it easier for the criminal justice agencies in the area to work together in the fight to reduce crime. Local councils and other agencies will no longer have to work with two different police forces when discharging their responsibilities under the Crime and Disorder Act 1998. This is an important step towards aligning boundaries in the criminal justice system, thereby improving efficiency and effectiveness.

Secondly, the change supports democratic accountability. It gives local people a say, through their county Police Authority, in the way their area is policed. People in the transferring areas will not have a vote in the forthcoming election for London's Assembly members, who will be in the majority on the new Metropolitan Police Authority. It is right that these areas be policed by county forces whose Police Authorities, with councillor members in the majority, already provide local democratic accountability.

Thirdly, the change allows the Metropolitan Police to focus its efforts on the huge task of policing the nation's capital.

The Metropolitan Police have policed the transferring areas since the time of Sir Robert Peel. I would like to pay tribute to the efforts of all the officers and civil staff of the Metropolitan Police who have worked in these areas over the years. They deserve the Government's thanks, and the thanks of the local communities.

Mr. Dismore: To ask the Secretary of State for the Home Department when the Metropolitan Police Commissioner's Policing and Performance Plan for 2000–01 will be published. [117310]

Mr. Straw: The Commissioner of Police of the Metropolis tells me that he will be publishing details of his Policing and Performance Plan for 2000–01 on the Metropolitan police website *http://www.met.police.uk* on Friday 31 March.

Advertisements have also been placed in the London press summarising key performance data and targets set out in the Plan.

Some of the performance data for 1999–2000 are provisional. Audited data will be included in a hard copy version of the Plan to be published in June.

The Policing and Performance Plan combines the requirements of an annual Policing Plan, an annual Efficiency Plan and, for the first time, an annual Best Value Performance Plan.

The Plan sets out the Metropolitan police's two key priorities for 2000–01: reducing crime and disorder and diversity. The Plan sets out the Metropolitan police's crime reduction targets—a two per cent. reduction in burglary, stopping the increasing level of street crime and an eight per cent. reduction in vehicle crime—together with key activities for delivery. It also contains a suite of Best Value Performance Indicators (BVPIs) with a summary of the Metropolitan police's performance against those BVPIs for which historical data is available and targets for future performance. The Plan also sets out a five year plan of Best Value reviews. The areas selected for review in the coming year are; investigating and detecting crime; combating bureaucracy and managing information; and consultation.

The Plan also sets out the means by which the Metropolitan police aims to exceed the two per cent. efficiency gains required by the Government from all police forces.

The Commissioner will report on performance against the Plan to me, in my capacity as the Metropolitan police's police authority, and to the Metropolitan Police Committee, until 3 July, when the Metropolitan Police Authority (MPA) is established.

I believe that the Commissioner's Plan will enable the MPA to make an effective start by providing a solid basis for monitoring and interrogating the Metropolitan police's performance as the foundation for the Plan the MPA will develop for 2001–02.

Prison Service

Mr. Hope: To ask the Secretary of State for the Home Department when he will publish the Prison Service's Business Plan and the Key Performance Indicators for 2000–01. [117466]

Mr. Boateng: The Prison Service Business Plan for 2000–01, which includes the key performance indicators, has been published today and copies have been placed in the Library.

Police Sick Leave

Mr. Jenkin: To ask the Secretary of State for the Home Department what was the absence through sickness rate among *(a)* police officers and *(b)* civilian support staff in the Essex police for each month since 1 May 1997. [116859]

Mr. Charles Clarke: The information requested for monthly sickness rates is not held centrally but annual sickness rates for the last three years for Essex police are given in the table.

Essex police—sickness absence for police officers and civilian support staff

	1996–97	*1997–98*	*1998–99*
Police officer working days lost through sickness	28,399	34,066	38,748
Average days sickness per police officer	10	12	13
Civilian support staff working days lost through sickness	16,903	21,309	19,232
Average days sickness per civilian support staff	12	14	13

Scientific Procedures Committee

Dr. Ladyman: To ask the Secretary of State for the Home Department what requirement, in terms of objectivity, is requested of members of the Scientific Procedures Committee. [116952]

Mr. Mike O'Brien: The Animal Procedures Committee was established by the Animals (Scientific Procedures) Act 1986. The Act requires the Secretary of State, who appoints members, to have regard to the desirability of ensuring that the interests of animal welfare are adequately represented. There is also a requirement that the committee shall have regard both to the legitimate requirements of science and industry and to the protection of animals. The key consideration in making appointments to the committee is the need to maintain a breadth of professional experience and a proper balance of views among the membership.

In 1998, the committee adopted a Code of Conduct for Members. This requires members at all times to act in good faith and observe the highest standards of impartiality, integrity and objectivity in relation to the conduct of the Committee's business; to declare any personal or business interest which may influence their judgment: not to participate in discussion of matters in which they have a personal or business interest; and to understand that they are appointed as individuals and not as representatives of organisations with which they have significant contacts.

Vivisection

Dr. Ladyman: To ask the Secretary of State for the Home Department if he will make a statement on the progress of negotiations with the British Union for the Abolition of Vivisection in respect of their lifting their restrictions on the full publication of the Harlan report; and if he will publish the full report. [117012]

Mr. Mike O'Brien: I am pleased to report that the British Union for the Abolition of Vivisection (BUAV) agreed on Monday 27 March to waive confidentiality of all of the material in the report stemming from videotapes, an audio tape and diaries kept by the undercover investigator and an interview conducted with her during the course of the Animals (Scientific Procedures) Inspectorate's investigation. I have, therefore, today laid in the Library, copies of a fuller version of the report in which only those sections containing commercially sensitive information, or information relating to individuals and third parties remain censored. I regret that the BUAV were unable to agree to release this information earlier as I requested.

Dr. Ladyman: To ask the Secretary of State for the Home Department if the author of the British Union for the Abolition of Vivisection report on Harlan UK is a member of the Scientific Procedures Committee. [116958]

Mr. Mike O'Brien: The administration of the Animal Procedures Committee is the responsibility of the Chairman, the Reverend Professor Michael Banner. He will write to my hon. Friend.

Racism and Xenophobia

Mr. Lidington: To ask the Secretary of State for the Home Department who will represent the United Kingdom at the official opening of the European Monitoring Centre on Racism and Xenophobia on 7 and 8 April in Vienna. [116955]

Mr. Mike O'Brien: The United Kingdom will be represented at the official opening of the European Monitoring Centre on Racism and Xenophobia on 7–8 April in Vienna by either a Minister or a senior official (yet to be finalised) from the Foreign and Commonwealth Office, and by the Director of Constitutional and Community Policy from the Home Office.

This Government remain committed to the work undertaken by the Centre. The event in Vienna marks the official opening of the Centre, but in fact it has been in existence for over a year now. The Centre is supported

financially by the European Commission; the Home Office provided £48,000 to cover the running costs of the Centre's United Kingdom Secretariat during 1999–2000.

Public Bodies

Mr. Quinn: To ask the Secretary of State for the Home Department how many board members he appoints to each non-departmental public body. [116336]

Mr. Straw: A full list of the non-departmental public bodies to which I make appointments is published in the publication "Public Bodies 1999", a copy of which is available in the Library.

Workplace Parking

Mr. Gray: To ask the Secretary of State for the Home Department how many workplace car parking spaces are available at the buildings used and controlled by his Department. [116761]

Mr. Straw: The Home Office Central London Estate, which comprises six buildings, has a total of 177 car park spaces. Figures for the rest of the Home Office estate could be obtained only at disproportionate cost. We are extending travel plans for all our key buildings in line with the commitment set out in the Transport White Paper and are reviewing the scope for reducing our car parking requirements in that context.

Consultants

Mr. Heald: To ask the Secretary of State for the Home Department, pursuant to his answer of 14 March 2000, *Official Report*, column 168W, concerning external consultants used by his Department since 1997, if the individual value of every consultancy contract is commercial in confidence, with particular reference to Clear Communications; and if he will indicate the reasons for commercial confidentiality in each case. [116774]

Mr. Straw: In line with the Code of Practice on Access to Government Information issued by the Cabinet Office, my Department encourages transparency and openness in the tendering and contracting process and where possible, we will publish information on individual contract values. However, where publishing such information would prejudice the legitimate commercial interest of any person or competition between service providers or where such information has been given in confidence, it is my Department's policy to treat this information as commercial in confidence unless consent to publish has been obtained.

It had not been possible, in the reply I gave the hon. Gentleman on 14 March 2000, *Official Report*, columns 168–69W, in the time available, to obtain consent from Clear Communication to disclose information on contract value. I have now obtained their consent and the information available is as follows:

Clear Communication Contract Value £46,000

In the time available, I have been unable to seek consent from other consultancy companies listed in my previous reply.

Mr. Heald: To ask the Secretary of State for the Home Department what consultancy contracts the Smith Group has entered into with his Department since May 1997. [116775]

Mr. Straw: From the information available, there is no record of the Smith Group entering into any contracts with my Department since May 1997.

Jon Riser

Mr. Streeter: To ask the Secretary of State for the Home Department if he will order an external inquiry into the handling of the immigration case of Jon Riser, deceased. [116733]

Mr. Straw: Following Mr. Riser's tragic death in the United States of America, I am making arrangements for a senior officer within the Home Office to conduct an urgent and detailed investigation into the handling of the case by the Immigration and Nationality Directorate. I have asked to be provided with a full report of the findings.

I will of course inform the hon. Member of the outcome. I should also be happy to meet the hon. Member to discuss his concerns, and am making arrangements to do so.

HEALTH

Research and Development

Angela Smith: To ask the Secretary of State for Health how he intends to take forward the reform of research and development in the NHS. [117075]

Yvette Cooper: We are today announcing a programme of modernisation to give strategic direction to the management of Research and Development in the National Health Service.

High quality modern health care depends on high quality research-based evidence. These changes bring the management of R&D in the NHS into line with the principles set out in "The new NHS" (Cm 3807, December 1997). They provide a quality framework within which all R&D funded from NHS resources will respond to the priorities and needs of the NHS.

The Department of Health will take the lead in expressing priorities for the national effort in health services research, on behalf of the NHS. The NHS will work with other funding bodies and the universities to deliver advances in knowledge the NHS needs for evidence-based practice and policy.

Collaboration will replace unproductive competition. There will be no time-consuming NHS-wide bidding for NHS R&D allocations from April 2001. Instead, the Government will use a modernisation fund to encourage research partnerships and networks in areas of high priority for the NHS. We want to ensure that consumers of health services are involved at every stage in the research process. New guidance will reinforce the standards of governance and performance management required of R&D in the NHS.

The NHS is part of the national science base. These reforms ensure the NHS and the Department of Health meet the obligations of their partnership with other research funding bodies. Within this framework, the NHS

will target resources on providing a suitable environment for high quality research conducted within strategies that take account of its priorities and needs.

The paper, "Research and Development for a First Class Service: R&D funding in the new NHS", sets out a new statement of policy and principles together with plans for implementation. Copies have been placed in the Library. It is also available on the Department of Health's website.

These reforms build on a review led by Professor Michael Clarke on behalf of the Central R&D Committee for the NHS. We are today making his report available on the Department of Health's website. As well as the management and funding of R&D in the NHS, Professor Clarke's review considered NHS priorities for R&D related to cancer, the elderly, heart disease and stroke, mental health, and primary care and took account of a review of research priorities for accidental injury. We are placing these reports on the Department's website. We intend to make early progress with the R&D priorities for cancer, heart disease and stroke, and mental health.

Local Government Expenditure

Mr. Baker: To ask the Secretary of State for Health what account he takes of the expenditure by local authorities on social service functions in framing his Department's expenditure plans. [116777]

Ms Stuart: The Department takes full account of the current level of service provided by local government to social services recipients when considering the level of specific and special grants paid to local authorities.

Mid-Essex Hospital Trust

Mr. Burns: To ask the Secretary of State for Health how much the Mid-Essex Hospital Trust has spent from 6 April 1999 to the latest date for which information is available on having NHS patients treated in the private healthcare sector. [116732]

Ms Stuart: The information requested is not available centrally.

Workplace Parking

Mr. Gray: To ask the Secretary of State for Health how many workplace car parking spaces are available at the buildings used and controlled by his Department. [116769]

Ms Stuart: There are 1,745 car parking spaces available for use by visitors and staff at premises occupied by the Department and its agencies.

Waiting Lists (Essex)

Mr. Jenkin: To ask the Secretary of State for Health how much money Essex Rivers Healthcare Trust has spent in the latest financial year for which figures are available for the treatment of NHS patients by the private healthcare sector. [116840]

Ms Stuart: The information requested is not available centrally.

Antenatal Screening

Mr. Key: To ask the Secretary of State for Health if he will introduce antenatal screening for genetic abnormality, including biochemical screening for Down's syndrome; and if he will make a statement. [116731]

Yvette Cooper: The United Kingdom National Screening Committee advises the Government on all aspects of screening policy. It considers the aim of all antenatal screening to be informed choice for parents. The NSC would rarely recommend the introduction of a blanket test such as a blood test for chromosomal disorders for all or most pregnant women, but rather a specific test for a known disorder. At present, individual women who have already had an affected pregnancy or have a family history of a genetic disorder should be offered specific genetic testing and counselling. We are currently considering the Committee's recommendation to offer all pregnant women second trimester serum screening for Down's Syndrome.

Cleft Lip and Palate Patients

Mr. Lidington: To ask the Secretary of State for Health if he will make a statement about his plans for the future treatment of cleft lip and palate patients from Buckinghamshire. [116956]

Ms Stuart: A final decision on the future configuration of cleft lip treatment centres is still to be taken. Any changes to services will be subject to full statutory public consultation.

Crown Report

Mr. Oaten: To ask the Secretary of State for Health when he will respond to the Crown report on the Review of Prescribing, Supply and Administration of Medicines. [116905]

Ms Stuart: We announced our decisions on the implementation of the main recommendations of the Review on 13 March.

Meningitis C Vaccine

Mrs. Spelman: To ask the Secretary of State for Health for what reasons some private practices are being denied access to the meningitis C vaccine. [107990]

Yvette Cooper: The campaign to immunise all children and young people under the age of 18 with the new meningococcal Group C conjugate vaccine is being undertaken by the National Health Service. Any child eligible to receive this vaccine can do so via the NHS. Any individual in the country may approach a general practitioner for NHS treatment, including immunisation if appropriate. Treatment is conditional on the GP's acceptance of the patient for NHS services.

The meningococcal Group C conjugate vaccine is new and manufacturers held no stockpiles in advance of the launch. We have distributed every batch of vaccine as fast as it has been released. Distribution has been in line with the implementation schedule with the vaccine being targeted specifically at those groups at highest risk first.

The only way to guarantee a successful roll-out of the new vaccine, which is in limited supply, has been to ensure it is available through the NHS. The Department of Health has therefore bought all the vaccine available for the NHS. Once the NHS programme to immunise every child under-18 has been completed, sometime later this year, the vaccine will then be available to others outside of this group.

Mrs. Spelman: To ask the Secretary of State for Health how he intends to ensure sufficient supplies of the meningitis C vaccine are produced. [107992]

Yvette Cooper: The meningococcal Group C conjugate vaccine is a brand new vaccine. The Department has calculated the amount of vaccine needed to immunise those covered by the immunisation programme and has contracted with vaccine manufacturers to ensure sufficient vaccine is available to implement the programme. The Department continues to liaise closely with manufacturers and the National Institute for Biological Standards and Controls, which tests every batch of vaccine for safety and potency, to ensure vaccine is made available to the NHS as soon as it becomes available. The Department will continue to seek to ensure adequate supply through close liaison with vaccine manufacturers. The NHS is the first healthcare system in the world to protect people with this new vaccine.

Mrs. Spelman: To ask the Secretary of State for Health if the meningitis C inoculation programme for the under-18s will be completed this year. [107993]

Yvette Cooper: Yes, subject to manufacturers meeting their supply contracts.

Vaccinations

Mrs. Spelman: To ask the Secretary of State for Health if a non-NHS patient in the high risk categories can receive a vaccination by a GP working in the NHS. [107991]

Yvette Cooper: Any individual in the country may approach a general practitioner for National Health Service treatment, including immunisation if appropriate. Treatment is conditional on the GP's acceptance of the patient for NHS services.

Renewable Energy

Mr. Flynn: To ask the Secretary of State for Health if he will make it his policy to discover what proportion of the energy supplied to his Department by utility companies comes from renewable sources. [116270]

Ms Stuart: Buildings occupied by the Department and its agencies currently purchase energy from utility companies through contracts let by the buying agency.

In future procurement of energy, where the Department of Health is the lead Department, we will require the supplier to provide information on the proportion of the energy supplied that comes from renewable sources.

NHS Volunteers

Mrs. Virginia Bottomley: To ask the Secretary of State for Health what progress has been made in giving an individual trust board member the responsibility for volunteer involvement; and how many NHS trusts have achieved this. [116444]

Mr. Hutton: The National Health Service Executive has taken, and continues to take, a great deal of action on the recommendations of the "Making a Difference: Strengthening Volunteering in the NHS" report. NHS trusts were asked to name a volunteering 'champion' at Board level. A recent progress update showed that 76 per cent. of trusts have a member in place.

Political Activities

Mr. Brady: To ask the Secretary of State for Health if he will list the *(a)* chairmen and *(b)* non-executive directors of health trusts and health authorities who have made a declaration of political activity indicating the party affiliated in each case. [116973]

Ms Stuart: Information on candidates appointed to National Health Service boards and any political activity declared is recorded in the Department of Health Public Appointments Annual Report for 1999, a copy of which is in the Library. The 2000 report will be published in May.

Residential Care

Ms Walley: To ask the Secretary of State for Health what his timetable is for reviewing the residential care allowance as proposed in the White Paper, "Modernising Social Services". [116750]

Mr. Hutton: As my right hon. Friend the Secretary of State announced in the House on 2 December 1999, *Official Report*, columns 444–45, we are examining the implications of phasing out the residential allowance and transferring the resources to councils as part of the year 2000 spending review, which will be completed this summer. We are planning to seek the views of councils, service users and their carers and families and care providers on the impact of such a change over the next few weeks. We shall publish a White Paper on long-term care later this year.

LORD CHANCELLOR'S DEPARTMENT

Executive Agencies

Mr. Hope: To ask the Parliamentary Secretary, Lord Chancellor's Department what the key performance targets are for Her Majesty's Land Registry and the Public Record Office executive agencies for 2000–01. [117393]

Mr. Lock: The following tables set out the key performance targets that the Lord Chancellor has set for Her Majesty's Land Registry and the Public Record Office for 2000–01.

HM Land Registry—key performance indicators and targets 2000–01

Indicator	*Target*
Financial	
Percentage return on average capital employed	6
Efficiency	
Cost per unit in real terms	£25.09
Cost per unit in cash terms[1]	£30.87
'Service First' Standards	
Speed	
Percentage of office copy and official search applications processed within two working days, and	98
Percentage of office copy and official search applications processed within three working days	100
Percentage of all registrations processed within 25 working days[2]	80
Accuracy	
Percentage of registrations processed free of any error	98.5
Percentage of customers responding to the Annual Survey who perceive the accuracy of registrations to be excellent or good	Better than 90[2]
Delivery of Electronic Services	
Percentage of dealings (key customer interactions) capable of electronic delivery	50
Percentage of titles in the land register capable of electronic delivery	96
Percentage of title plans in the land register capable of electronic delivery	All
Number of scanned pages of filed documents (millions)	11

[1] The inflation factor for the cost per unit in cash terms is derived from the GDP indices announced by HM Treasury in December 1999
[2] In 2000–01 the categories will be 'very satisfied' and 'satisfied' with the accuracy of registrations
Notes:
1. The financial target of £0 External Financing Limit shown in the corporate plan 1998–2003 has been removed at the request of HM Treasury.
2. Fuller details of HMLR's targets are in its Business Plan.

Public Record Office—key performance targets 2000–01

Indicator	*Target*
1. Efficiency	
Unit cost of activities:	
(a) selecting and preserving the public records	Limit increase to 3 per cent. in real terms
(b) giving access to records	Reduce by 26 per cent. in real terms
Backlog of records in departments reported as being over 30 years old and awaiting review	Reduce by 397 metres
Management efficiency in running support services and projects	Reduce the level of staff sick absence in 2000 by 8.2 per cent. Pay 99 per cent. of invoices within 30 days
2. Quality of service	
The achievement of Charter Standards:	
(a) Charter Standards targets for: making newly opened records and their catalogues available to users; answering letters; delivering records to users; supplying copies of records; answering the telephone; and keeping appointments	Achieve 98.5 per cent. against the targets
(b) User satisfaction surveys	Carry out four satisfaction surveys and achieve assessments of 'good' or 'excellent' from 90 per cent. of those expressing a view
3. Effectiveness	
Performance in achieving specified milestones towards strategic objectives in the light of emerging Government policies	(a) Facilitate the achievement by the Departments of the Modernising Government Action Plan objective for managing records electronically, by testing electronic records management systems and by providing details of those which are suitable for inclusion in GCat (the Government Catalogue) by 30 September 2000 (b) Increase revenue by 3 per cent. against the 1999–2000 outturn

Note:
Fuller details of the Office's targets are given in its Business Plan which is available from the Public Record Office

Access to Justice Act 1999

Ms Keeble: To ask the Parliamentary Secretary, Lord Chancellor's Department which bodies the Lord Chancellor intends to prescribe as entitled to take advantage of the costs recovery provisions contained in section 30 of the Access to Justice Act 1999; what criteria he will take into account in determining status as a prescribed body; and what procedure membership organisations should follow if they wish to be approved as prescribed bodies. [117308]

Mr. Lock: Section 30 of the Access to Justice Act 1999 comes into force on 1 April. From that date membership organisations with prescribed body status will be able to recover a sum as part of legal costs from unsuccessful opponents to reflect the provision of legal help for members and their families.

By virtue of the Access to Justice (Membership Organisations) Regulations 2000 which also come into force on 1 April bodies which are prescribed for the purpose of section 30 of the Act are those bodies which are for the time being approved by the Lord Chancellor.

From 1 April the Lord Chancellor will approve all trade unions listed by the Certification Officer as at 31 March 2000 as prescribed bodies. Other membership organisations may apply to him for approval.

Rather than setting down rigid criteria for prescription in regulations the Lord Chancellor believes that there should be a flexible approach with each application for approval treated on its merits. Therefore, in deciding whether an organisation should be approved, the Lord Chancellor will take account of any relevant representations in its application, but will be mindful, so far as it is relevant, of whether the organisation in question:

Exists to protect, defend, represent and promote the interests of its members.

Has a range of benefits for members.

Offers litigation funding as one of those benefits and on a discretionary basis, at no additional charge.

Publishes annual accounts.

Uses monies paid by members to promote their interests and benefits.

Covers all those deemed eligible by the organisation (not only members).

Organisations wishing to seek the Lord Chancellor's approval as prescribed bodies for the purposes of section 30 of the Act should apply in writing to:

Costs and Litigation Funding Branch
Lord Chancellor's Department
3rd Floor Selborne House
54–60 Victoria Street
London SW1E 6QW

Workplace Parking

Mr. Gray: To ask the Parliamentary Secretary, Lord Chancellor's Department how many workplace car parking spaces are available at the buildings used and controlled by his Department. [116760]

Mr. Lock: The information requested is not held centrally and could be provided only at disproportionate cost.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Departmental Expenditure

Mr. David Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to change his departmental expenditure limits for 1999–2000. [117304]

Mr. Prescott: (i) The DETR Main Programmes Departmental Expenditure Limit will be increased by £700,000 from £10,403,990,000 to £10,404,690,000 as a result of a transfer of this amount from the DETR Local Government Departmental Expenditure Limit. There are also changes between the Voted and non-Voted elements of the Main Programmes Departmental Expenditure Limit. The changes are set out in greater detail as follows.

(a) Provision within the non-Voted element of the DETR Main Programmes Departmental Expenditure Limit will be increased by £7,413,000 from £1,697,254,000 to £1,704,667,000. This reflects a transfer of £700,000 from the DETR Local Government Departmental Expenditure Limit, a transfer of £910,000 from Class III, Vote 2 (Planning, roads, local transport and vehicle safety); and £5,803,000 from Class III, Vote 6 (Transport industries).

(b) The transfer of £700,000 from the DETR Local Government Departmental Expenditure Limit to the non-Voted element of the DETR Main Programmes Departmental Expenditure Limit is to provide other capital support to the London Borough of Haringey.

(c) The change for Class III, Vote 2 (Planning, roads, local transport and vehicle safety) is a transfer of £910,000 to the non-Voted element of the DETR Main Programmes Departmental Expenditure Limit for transport Supplementary Credit Approvals.

(d) The change for Class III, Vote 6 (Transport industries) is a transfer of £5,803,000 to the non-Voted element of the DETR Main Programmes Departmental Expenditure Limit to take account of British Rail's revised grant claim for 1999–2000.

(ii) The DETR Local Government Departmental Expenditure Limit will be increased by £720,000 from £34,218,737,000 to £34,219,457,000. This increase is the net effect of a take-up of end year flexibility of £1,420,000 and a transfer of £700,000 to the DETR Main Programmes Departmental Expenditure Limit. The changes are set out in greater detail as follows.

(a) Provision within the non-Voted element of the Local Government Departmental Expenditure Limit will be increased by £720,000 from £371,906,000 to £372,626,000. This reflects a take-up of end year flexibility of £1,420,000 for the Local Authority Capital Challenge programme, and a transfer of £700,000 to the DETR Main Programmes Departmental Expenditure Limit for other capital support to the London Borough of Haringey.

The transfers will be offset by transfers or charged to the DEL Reserve and will not therefore add to the planned total of public expenditure.

Air Pollution Control

Mr. Hoyle: To ask the Secretary of State for the Environment, Transport and the Regions if he will provide the details of the 2000–01 charging scheme for local air pollution control under Part I of the Environmental Protection Act 1990. [117388]

Mr. Hill: Charges to cover the costs of local enforcing authorities in regulating processes which are subject to Part I of the Environmental Protection Act 1990 were introduced in April 1991.

With the approval of the Treasury, and following consultation with local authority associations and industry, my right hon. Friend the Secretary of State for the Environment, Transport and the Regions has made a revised scheme specifying the scale of fees and charges to take effect from 1 April 2000.

The initial application fee will be unchanged and the annual subsistence fee will be increased by roughly 0.75 per cent. The main change is that the standard subsistence fee is increased by £6 from £790 to £796. The standard application fee remains at £1,280.

The scheme will be laid before both Houses and copies placed in the Libraries.

GLA Transport Grant

Mr. Fitzpatrick: To ask the Secretary of State for the Environment, Transport and the Regions what amount of Greater London Authority transport grant he has determined for 2000–01. [117389]

Mr. Hill: I have today formally determined GLA Transport Grant at £392,700,000. £73,768,000 is to cover period before Transport for London assumes its full responsibilities on 3 July 2000. This is therefore for amounts to be spent by the relevant predecessor bodies of Transport for London, including the Secretary of State himself. The balance of £318,932,000 will be paid in instalments to the Greater London Authority for the purposes of Transport for London.

Maritime and Coastguard Agency

Mr. Ivan Henderson: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to announce the key targets for the Maritime and Coastguard Agency for 2000–01. [117390]

Mr. Hill: I have today placed in the House Library a copy of the Agency's Business Plan which includes its key targets for 2000–01. The key targets are:

to agree a new statutory safety regime for under 12 m fishing vessels by 31 october for implementation by 30 April 2001;

to complete at least 95 per cent. of the agreed programme of vessel inspections by March 2001;

to decide on the search and rescue response to accidents and life-threatening situations, and to initiate action if necessary, within 5 minutes of being alerted in at least 95 per cent. of cases;

to undertake a review of the UK Search and Rescue Helicopter coverage as recommended in the National Audit Office report, "Civil Maritime Search and Rescue", and make recommendations to Ministers by December;

following the Marine Environment High Risk Areas consultation we will prepare for Ministers a response plan by autumn 2000 proposing the most cost effective options for Emergency Towing Vessel provision;

to evaluate and report to Ministers on the effectiveness of the National Contingency Plan for Counter Pollution by March 2001;

to evaluate the provision of UK port waste reception facilities and report to Ministers on this by December;

following an analysis of Headquarters and regional management costs, produce a specific programme for new efficiency measures and proposals to reduce such costs, and set targets for Agency management costs against pay and non-pay costs by July, for each of the years 2001–04;

to analyse the first annual cycle of the time-recording Management Information System to agree, by September, specific national and regional targets for chargeable, other core and non-core activities undertaken by operational staff for 2001–04;

to complete re-location programme by releasing properties in Liverpool, Great Yarmouth, Plymouth and Newcastle by 31 March 2001.

London Underground

Ms Harman: To ask the Secretary of State for the Environment, Transport and the Regions what further progress has been made with the London Underground public private partnership; and if he will make a statement. [117391]

Mr. Hill: London Transport awaits bids for the two deep tube infrastructure service contracts tomorrow. These will be very detailed, weighty proposals. It will take several weeks to analyse and clarify them properly. When this process is completed, the bids will be tested for best value against the public sector comparator.

I have today placed in the Library of the House a detailed note which describes how London Transport have constructed the public sector comparator against which bids for infrastructure improvement and maintenance contracts under the Public Private Partnership (PPP) can be tested.

The methodology on which the comparator has been built is designed to offer a fair and reliable estimate of how much it would cost London Underground itself to carry out all the work needed to upgrade and maintain the Underground network over the next 30 years, to the standard required under the PPP contracts. The comparator will show the cost for each of the three infrastructure companies separately, so that each bid can be directly assessed against its public sector alternative.

The comparator will also explicitly establish how much it would cost to deliver the required contract outputs if London Underground were to raise the necessary finance through the issuance of public sector bonds. The bids will also be tested against this means of raising finance.

The methodology which London Underground is using, and which is described in the note that I have placed in the Library, has been reviewed by KPMG as London Underground's independent, external auditors. KPMG were asked to consider whether the note accorded with the relevant Treasury guidance and was appropriate to the circumstances of the PPP. KPMG will also be asked to review the actual comparator and the bond-financed variant before they are used to test bids for best value.

The actual values produced by the comparator can be released only once negotiations with bidders have been completed, so as not to expose the taxpayer's negotiating position, and thus jeopardise the chances of securing best value.

As well as the external audit undertaken by KPMG, the design, construction and use of the comparator will be made available for scrutiny by the National Audit Office (NAO). The NAO has made clear that while it is always available to give guidance to the bodies whom it audits on areas of risk and uncertainty, and to draw attention to relevant financial experience in NAO and Public Accounts Committee reports—my Department has accordingly received such guidance—it could not go further and become involved in the decision-making process. This would inevitably lead to questions about its ability subsequently to carry out an independent examination for Parliament, once the key decisions on the PPP have been taken.

The NAO, however, notes that as part of the decision-making process, London Transport is having its work on building and using the public sector comparator reviewed by KPMG. The NAO regards it as being in line with good practice for such comparators to receive scrutiny external to the project.

Highways Agency

Mr. Salter: To ask the Secretary of State for the Environment, Transport and the Regions what targets he has set for the Highways Agency for 2000–01. [117392]

Mr. Hill: The key targets set for the Highways Agency are included in the Agency's business plan for 2000–01, which is being placed in the Library.

The key targets are to:

in order to deliver best value for money, maintain the network so that the proportion of the network requiring maintenance within the next year is held between 7 and 8 per cent;

achieve a saving of 250,000 estimated vehicle hours from the network communications and economy local network management schemes completed in the year;

to demonstrate progress towards achieving the 2010 targets for motorways and trunk roads set out in "Making the Network Safer: the Highways Agency's Strategic Plan for Safety" published on 1 March:

- reduce the number of people killed and seriously injured on trunk roads in 2000 to 5,056 (compared with the 1994–98 average of 5,589);
- reduce the slight casualty rate in 2000 to 21.13 slight casualties per million vehicle km (compared with the 1994–98 average of 21.76);
- in each case to allow for expected year-to-year fluctuations in casualty levels, the Agency will be deemed to have met the target if the result is no more than 5 per cent. above the milestone target figure;

achieve an average target of 85 per cent. across the four environment programme sub-indicators;

achieve by the end of the year no less than 90 per cent. of the 24 targeted programme of improvement scheme milestones listed in Chapter 3.4 of the business plan.

Planning Inspectorate

Mr. Paul Clark: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review the Planning Inspectorate. [117394]

Mr. Raynsford: My Department has today launched a review of the Planning Inspectorate. The Planning Inspectorate was established as an Executive Agency in April 1992 and, in line with Cabinet Office guidelines for all executive agencies, it must be reviewed at least every five years.

The last review of the Inspectorate in 1995 confirmed its Agency status. This review which will be completed by the end of 2000 will be undertaken in two stages.

The first will consider all the organisational options for the Inspectorate including abolition; continued agency status; contracting-out; market testing; merger or rationalisation; privatisation.

If Agency status is confirmed, the second stage will consider how the Inspectorate's efficiency could be improved.

The review will be undertaken jointly by DETR and the National Assembly for Wales. The Agency's customers and other interested parties will be consulted.

Energy-from-waste Plants

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what compensation payments are available to those living in an area where an energy-from-waste plant is to be constructed. [116779]

Ms Beverley Hughes: None. A planning application for such a plant would be determined by a local planning authority in accordance with the development plan for the area, unless material considerations indicated otherwise. Such considerations could include the effects of the proposal on the locality and the views of local people. In some cases planning conditions or obligations might be appropriate to mitigate the effects of a proposed scheme.

Social Services Expenditure

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what was the actual expenditure on social services for each local authority in England for *(a)* 1997–98 and *(b)* 1998–99; and what is the estimated expenditure for (i) 1999–2000 and (ii) 2000–01. [116836]

Ms Beverley Hughes: English local authorities have reported a total net current expenditure on social services of £8,454 million in 1997–98 and £9,059 million in 1998–99 and a budgeted expenditure of £9,645 million in 1999–2000. The information for 2000–01 is not yet available.

The information by local authority has been placed in the Library of the House.

Housing Improvement Agencies

Sir Paul Beresford: To ask the Secretary of State for the Environment, Transport and the Regions what organisation has been contracted to undertake the administration of grants to the housing improvement agencies; when the contract was granted and at what value; which organisations *(a)* sought and *(b)* were short-listed for the contract; and if the contract was let under the European negotiated procedure. [116888]

Mr. Mullin: Collective Enterprises Ltd. has been appointed the national co-ordinating body for home improvement agencies under a contract awarded on 8 March. The value of the contract is £1,576,515 (excluding VAT) over four years. Five organisations expressed interest in the contract of which two, Care and Repair England Ltd. and Collective Enterprises Ltd., were invited to tender. The contract was awarded under the EU Restricted Procedure.

Airports

Sir Paul Beresford: To ask the Secretary of State for the Environment, Transport and the Regions if he will make public the options he decides to take forward following the decision-making process outlined in the consultation paper, Appraisal Framework for Airports in the South East and Eastern Regions, to reduce the potential for blight and developmental delays. [116885]

Mr. Mullin: As I stated in my answer to the hon. Member on 14 March 2000, *Official Report*, column 116W, the options will be appraised through the process of successive sifts, and following completion of the study there will be a public consultation on the options arising from it. In advance of that consultation, it would be premature to comment on the status of any option.

The approach adopted in this study is consistent with my Department's Code of Practice on the Dissemination of Information during Major Infrastructure Developments. Releasing information in the earliest stages of a possible project, in advance of final options, could result in unnecessary and lengthy blight, as well as multiplying uncertainty and anxiety.

Sir Paul Beresford: To ask the Secretary of State for the Environment, Transport and the Regions what assessment the South East and East of England Air Study will make of work done by the Runway Capacity to serve the South-East Working Group. [116887]

Mr. Mullin: The final terms of reference for the South East and East of England Regional Air Services Study make it clear that in undertaking the study it will be necessary to take advantage, where appropriate, of the technical work done on the options examined by the Working Group. As my right hon. Friend the Member for Hamilton, North and Bellshill (Dr. Reid) indicated in his announcement on 11 March 1999, *Official Report*, columns 360–61W, the study has started from the position that nothing is ruled in or ruled out.

I announced publication of the final terms of reference to the House on 9 February 2000, *Official Report*, column 106W. Copies are available in the House Libraries.

Sir Paul Beresford: To ask the Secretary of State for the Environment, Transport and the Regions if the South East and East of England Air Services Study will include an assessment of the effects of growth of aircraft movements at airports in the South East and East of Manchester Airport. [116886]

Mr. Mullin: Forecasts of future aircraft movements at airports in the South East and East of England used in the assessment of options in the South East and East of England Regional Air Services study (SERAS) will take into account potential capacity gains at other airports including Manchester Airport.

Sir Paul Beresford: To ask the Secretary of State for the Environment, Transport and the Regions if, in announcing new housing development for the South East, an assessment was made of the effects of any increases in runway capacity at South East airports. [116889]

Ms Beverley Hughes: No assessment has been made of the effects of airport proposals which are not covered in current permissions or development plans. The South East and East of England Regional Air Services study is examining a wide range of options to address changes in demand for air services. In doing so it will, among other impacts, assess regional planning guidance implications and urbanisation impacts, including housing, of airport development options. Following completion of the study, we shall consult on a shortlist of options. After decisions have been taken on airport development, any implications for housing provisions will be taken into account in future revisions of housing rates in the light of the monitoring and review arrangements set out in draft Regional Planning Guidance for the South East and East Anglia.

Transport Council

Mr. Hood: To ask the Secretary of State for the Environment, Transport and the Regions what was the outcome of the Transport Council held in Brussels on 28 March; and if he will make a statement. [117118]

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the outcome of this week's EC Council meeting of Transport Ministers. [116843]

Mr. Hill: The Transport Council met in Brussels on 28 March. My right hon. and noble Friend the Minister for Transport represented the United Kingdom.

The Commission gave a further report on progress of the definition phase of the Galileo satellite navigation project. Commissioner de Palacio asked for member states' support at the forthcoming World Radio Conference, to ensure that the Galileo project has the radio frequencies needed. She reported that the public private partnership had attracted expressions of interest from the private sector. My right hon. and noble Friend emphasised the need for full cost benefit analysis of the project. The Presidency asked for a written report from the Commission to the June Council.

There was a debate on the Commission's Communication on air transport and the environment, first presented at the December 1999 Council. The Communication describes the Commission's proposed five-year work plan for policies and measures to limit or reduce noise and gaseous emissions from aircraft. Member states broadly welcomed the Commission's approach. The UK was among the member states which emphasised that, where possible, international noise standards should be developed at the global level through the International Civil Aviation Organisation. Likewise, on the question of aviation fuel tax, my right hon. and noble Friend joined others in stressing that this was best handled at the global level. Council Conclusions were adopted, confirming the Commission plan and setting priority areas for action.

The Commission set out recent development on the hushkits issue. The Regulation on the use of hushkitted aircraft would come into force on 4 May; it was possible that some changes could be made to the date of application to third country aircraft. Work would continue on a joint declaration, committing the EU and the US to a new standard in ICAO. My right hon. and noble Friend referred to the need for a new international standard, and stressed that the Commission should do all possible to seek a solution. The Council agreed Conclusions, endorsing the Commission's further engagement with the US.

The Commission stated that it would be producing a list of air passengers' existing rights. This would be followed by legislative proposals. At the June Council, they would report in full on the recent consultation exercise. The Presidency, identifying the issue of a European Charter of Air Passenger Rights as a priority, encouraged the Commission to submit its Communication, including legislative proposals in time for the June Council.

The Commission presented a working paper on establishment of a European aviation safety authority (EASA). My right hon. and noble Friend expressed disappointment that the paper did not provide a full analysis of the options of an international organisation or

an EU agency, as the December Council had requested. The Presidency said that the Transport Council should aim to take a decision in June on the best legal form for the EASA.

The Presidency tabled a revised text of the draft directive on the interoperability of conventional rail systems, which had been presented by the Commission to the December Council, and which the UK broadly supports. The Presidency noted that substantial progress had been made in the Working Group. The Commission agreed that progress had been made and felt that a common position on the draft directive should be possible in June.

The Commission presented to the Council its Communication on road safety. Key proposals for action were: further development of the European new vehicles crash testing programme (ENCAP), use of speed limiters on larger vehicles, higher levels of seatbelt and child restraint usage, safer car fronts, and targeting of accident blackspots. Legislative proposals would follow in these areas. My right hon. and noble Friend welcomed the general approach of the Communication, which fitted in well with the recently announced UK road safety strategy. The Communication also refers to the Commission's intention to bring forward a recommendation for a maximum blood alcohol level of 0.5 milligrams per millilitre. The Presidency concluded that further work should be done on the Communication, in preparation for discussion at the June Council.

The Commission introduced new proposals on maritime safety, stressing that it was important to make progress in preventing future accidents like that involving the Erika. Action was proposed in two stages. The first stage would involve measures tightening the regulation on port state control of ship standards, improving control of classification societies, and phasing out single-hulled tankers, the last in line with the US timetable. In the short-term, oil companies would be asked to avoid voluntarily the use of tankers more than 15 years old. The second stage of the Commission's proposals involves a change in the information system for all ships, building on the new EQUASIS international database, better monitoring of sea movements of freighters, setting up a European Maritime Safety Agency, and examination of the liability and compensation aspects of oil pollution accidents. Member states supported the proposals for directives on port state control and classification societies, but, more generally, the need for the International Maritime Organisation to be involved was widely stressed. The UK was among member states which stressed the importance of a proper prior assessment of the economic impact of a rapid phase-out of single hulled tankers. My right hon. and noble Friend also noted the UK's recent proposals to increase the ceiling for payments from the International Oil Pollution Compensation Fund (IOPCF), and suggested that wider reform should be pursued through the IMO. The Commissioner felt that global action alone was not enough and argued for her proposal on single hulls. The Presidency, however, asked for more work to be done in preparation for the June Council. They urged member states to work together to increase compensation levels in the IOPCF.

Under other business, the Commission reported that there had been good progress in the High Level Group set up following the presentation at the December Council of the Commission Communication on air traffic management ("A Single European Sky").

Manchester Metrolink

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions (1) under what headings of expenditure the aid to be provided for the Manchester Metrolink will be spent; [116864]

(2) what proportion of the aid to be provided for the Manchester Metrolink will be given as *(a)* grant and *(b)* credit approval. [116863]

Mr. Hill: As my right hon. Friend the Secretary of State made clear in his reply to my hon. Friend the Member for Manchester, Central (Mr. Lloyd) on 22 March 2000, *Official Report*, column 549W, the final details of the funding package are still to be determined. However, it will include both grant and credit approvals. Public support will be towards the capital costs of the project which would typically include construction costs, rolling stock, utility diversion and land purchase.

Aircraft Noise

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what EU measures he supports to reduce noise from civil aircraft. [116846]

Mr. Mullin: The UK broadly supports the Commission's proposals in the recent communication on Air Transport and the environment, particularly the need to work through the International Civil Aviation Organisation for new standards. We shall consider the proposals as they come forward on their merits. My hon. Friend the Member for Streatham (Mr. Hill) will report the conclusions of the transport council today.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what measures he will adopt to reduce the noise of civil aircraft over the Stour Valley in Essex and Suffolk. [116845]

Mr. Mullin: Local concerns about an increase in overflight, following the introduction of a second stack for Stansted, have been addressed as far as possible, given the competing demands for airspace and the general build up of air traffic in the South East. We shall continue to press for international agreement on higher noise certification standards and the phasing out of noisier aircraft. This will benefit people there and elsewhere.

European Aviation Safety Authority

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions if it is his policy to support the establishment of EASA as an international rather than an EU body; and if the rules of EASA are intended to have direct effect and direct applicability in the law of the member states. [116867]

Mr. Mullin: The Government are committed to taking action with their Community partners on setting up a new aviation safety body which will raise aviation safety standards across Europe in an effective and efficient way.

In June 1998, during the UK Presidency, the Council mandated the Commission to develop, on behalf of the European Community and the member states, a treaty for a new international organisation to be known as the European Aviation Safety Authority, involving both EU and non-EU member states, as well as the Community itself. The mandate required the Commission first to submit a draft outline text of the founding treaty to a Special Committee of member states representatives.

The draft treaty agreed by the Special Committee assumes that the most effective way of achieving uniformly applied, high safety standards was to provide that all EASA rules should be directly applicable in Contracting Parties' law. The draft also provides for extensive judicial control mechanisms. Member states and the Commission have been unable to agree this draft treaty in its entirety and the Commission has suggested an alternative option, based on a community agency. The Council on 28 March agreed that further analysis should be undertaken of the best legal form for EASA.

Air Cargo

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what encouragement he gives to research into ways of reducing the hazards associated with the transport of air cargo. [116849]

Mr. Mullin: Certain types of cargo are known to present specific hazards when transported by air and these are categorised as dangerous goods. The carriage of dangerous goods by air is governed by the Air Navigation (Dangerous Goods) Regulations 1994 which implement the requirements of Annex 13 to the Chicago Convention. This requires that all dangerous goods transported by air must be carried in accordance with the International Civil Aviation Organisation's Technical Instructions for the Safe Transport of Dangerous Goods by Air. The Technical Instructions themselves are based upon the UN Recommendations on the Transport of Dangerous Goods.

The Technical Instructions are reviewed regularly by an ICAO panel of experts on dangerous goods. The Department funds a dangerous goods specialist from the Civil Aviation Authority to participate in the panel, which she currently chairs. The ICAO panel does not consider that any research is necessary.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the adequacy of the regulations governing the use of frozen carbon dioxide for packaging for chilled and frozen goods transported by air. [116848]

Mr. Mullin: In accordance with Annex 18 to the Chicago Convention the transport of all dangerous goods by air in the UK is governed by the International Civil Aviation Organisation's (ICAO) Technical Instructions for the Safe Transport of Dangerous Goods by Air. The Technical Instructions are regularly reviewed by an ICAO panel (which includes a UK member) and revised biennially. The hazards from frozen carbon dioxide are well known and the ICAO panel considers that the present requirements for its carriage are adequate.

Galileo Project

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions if it remains his policy to oppose the EU Galileo project; and if he will make a statement. [116844]

Mr. Mullin: The Government have not opposed the EU Galileo project. They have adopted a prudent approach to the project as they consider that key issues such as cost, funding (including arrangements for a public-private partnership), user benefits, security and management arrangements need to be properly evaluated. Such views are shared by other EU member states. Hence, the Transport Council, at its meeting in June 1999, adopted a Resolution that invited the European Commission to proceed only with the Definition Phase of Galileo in conjunction with member states and the European Space Agency. This phase has begun and includes detailed work on the issues of concern to the UK and other EU states. Based on the results of this work and negotiations with the US and the Russian Federation, the Commission is required, by the end of this year, to put forward proposals to the Council on the best way to proceed with the project either independently or in co-operation with international partners.

Regional Planning Guidance

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what is the assumed scale of net regional population migration underlying the projected level of household formation proposed for the current round of draft regional planning guidance *(a)* in each of the eight English regions and *(b)* for the spatial development plan for London. [116653]

Miss Melanie Johnson: I have been asked to reply.

The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Tom Brake, dated 30 March 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent question on the assumed scale of net regional population migration, underlying the projected level of household formation proposed for the current round of draft regional planning guidance.

You requested information for each of the eight English regions and for the spatial development plan for London. The 1996-based household projections are one factor taken into account in arriving at the level of housing and households provision in regional planning guidance and spatial development plans.

The latest household projections are consistent with the 1996-based subnational population projections at regional level. The attached table provides the assumed levels of migration in the subnational population projections for each government office region. Projections of migration are shown for five different years in the projection period and those for the intervening years are consistent with these figures.

Subnational population projections: assumed net annual migration for projected years

Thousand

Government office region	*Mid year ending* 2001	2006	2011	2016	2021
North East	−3.2	−2.6	−1.8	−1.1	−0.1
North West	−8.0	−7.8	−6.8	−5.0	−3.6
Yorkshire and the Humber	1.6	1.5	1.3	1.4	2.2
East Midlands	13.1	12.5	12.0	12.0	12.0
West Midlands	−2.9	−2.3	−1.7	−0.9	0.0
East	19.8	19.6	19.4	19.6	19.7
London	−18.2	−17.4	−17.9	−21.8	−26.4
Sough East	34.2	32.7	31.2	30.6	30.5
South West	29.5	29.7	30.1	30.9	31.6

HOUSE OF COMMONS

Advisory Committee on Works of Art

Mrs. Roe: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, if he will make a statement about the membership of the Advisory Committee on Works of Art. [116746]

Mr. Kirkwood: Madam Speaker has appointed the hon. Member for West Ham (Mr. Banks) in place of the hon. Member for Dudley, North (Mr. Cranston) as a Member of the Advisory Committee on Works of Art.

Research Assistants

Mr. Oaten: To ask the Chairman of the Administration Committee how many hon. Members currently have passes for temporary research assistants from overseas. [116957]

Mrs. Roe: Forty-seven.

TRADE AND INDUSTRY

Employment Regulations

13. **Mr. Brooke:** To ask the Secretary of State for Trade and Industry what recent representations he has received from businesses on the introduction of employment regulations. [115672]

Mr. Alan Johnson: I receive many representations from business on a variety of employment issues.

Regulation

14. **Mr. Love:** To ask the Secretary of State for Trade and Industry what steps his Department is taking to relieve small businesses of regulatory burdens. [115673]

Ms Hewitt: One of the primary functions of the Small Business Service will be to ensure that the "Think Small First" philosophy is applied across Whitehall. The Small Business Service will also encourage Government Departments to make information on regulations more comprehensible and accessible, including through an SBS gateway.

Textile and Clothing Industry

15. **Charlotte Atkins:** To ask the Secretary of State for Trade and Industry what the Government's initial response is to the consultation document, "A National Strategy for the UK Textile and Clothing Industry". [115674]

Mr. Caborn: The Government welcome the production of the consultation document "National Strategy for the UK Textile and Clothing Industry". We shall make a detailed response to the report, including the recommendations, when the final document is produced later in the spring.

Employment Agencies

16. **Mr. Hope:** To ask the Secretary of State for Trade and Industry if he will make a statement on the regulation of employment agencies. [115675]

Mr. Alan Johnson: Our review of the agency conduct regulations, following last year's consultation, is progressing well. The new regulations will be laid before Parliament shortly. We will streamline and clarify the existing regulations while ensuring workers' and hirers' interests are properly protected.

Cybersquatting

17. **Mr. Evans:** To ask the Secretary of State for Trade and Industry what recent discussions he has had with interested parties relating to cybersquatting. [115676]

Ms Hewitt: The Department of Trade and Industry has been working for some time both in the UK and in international fora to develop consistent and workable procedures for resolving domain name disputes.

The law applies online just as much as it does offline so, where the UK courts have jurisdiction, owners of trade marks and other well known names can pursue legal remedies against cybersquatters who infringe their rights under UK law.

Post Office

18. **Shona McIsaac:** To ask the Secretary of State for Trade and Industry how the Post Office will help tackle financial exclusion. [115677]

Mr. Byers: The Horizon project to computerise the whole of the post office network will provide an automated IT platform from which basis the Post Office can substantially extend its arrangements to act with banks and building societies on an agency basis. In addition, my right hon. Friend the Chancellor of the Exchequer announced in his recent Budget statement that he has asked the banks to work with the Post Office to offer a universal banking service available at post offices. Development of these measures has the potential to provide banking facilities to the substantial number of people currently financially excluded.

Milk Industry

19. **Mr. David Heath:** To ask the Secretary of State for Trade and Industry if he will make a statement on competition in the milk industry. [115678]

Mr. Byers: I welcomed the voluntary decision by the members of Milk Marque to break up into three independent successors. All sectors of the UK dairy industry will benefit from a more competitive structure.

I have asked the Director General of Fair Trading to advise me by Easter whether the market is now operating competitively. I will make an announcement once I have considered his advice.

Minimum Wage

21. **Mr. Corbyn:** To ask the Secretary of State for Trade and Industry when he next expects to review the level of the national minimum wage. [115680]

Mr. Alan Johnson: We are asking the Low Pay Commission, in its new remit, to continue to monitor the minimum wage and advise on a range of issues including whether there is a case for a further increase in the minimum wage rates and, if so, by how much. The Commission has been asked to report again by July 2001, and the Government will implement any rate changes in October of that year.

Meanwhile, in the light of the Low Pay Commission's positive findings in its second report, which we published on 15 February, we have already announced increases in the minimum wage rates later this year. The youth rate increases to £3.20 on 1 June 2000 and the main rate increases to £3.70 on 1 October 2000.

31. **Mr. Swayne:** To ask the Secretary of State for Trade and Industry what account is taken of an employer's provision of board and lodging when calculating the minimum wage payable. [115693]

Mr. Alan Johnson: The only benefit in kind which counts towards national minimum wage pay is accommodation. The maximum amount which can be offset against national minimum wage pay by employers who provide accommodation is £19.95 per week.

The provision of other benefits such as meals is not taken into account when calculating whether the national minimum wage has been paid. This approach follows recommendations by the Low Pay Commission in its first and second reports and its special report into the accommodation offset.

Sub-post Offices

22. **Dr. Palmer:** To ask the Secretary of State for Trade and Industry if he will make a statement on the role of sub-post offices in supplying electronic services to local communities. [115681]

Mr. Alan Johnson: The Government are fully committed to a nationwide network of post offices and are contributing nearly £500 million towards the cost of equipping the network with a modern, automated IT platform. The system will be installed at some 18,000 post offices throughout the country by spring 2001, to enable the Post Office to improve services and take advantage of new business opportunities. Creation of an extensive automated infrastructure will facilitate the use of the Post Office network as a delivery channel for electronic Government services.

Mr. Kenneth Clarke: To ask the Secretary of State for Trade and Industry when he expects to receive the Performance and Innovation Unit report on the sub-Post Office network; and if he will make a statement. [115769]

Mr. Byers *[holding answer 22 March 2000]:* As my right hon. Friend the Prime Minister indicated in his answer to the hon. Member for Torbay (Mr. Sanders) on 17 January 2000, *Official Report,* column 267W, the Performance and Innovation Unit's report on the Post Office network is expected to be completed this spring.

EU Membership

23. **Helen Jackson:** To ask the Secretary of State for Trade and Industry if he will make a statement on the benefits to British manufacturing of membership of the European Union. [115682]

Mrs. Liddell: For British business, the greatest of all benefits of our membership of the EU is being part of the European single market. This gives all UK manufacturers access to the largest single market in the world—a market of nearly 380 million consumers.

Almost 60 per cent. of the UK's trade, worth nearly £120 billion a year, is with the EU. In addition we attract a huge amount of inward investment as a gateway to the single market, for countries outside the EU.

Internet Access

24. **Mr. Peter Bradley:** To ask the Secretary of State for Trade and Industry what steps he is taking to overcome difficulties in improving access by rural communities to the internet; and if he will make a statement. [115683]

Ms Hewitt: The Prime Minister recently announced the Government's goal of universal internet access by 2005. People in rural areas can already get such access via a PC and a telephone line. The Government are also making sure that there are public internet access points widely spread across the country, including in rural areas.

Pirate Radio Stations

25. **Mr. Gerrard:** To ask the Secretary of State for Trade and Industry what steps he is taking to curb the activities of pirate radio stations. [115685]

Ms Hewitt: My Department's Radiocommunications Agency is constantly active against pirates. Last year it conducted a record 1,414 operations against pirates across the UK and successfully prosecuted 47 people.

Competition

26. **Mr. Sheerman:** To ask the Secretary of State for Trade and Industry what assessment he has made of the competitiveness of UK industry in relation to its major European rivals. [115686]

Mrs. Liddell: Competitiveness depends on a wide range of factors as discussed in the Government's Competitiveness White Paper. Following on from the White Paper, the Secretary of State for Trade and Industry published, in December 1999, a set of indicators which provided a systematic assessment of the UK's competitiveness against the world's leading economies, including its major European rivals.

The overall message from the Indicators is that the UK is beginning to succeed as a knowledge driven economy, but in many areas has some way to go to match the standards of the best.

Communications Regulation Reform

27. **Mr. Ian Bruce:** To ask the Secretary of State for Trade and Industry if he will bring forward the publication of the White Paper on communications regulation reform; and if he will make a statement on its proposed contents. [R] [115687]

Ms Hewitt: The White Paper is a priority for both the Department of Trade and Industry and the Department for Culture Media and Sport. It will cover areas such as the economic regulation of broadcasting and telecommunications, content regulation, media ownership and the role of public service broadcasting. It will be published as soon as possible before the end of the year.

Small Business Service

28. **Mrs. Curtis-Thomas:** To ask the Secretary of State for Trade and Industry if he will make a statement about the recent consultation exercise conducted with businesses by the Small Business Service. [115688]

Ms Hewitt: We published and laid in the House on 17 January the results of the very extensive consultation carried out last year, together with the Government's response. We had 700 replies, from a complete cross-section of all those with an interest.

Working Time Directive

29. **Mr. Shaw:** To ask the Secretary of State for Trade and Industry what assessment he has made of the impact of the working time directive. [115690]

Mr. Alan Johnson: The Government commissioned an interim report of research on the implementation of the Working Time Regulations. A copy of the report is available from the Library of the House.

Electricity

32. **Mr. Stunell:** To ask the Secretary of State for Trade and Industry what measures he proposes to encourage micro-cogeneration of electricity within the UK. [115694]

Mrs. Liddell: The Chancellor announced his intention in the Pre-Budget Report of trebling support for energy efficiency measures under the climate change levy to around £150 million for 2001–02. This has been confirmed in the Budget.

Final decisions on use of the £50 million "energy efficiency" fund will be made in the 2000 spending review. The overall aim will be to encourage take-up of low-carbon technologies, including renewables, with an expanded programme of support.

The Budget has also confirmed, subject to obtaining EU State Aids clearance, that a system of 100 per cent. first year capital allowances will be introduced for certain eligible technologies—to include "good quality" CHP—from April 2001.

Micro-CHP giving energy saving benefits to consumers could also be eligible for Utilities' programmes to meet Energy Efficiency Standards of Performance Obligations.

The draft Strategy for CHP to 2010 is due to be published soon by my right hon. Friend the Minister for the Environment. It will invite comments on how we can achieve our CHP objectives, including developing the market for micro-CHP.

Consumer Protection

33. **Dr. Tony Wright:** To ask the Secretary of State for Trade and Industry what proposals he has to protect consumers in relation to schemes run by trade associations. [115695]

Dr. Howells: When seeking to buy products or services many consumers will be influenced by logos or membership of trade associations. Consumers need to know that these provide effective redress and are properly enforced. The Government propose to change the law to give the Director General of Fair Trading a power to give a seal of approval to effective codes. This will enable the consumer to choose a supplier with confidence, knowing that if something does go wrong, redress is available.

Inward Investment

34. **Mr. Brady:** To ask the Secretary of State for Trade and Industry if he will make a statement on inward investment to the North West of England. [115696]

Mr. Caborn: Since May 1997 my Department has made 672 offers of Regional Selective Assistance in the North West of England, including 51 offers to overseas companies, creating or safeguarding nearly 33,000. Major inward investment successes have included MBNA in Chester and New Balance Athletic Shoes in Cumbria.

Business Burdens

35. **Mr. Blizzard:** To ask the Secretary of State for Trade and Industry what initiatives his Department is taking in conjunction with other Departments to reduce the burdens on business. [115697]

Ms Hewitt: The Small Business Service is working closely with other Government Departments to reduce burdens on business. For example it is working closely with the Inland Revenue's business support teams to make it easier for employers to establish and operate their payroll operations; and it is working with the HSE to help implement the Health and Safety Commission's strategy for small firms.

BMW (Land Rover)

36. **Mr. John M. Taylor:** To ask the Secretary of State for Trade and Industry what is the position regarding BMW's ownership of Land Rover in Solihull; and if he will make a statement. [115698]

Mr. Byers: I understand that Ford has reached a memorandum of understanding with BMW to acquire Land Rover. The transaction is subject to BMW and Ford achieving a definitive agreement, due diligence and regulatory approvals. If successful the acquisition is expected to be completed in the second quarter of this year.

Aerospace Projects

37. **Mr. Wilkinson:** To ask the Secretary of State for Trade and Industry if he will list the five aerospace projects on which his Department has disbursed the most launch aid in the last 20 years, indicating the sums involved in each case. [115699]

Mr. Byers: In the last 20 years, the five largest launch investment commitments which the Government have made are:

To BAE SYSTEMS for the Airbus A3XX in March 2000, £530 million

To British Aerospace for the Airbus A340–500/600 in February 1998, £123 million

To Rolls-Royce for the Trent aeroengine in November 1997, £200 million

To British Aerospace for the Airbus A330/340 in December 1988, £447.1 million

To British Aerospace for the Airbus A320 in March 1985, £249.3 million.

Enterprise

Mr. Healey: To ask the Secretary of State for Trade and Industry what steps he is taking to encourage the growth of enterprise in areas of high unemployment. [115691]

Mr. Caborn: The Government recognise the need to encourage the growth of enterprise in disadvantaged areas such as those with high unemployment.

One of the Policy Action Teams set up by the Social Exclusion Unit was asked to look at the role of 'Enterprise and Social Exclusion'. It reported in November 1999.

The report made several recommendations for the Government's new Small Business Service (SBS). A key role for the SBS will be to identify those people who face specific barriers to entrepreneurship, for example some ethnic minorities and those in disadvantaged communities and to ensure that business support is tailored to meet their needs.

At the local level there will be a new network of SBS franchises which will replace the Business Links network. The Government's SBS franchise bidding guidance has set out a clear message to the potential franchisees to demonstrate how they will deliver their services to those in deprived communities and other under-represented groups.

The SBS has established a new social inclusion team to take these issues forward and in all aspects of this work, the SBS will build on the excellent work that is already going on at the local level. It will identify good practice and ensure that it is shared widely.

Another area of assistance is Enterprise Grants. These are available to SMEs in the 'Assisted Areas' and in additional areas of identified special need, including local authorities with high unemployment or low employment rates.

In addition, the Phoenix Fund was announced by my right hon. Friend the Secretary of State for Trade and Industry in November 1999 to take forward specific activities in deprived areas. The fund will have a budget of £30 million over three years. The Fund will support entrepreneurship in deprived areas and will respond to issues raised in the PAT 3 report. It will provide funding for:

piloting of the new Business Volunteers Mentor Association;

support for new and existing community finance initiatives;

a development fund for innovative ways of supporting enterprise in deprived areas.

The Department is currently considering ways of developing the fund for the benefit of business.

State Aid

Mr. Mitchell: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 22 March 2000, *Official Report*, column 613W, on state aid to industry, what formal investigation procedures concerning the United Kingdom have been initiated by the Commission since May 1997 other than that relating to the Rover/BMW plant in Birmingham; and if he will place the information supplied to the Commission by *(a)* Her Majesty's Government and *(b)* other parties in each such case in the Library. [116835]

Mr. Byers: Other than the proposed aid for Rover/BMW plant in Birmingham, the Commission has initiated two formal investigation procedures into aid concerning the United Kingdom since May 1997. The cases were as follows: Pig Welfare Slaughter Compensation Scheme (C76/98) in Northern Ireland and the English Partnership/Investment Programme (N31/95).

I will arrange for the information requested to be placed in the Library of the House.

Small Businesses

Mr. Steinberg: To ask the Secretary of State for Trade and Industry how many small businesses are based in North East England; and what percentage this represents of the UK total. [117215]

Ms Hewitt: The total number of small and medium enterprises in the North East is 39,600 and this represents 3 per cent. of the equivalent figure for the UK.

Part-time Workers Directive

Fiona Mactaggart: To ask the Secretary of State for Trade and Industry if he will make a statement on progress in consultation about the part-time workers directive. [115684]

Mr. Alan Johnson: The Government are currently considering the responses to the consultation on part-time work. We will announce the outcome and lay the regulations on part-time work as soon as possible.

Gas Directive

Mr. Doran: To ask the Secretary of State for Trade and Industry what plans he has to implement Article 23 of the Gas Directive (98/30/EC) in respect of access to upstream pipeline networks. [117465]

Mrs. Liddell: I have today issued a consultation document outlining proposals to implement those aspects of the Gas Directive which apply to upstream pipeline networks.

The consultation document outlines proposals to amend the Pipelines Act 1962 and the Petroleum Act 1998 in order to give effect to Article 23 of the Gas Directive by placing a duty on upstream pipeline owners to consider applications for access to their pipelines against certain criteria and placing certain new duties and powers on the Secretary of State to settle disputes between pipeline owners and applicants for access.

As many upstream pipelines carry a complex mix of hydrocarbons from which gas and oil may be extracted at a processing facility, the consultation document proposes applying the provisions of Article 23 of the Directive to certain upstream pipelines which carry either gas or oil or both. It proposes a definition of "upstream pipeline network" which would include offshore and onshore pipelines of any length carrying gas or oil from an oil or gas production field to processing terminals in the United Kingdom or carrying gas to terminals in another country. The definition would also include pipelines carrying gas directly from a production field to a power station or industrial plant.

The consultation document seeks views on all of these proposals and, in particular, on how the interconnecting pipeline between the United Kingdom and Belgium should be regarded for the purposes of the Directive.

The proposals clarify certain aspects of the Pipelines Act 1962 and the Petroleum Act 1998, in particular the Secretary of State's role as the dispute settlement authority, and reflect current practice in the offshore industry under the Offshore Infrastructure Code of Practice. The material impact on business is expected to be negligible.

Comments on the consultation document have been requested by 30 May 2000.

A copy of that document has been placed in the Library of the House. The document is also available on the Department's website (www.og.dti.uk).

NORTHERN IRELAND

Parliamentary Questions

Mr. McNamara: To ask the Secretary of State for Northern Ireland, pursuant to his reply to the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) of 29 February 2000, *Official Report*, column 200W, on Parliamentary Questions, what expense was incurred in answering questions from the hon. Member for Hull, North *(a)* concerning the circumstances surrounding and subsequent inquiries into the deaths of (i) Patrick Finucane, (ii) Rosemary Nelson and (iii) Robert Hamill and *(b)* concerning (1) the RUC's response to the Patten report and (2) the Police Federation's response to the Patten report. [113435]

Mr. Ingram: During the period 1 June 1999 to 31 January 2000, my hon. Friend tabled a total of 25 Parliamentary Questions on these issues. A rough calculation of the cost of answering these questions has been estimated at £8,500.

Mrs. Rosemary Nelson

Mr. Donaldson: To ask the Secretary of State for Northern Ireland how many RUC detectives are engaged in the investigation into the death of Rosemary Nelson. [114717]

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many RUC *(a)* detectives and *(b)* other officers are working (i) full-time and (ii) part-time, on the investigation into the death of Mrs. Rosemary Nelson. [114935]

Mr. Ingram: The number of officers involved in this investigation has varied at different times to accommodate the needs of the necessary inquiries. However, I can advise that, for example, on 14 March there were a total of 68 officers attached to the inquiry, 22 of whom were RUC officers.

Probation Board

Mrs. McKenna: To ask the Secretary of State for Northern Ireland when he will publish the Probation Board for Northern Ireland's Corporate Plan for 1999 to 2002. [117395]

Mr. Ingram: The Probation Board for Northern Ireland's Corporate Plan was published on 28 March 2000. Copies of the plan have been placed in the Library.

Fuel Poverty

Mr. Don Foster: To ask the Secretary of State for Northern Ireland what plans he has to monitor the number of households in fuel poverty in Northern Ireland. [116679]

Mr. George Howarth: The Department of Social Development is in the process of developing a scheme of assistance to address fuel poverty in Northern Ireland, similar to the Home Energy Efficiency Scheme (HEES) in England. As part of this, monitoring procedures will be produced to determine the effectiveness of the energy efficiency measures installed in the homes of the fuel poor.

Workplace Parking

Mr. Gray: To ask the Secretary of State for Northern Ireland how many workplace car parking spaces are available at the buildings used and controlled by his Department. [116772]

Mr. Ingram: There are approximately 7,300 car park spaces attached to office buildings owned or leased by Office Accommodation Branch.

PRIME MINISTER

Prime Ministerial Appointments

Mr. Llew Smith: To ask the Prime Minister if he will list the *(a)* non-departmental public bodies and *(b)* Task Forces for which he holds sole responsibility for making appointments. [113286]

The Prime Minister: I am required by legislation to make a number of appointments to non-departmental public bodies. However, this is usually done in consultation with, and on the advice of, appropriate departmental Ministers.

In addition, I am consulted on a number of appointments made by departmental Ministers and I advise The Queen on appointments made under the Royal Prerogative.

Appointments to Task Forces are made by the relevant departmental Minister. I have sole responsibility for the following appointments to non-departmental public bodies:

Advisory Committee on Business Appointments

Committee on Standards in Public Life

Senior Salaries Review Body.

Lord Levy

Mr. Baker: To ask the Prime Minister what authority he has given Lord Levy in his capacity as his personal envoy to meet and deal with senior civil servants in the UK. [113507]

The Prime Minister *[holding answer 7 March 2000]:* Access to civil servants is determined by the Secretary of State of the Department in question.

Mr. Maude: To ask the Prime Minister what representations he made to the Secretary of State for the Foreign and Commonwealth Office about Lord Levy's role as the Prime Minister's personal envoy. [113565]

The Prime Minister *[holding answer 8 March 2000]:* My right hon. Friend the Foreign Secretary and I have of course discussed the outcome of the meetings Lord Levy has held.

Mr. Maude: To ask the Prime Minister when he asked Lord Levy to become his personal envoy to the Middle East. [113567]

The Prime Minister *[holding answer 8 March 2000]:* I refer the right hon. Member to the answer I gave the hon. Member for Lewes (Mr. Baker) on 22 February 2000, *Official Report,* column 852W.

Mr. Maude: To ask the Prime Minister, pursuant to his answer of 22 February 2000, *Official Report,* column 852W, which senior officials and which Ministers Lord Levy met during each of his visits. [113930]

The Prime Minister *[holding answer 10 March 2000]:* Lord Levy has met a range of senior figures during his visits, including President Assad of Syria, King Abdullah of Jordan, the Sultan of Oman, the Amir of Qatar, the Amir of Bahrain, Prime Minister Al-Hoss of Lebanon, Prime Minister Barak of Israel, Foreign Minister Moussa and Presidential Adviser Al-Baz of Egypt, President Ben Ali of Tunisia and King Mohammed VI of Morocco.

Mr. Maude: To ask the Prime Minister, pursuant to his answer of 22 February 2000, *Official Report,* column 852W, on which occasions Lord Levy has stayed in British Government accommodation while carrying out official business on behalf of the Prime Minister during his visits to Israel and the Middle East. [113928]

The Prime Minister *[holding answer 10 March 2000]:* In connection with his work on my behalf, Lord Levy has stayed in the Ambassador's residence in Syria, Jordan, Oman and Qatar, and (since my answer of 22 February 2000, *Official Report,* column 852W) in Tunisia and Morocco. He has stayed at the Ambassador's residence in Israel once, when accompanying my right hon. Friend the Foreign Secretary as part of my right hon. Friend's delegation.

Mr. Maude: To ask the Prime Minister what restrictions there are on persons conducting party political business while acting as the Prime Minister's personal envoy on business overseas. [114592]

The Prime Minister *[holding answer 15 March 2000]:* Lord Levy conducts no Labour Party political business in the Middle East or North Africa on his visits as my personal envoy.

Mr. Maude: To ask the Prime Minister if Lord Levy has conducted business on his behalf while on personal visits to Middle Eastern states other than Israel. [114681]

The Prime Minister *[holding answer 15 March 2000]:* No. Since April 1999 Lord Levy has conducted business on my behalf in the Middle East only during the visits referred to in my answer of 22 February 2000, *Official Report,* column 852W, and during his recent visit to Tunisia and Morocco.

Mr. Maude: To ask the Prime Minister what account he took of the business interests of Lord Levy in deciding whether to appoint Lord Levy as his personal envoy. [114591]

The Prime Minister *[holding answer 15 March 2000]:* Lord Levy has no business interests in the Middle East or North Africa.

Mr. Maude: To ask the Prime Minister what representations or inquiries he has received from Israeli authorities about Lord Levy's role as his personal envoy or otherwise acting on his behalf. [114694]

The Prime Minister *[holding answer 15 March 2000]:* None.

Mr. Maude: To ask the Prime Minister if he will set out the distinction between visits conducted by Lord Levy *(a)* travelling as the Prime Minister's personal envoy and *(b)* travelling in his personal capacity while also having discussions on the Prime Minister's behalf. [114690]

The Prime Minister *[holding answer 15 March 2000]:* Lord Levy has been described as my personal envoy when the main purpose of his travel was to pass messages on my behalf. Only his visits to Israel, which have been primarily for private and family reasons, have been described as travel in his personal capacity.

Lindisfarne Gospels

Mr. Beith: To ask the Prime Minister what discussions he has had about the displaying of the Lindisfarne Gospels in *(a)* Durham, *(b)* Newcastle and *(c)* Holy Island; and if he will make a statement. [115941]

The Prime Minister *[holding answer 23 March 2000]:* I very much welcome the work done by the British Library and Northumberland county council to enable the display of the Lindisfarne Gospels in the North East. Although primarily a matter for the two parties involved, I have taken a keen interest in this partnership and am pleased that they have reached an agreement which will allow the people of the North East to see the Gospels when they are loaned to the Laing Art Gallery in Newcastle later this year. Thanks to the British Library, the North East will also have a permanent digital copy of the Gospels using the Library's award winning "Turning the Pages" technology.

Nuclear Weapons

Mr. Cohen: To ask the Prime Minister when NATO will commence a review of its nuclear weapons policy. [116505]

The Prime Minister: At the Washington Summit in April 1999, the Alliance approved a revised Strategic Concept which set out NATO's political and military policy, including nuclear policy. All aspects of this policy are kept under regular review.

Mr. Cohen: To ask the Prime Minister how he has responded to the request from the United Nations Messenger of Peace, Michael Douglas, that he take the lead in promoting a new round of multilateral negotiations on nuclear weapons non-proliferation and disarmament. [116506]

The Prime Minister: When they met on 21 March, my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs emphasised to Mr. Douglas our commitment to advancing the goal of nuclear disarmament and to reaching a successful outcome to the forthcoming Review Conference of the Treaty on the Non-proliferation of Nuclear Weapons.

Mr. Cohen: To ask the Prime Minister if he will appoint a special representative to promote non-proliferation of nuclear weapons. [116504]

The Prime Minister: I have no plans to do so. We are unequivocally committed to nuclear non-proliferation, and to the goal of nuclear disarmament. This can be best achieved through the Treaty on the Non-proliferation of nuclear weapons. The Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Neath (Mr. Hain), who has responsibility for non-proliferation issues, will represent the United Kingdom at the Review Conference of the Non-proliferation Treaty in New York from 24 April to 19 May.

Genetics

Mr. David Heath: To ask the Prime Minister (1) if he will make a statement on the outcome of his recent discussions with President Clinton on the subject of the human genome project; [115656]

(2) what recent discussions he has had with the Government of the United States on patent law with regard to genetic sequencing. [115659]

The Prime Minister *[holding answer 27 March 2000]:* On 14 March President Clinton and I agreed a joint statement on access to information produced by researchers into human genetics. Our statement recognised that research into human genetics offers enormous potential for new ways of understanding, treating and curing disease. It goes on to say:

> To realise the full promise of this research, raw fundamental data on the human genome, including the human genome, including the DNA sequence and its variations, should be made freely available to scientists everywhere. Unencumbered access to this information will promote discoveries that will reduce the burden of disease, improve health around the world, and enhance the quality of life for all humankind. Intellectual property protection for gene-based inventions will also play an important role in stimulating the development of important new health care products.

Mr. David Heath: To ask the Prime Minister (1) what proposals he has to seek to amend the law relating to patents with regard to genetic sequencing; [115657]

(2) what recent discussions he has had with *(a)* other European Union Governments and *(b)* the European Commission on reform of patent law with regard to genetic sequencing. [115658]

The Prime Minister *[holding answer 27 March 2000]:* A European Directive on legal protection of biotechnological inventions which establishes rules for patents relating to gene sequences, has been adopted with the support of the United Kingdom and passed into European law in July 1998. It is due to be implemented in all member states including the United Kingdom by 30 July 2000. Implementation of the Directive will require amendment of the Patents Act 1977. An Order under section 2(2) of the European Communities Act 1972 to make the required changes is being prepared. Comprehensive discussions with the European Commission and all Governments of our European Union partners over several years culminated and are reflected in the adoption of this Directive. No further discussions have taken place since the adoption of this Directive.

Lisbon Summit

Mr. Lansley: To ask the Prime Minister what the breakdown was of the cost of Cabinet Ministers' flights to the European summit in Lisbon. [116569]

The Prime Minister: A detailed list of Cabinet Ministers' visits overseas, and information on spend by all Ministers on travel overseas for the period 1 April 1999 to 31 March 2000 will be published as soon as possible after the end of the current financial year.

Mr. Lansley: To ask the Prime Minister (1) how many meetings Cabinet Ministers attended in their official capacity during the European summit in Lisbon; [116652]

(2) if he will publish the itineraries of the Cabinet Ministers attending the European Union summit in Lisbon. [116568]

The Prime Minister: Together with my right hon. Friends the Foreign Secretary and the Chancellor of the Exchequer, I attended a special meeting of the European Council from 22 to 24 March in Lisbon. The main purpose of the meeting was to agree measures to bring about comprehensive economic reform within the European Union. I refer the hon. Member to the Oral Statement I made on the outcome of the Council on 27 March 2000, *Official Report,* columns 21–23.

In addition, my right hon. Friends and I held meetings with EU counterparts and others during which a broad range of issues were discussed.

SCOTLAND

Assisted Areas

Mr. Maclennan: To ask the Secretary of State for Scotland, pursuant to his answer of 29 February 2000, *Official Report*, column 260W, on Assisted Areas, if he will place in the Library the representations he has received from Highlands and Islands Enterprise about the Assisted Areas map proposals. [115782]

Dr. Reid *[holding answer 21 March 2000]:* Following the consultation on the Assisted Areas map carried out in 1998, all replies to that consultation were made available for inspection in the library of the Department of Trade and Industry, including the response from Highlands and Islands Enterprise. I am arranging for copies of this response to be placed in the Library of the House.

Workplace Parking

Mr. Gray: To ask the Secretary of State for Scotland how many workplace car parking spaces are available at the buildings used and controlled by his Department. [116770]

Dr. Reid: There are six car parking spaces available at buildings used and controlled by my Department.

AGRICULTURE, FISHERIES AND FOOD

Prime Minister's Summit

Dr. Naysmith: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the outcome of the Prime Minister's summit on the Government's strategy for agriculture. [117545]

Mr. Nick Brown: I have placed in Libraries of both Houses a paper outlining the Government's strategy for agriculture as discussed at the Prime Minister's summit today.

Departmental Contracts

Mr. Willis: To ask the Minister of Agriculture, Fisheries and Food what is the number and value of contracts let by his Department since May 1997 to external consultants and advisers for the management of competitive tendering processes. [109455]

Mr. Morley *[holding answer 10 February 2000]:* From records held centrally, since May 1997, the Ministry has let 11 contracts to external consultants and advisers for the management of competitive tendering processes. The total value of these contracts is £345,265 excluding VAT.

BSE

Mr. Todd: To ask the Minister of Agriculture, Fisheries and Food if traces of agents thought to be sources of BSE have been found in meat imported into the United Kingdom since 1996. [115092]

Ms Quin: No test has been validated for the purpose of detecting the BSE agent in meat.

Over-30-months Scheme

Mr. Cotter: To ask the Minister of Agriculture, Fisheries and Food what measures he is taking to reduce the backlog in payments due under the over-30-months scheme. [116012]

Ms Quin: Compensation payments under the over-30-months slaughter scheme (OTMS) are usually made within the Intervention Board's published target of 21 days. However, in the run-up to the extended Millennium break demand for the scheme reached the highest level since 1996, typically 20–25 per cent. above forecasts. This unexpected surge led to some payments being made outside target.

I am pleased to report, however, that since the end of February all payments have been made within the target.

Farmers (Bankruptcies)

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food how many bankruptcies there have been among farmers in England in each of the last 10 years. [115948]

Ms Quin *[holding answer 28 March 2000]:* Data on bankruptcies are available only for England and Wales combined as set out in the table.

Number of bankruptcies in the agricultural and horticultural sector: England and Wales 1989–99

Year	*Bankruptcies of self-employed individuals*	*Company[1] insolvencies*	*Total*
1989	142	78	220
1990	198	111	309
1991	266	135	401
1992	313	191	504
1993	277	157	434
1994	231	166	397
1995	218	99	317
1996	168	89	257
1997	155	51	206
1998	157	65	222
1999	[2]149	[2]52	[2]201

[1] Including partnerships

[2] Not including data for the fourth quarter

Source:

Department of Trade and Industry

Regional Service Centres

Mr. Bradshaw: To ask the Minister of Agriculture, Fisheries and Food what the operating costs are of each of his Department's regional service centres; what refurbishment costs have been incurred at each centre in each of the last three years; and on what terms each of the buildings accommodating the regional service centre are secured, indicating which are *(a)* freehold and *(b)* leasehold. [115920]

Ms Quin: The data requested are set out in the table. This shows the latest forecast operating costs for the 1999–2000 financial year for each RSC; the expenditure on refurbishments (excluding normal maintenance) for the years from 1997–98 to 1999–2000; and the terms of occupancy at each site.

Operating and refurbishment costs of regional service centres

£000

RSC	Operating costs [1]	Refurbishment costs 1997–98	1998–99	1999–2000	Terms Freehold/leasehold
Bristol	3,590	105	232	0	Ground lease
Cambridge	4,497	173	80	0	Freehold
Carlisle	4,262	0	33	0	Freehold
Crewe[2]	4,056	0	0	0	Freehold
Exeter	5,143	0	0	0	Leased
Northallerton[3]	6,016	0	0	0	Leased
Nottingham	4,349	424	0	0	Leased
Reading	4,023	13	0	340	Freehold
Worcester	3,583	104	0	170	Freehold

[1] Pay, non-pay running costs and decentralised capital costs
[2] Newly built office acquired in 1998
[3] Newly built office completed in 1999

Milk

Mr. Ainger: To ask the Minister of Agriculture, Fisheries and Food if he will list the countries from which *(a)* raw milk and *(b)* UHT milk was imported into the United Kingdom in (i) 1997, (ii) 1998, and (iii) 1999, indicating the quantities in each case. [116573]

Ms Quin: Total imports of raw (ie untreated) milk are shown in the table. The vast majority of imports of raw milk into the United Kingdom are from the Republic of Ireland. Between 1997 and 1999 small quantities were also imported from Austria, Belgium, Denmark and the Netherlands.

Raw (ie untreated) milk imported into the UK

Million litres

	Total imports
1997	128.2
1998	128.7
1999	112.7

Source:
IBEA, DARD

It is not possible to separately identify trade in UHT milk from trade in other types of liquid drinking milk (eg fresh pasteurised milk). The following table shows total imports of all liquid drinking milk (in packages not exceeding two litres), by main country of origin.

Drinking milk imported into the UK, in packages not exceeding two litres

Million litres

	1997	1998	1999
Belgium and Luxembourg	14.2	10.4	6.7
France	19.7	20.3	13.2
Germany	20.6	20.4	10.2
Ireland	6.8	4.2	5.7
Others	0.3	0.0	0.1
Total imports	61.6	55.4	36.0

Note:
Due to rounding the totals may differ from the sum of the individual figures
Source:
Overseas Trade Statistics

Forest of Bowland

Mr. Keetch: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the Special Area Project for Forest of Bowland; what plans he has to introduce schemes to address the needs of areas in England that contain sites of international importance for wildlife; and if he will make a statement. [116319]

Mr. Morley: The Forest of Bowland was one of two areas selected in 1999 for a two-year, experimental project to test an integrated approach to environmental and rural economy issues in the uplands. A review of the project (and the experiment in the other areas—Bodmin Moor in Cornwall) will be carried out after an economic evaluation has taken place next year.

The Ministry already operates agri-environment schemes which help to address the needs of areas in England that contain sites of international importance for wildlife. We announced on 7 December 1999 that the funding for these schemes will be increased significantly. By 2007 it is expected to be double its present level.

EU Rural Development Regulation

Mr. Keetch: To ask the Minister of Agriculture, Fisheries and Food what plans he has to make use of the provisions of the EU Rural Development Regulation allowing support of agricultural production to be conditional on the carrying out of measures to protect wildlife; and if he will make a statement. [116320]

Mr. Morley: There are already measures in our livestock subsidy schemes to prevent overgrazing and environmentally damaging feeding practices and in our arable payments schemes relating to the management of set-aside land.

Consultation last year on the European Commission's Agenda 2000 reforms revealed numerous suggestions of additional environmental conditions which might be attached to agricultural support payments. These need to be considered very carefully with regard to whether they would be easily understood, their ease of enforcement, the environmental benefits and the cost to farmers. Further work is being done on this. If possible measures are identified, a further round of consultation on detailed proposals would be needed before introducing them.

Organic Farming

Mr. Oaten: To ask the Minister of Agriculture, Fisheries and Food if he will list the number of *(a)* organic farms, *(b)* farms currently in the process of converting into organic farms and *(c)* farms that have applied for the

organic farming scheme, in (i) England, (ii) Hampshire, (iii) each local authority in Hampshire and (iv) each constituency in Hampshire. [116478]

Mr. Morley *[holding answer 27 March 2000]:* Information is currently available only for England. The number of applications to the Organic Farming Scheme that passed the initial validity checks is currently 1,185. A small number of these were either withdrawn or were not accepted onto the Scheme. As at November 1999 in England there were 34,534 hectares of land converted to organic farming and 94,144 hectares in conversion.

Spanish Fishermen

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what EU funds have been made available to Spanish fishermen to compensate them for the loss of access to Moroccan fisheries waters. [116249]

Mr. Morley: According to our information, all compensation paid so far to Spanish fishermen, available from 30 November 1999 to 31 May 2000, has come from national funds made available by the Spanish Government.

Under the new Financial Instrument for Fisheries Guidance (FIFG), which came into force on 1 January 2000, aid is available for vessel owners and fishermen whose activities are temporarily ended due to the non-renewal of a fisheries agreement. If offered, this aid would count against the allocation for Spain under the new FIFG.

Inshore Fishing

Mr. Moss: To ask the Minister of Agriculture, Fisheries and Food (1) what representations he has received from the inshore fishermen at Hastings and Rye with regard to illegal fishing in their traditional waters by boats of over 10 m in length which hold licences for 10 m and under; [116090]

(2) what assessment he has made of the extent of illegal fishing in inshore waters along the South Coast of England by boats with under 10 m licences but which are above 10 m in length; how many such boats are involved; and what action his Department is taking and planning to take. [116092]

Mr. Morley: Following representations from inshore fishermen and my hon. Friend for Hastings and Rye (Mr. Foster), the Ministry identified more than 20 vessels, licensed as 10 m and under vessels, whose overall length appeared to have been extended by adding structures (removable or otherwise) and which were effectively operating as over 10 m vessels.

The owners concerned have been advised that they must reduce the overall length of their vessel to 10 m or under, or acquire over 10 m licences by 30 June 2000. If they fail to do so their fishing vessel licences will not be renewed from 1 July 2000. A number of owners have already taken appropriate action and others are planning to do so.

Fisheries Agreement

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what is the estimated number of fishing vessels affected by the absence of a new fisheries agreement between the EU and Morocco. [116250]

Mr. Morley: The European Commission has estimated that 500 Community vessels operated in Moroccan waters during the period of the EC/Morocco fisheries agreement from 1 December 1995 to 30 November 1999.

INTERNATIONAL DEVELOPMENT

Workplace Parking

Mr. Gray: To ask the Secretary of State for International Development how many workplace car parking spaces are available at the buildings used and controlled by her Department. [116765]

Clare Short: There is a total of 356 car parking spaces available at buildings controlled by my Department, with 305 spaces in East Kilbride and 51 spaces in London.

Zimbabwe

Mrs. Gillan: To ask the Secretary of State for International Development what was the value of aid from *(a)* the EU and *(b)* the British Government directly paid to the Zimbabwean Government in the last 12 months. [116900]

Clare Short: The most recent figures available on EC aid for Zimbabwe are for 1998, when total EC official development assistance was £13.2 million. The figure for EU member programmes plus the EC was £99.7 million. We have no information on how much of this was paid direct to the Government of Zimbabwe. In 1998–99, the value of British assistance to the Zimbabwe Government is estimated at £10 million.

TREASURY

Migrants

Mr. Brake: To ask the Chancellor of the Exchequer what mechanism is in place to ensure that, for the purpose of compiling the sub-national population projections, migrants to the United Kingdom are not recorded at the point of entry to the United Kingdom as well as at subsequent places of residence elsewhere in the United Kingdom within the same statistical period. [116572]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Tom Brake, dated 30 March 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent question on recording of migrants to the United Kingdom in the subnational population projections at point of entry as well as subsequent places of residence elsewhere in the United Kingdom within the same statistical period.

The projections model takes the ONS mid-year population estimates for the base year. The population is then projected one year ahead, by ageing on the population one year and applying

assumptions on births, deaths, international migration to and from England and internal migration within England. This process is then repeated for each year projected.

The model treats international and internal migrants separately. The assumptions on international migration in the subnational projections are based on recent past information using a range of survey and administrative data. International in-migrants are assigned to their final destination, not their port of entry and added to the general population in the year of their arrival. As they are then included in the general population, any subsequent moves within England are covered in the internal migration element of the model.

Death Rates (Merseyside)

Mrs. Curtis-Thomas: To ask the Chancellor of the Exchequer what were the average death rates allowing for age and sex standardisation for *(a)* all causes, *(b)* coronary heart disease, *(c)* stroke and *(d)* cancer, for each ward in the Crosby parliamentary constituency and for the City of Liverpool as a whole in the last year for which figures are available. [116674]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mrs. Curtis-Thomas, dated 30 March 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent question on the average death rates for each ward in the Crosby parliamentary constituency and for the City of Liverpool as a whole.

The attached table shows indirectly standardised mortality ratios (SMRs) for all causes of death, coronary heart disease, stroke and cancer, for each ward (as constituted at the time of the 1991 Census) that lies wholly in Crosby parliamentary constituency, in the years 1991–1993, based on populations from the 1991 Census. Comparable figures are also provided for Liverpool metropolitan county district (based on 1991 boundaries).

We have provided indirectly standardised ratios rather than European standardised rates as the latter do not incorporate sex standardisation and are likely to be less accurate for small numbers of deaths by cause in each ward.

An SMR is defined as the ratio of the observed deaths in a given population over the expected deaths in that population if it experienced the age-specific death rates of a standard population (in this case the United Kingdom). The SMR for the UK is 100. Values greater than 100 indicate higher than average mortality and values lower than 100 indicate lower than average mortality.

Standardised Mortality Ratios (SMRs) by ward and cause of death [1]—1991–93

Wards in Crosby parliamentary constituency and Liverpool MCD

		Standardised Mortality Ratio (SMR)			
	Wardcode	*All causes*	*Coronary heart disease*	*Stroke*	*Cancer*
Wards in Crosby					
Blundellsands	CAFC	117	109	134	113
Church	CAFE	140	122	131	150
Harington	CAFJ	92	95	74	94
Manor	CAFN	96	108	85	106
Ravenmeols	CAFW	90	98	87	96
Victoria	CAFZ	96	100	87	113
Liverpool metropolitan county district		105	103	99	110

[1] Cause of death is based on the underlying cause, using the following codes from the International Classification of Diseases, Ninth Revision
Coronary Heart Disease: 410–414
Stroke: 430–438
Cancer: 140–208

National Insurance Contributions Office

Mr. Lidington: To ask the Chancellor of the Exchequer what is his policy on requiring the National Insurance Contributions Office to pay interest on the late payment of the age-related element of NIC rebates to contracted-out money purchase schemes; how much has been paid in such interest payments for *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000 to date; and if he will make a statement. [115984]

Dawn Primarolo *[holding answer 23 March 2000]:* The National Insurance Contributions Office applies the policy set out in the Inland Revenue's code of practice 1 when paying interest on the late payment of age-related rebates to contracted-out money purchase schemes. However, special arrangements were made for the 1997–98 tax year where payments were made at 0.5 per cent. of the rebate cumulatively for each month of delay after October 1998. The objective was to replace any State Earnings Related Pension benefits foregone at an annual rate of 6 per cent. (the prevailing gilt interest rate).

The 0.5 per cent. payable for the 1997–98 tax year includes both personal pension and money purchase schemes and a separate breakdown for each category is not yet available.

Compensation amounting to £40.9 million has been paid due to the late payment of age-related rebates for the 1997–98 tax year as a result of introducing the 0.5 per cent. addition. To date no compensation has been paid to contracted-out money purchase schemes for the 1998–99 tax year and as we have not yet commenced the processing of 1999–2000 employers end of year returns compensation is not yet an issue for this tax year.

Banking Services

Mr. Wray: To ask the Chancellor of the Exchequer if he will make a statement on the Cruickshank report, Competition in United Kingdom Banking. [116368]

Miss Melanie Johnson: The Government welcome the report and will act on its recommendations to improve competition in banking and services to customers. On 20 March, the Chancellor of the Exchequer and the Secretary of State for Trade and Industry referred the provision of banking services to small and medium enterprises to the Competition Commission for examination under the complex monopoly provisions of the Fair Trading Act 1973. The Chancellor announced in the Budget on 21 March that the Government would legislate to open up access to payments systems and to oversee access charges; and that he had asked the Financial Services Authority to consider the recommendations in the Report concerning consumer information and to report to him within three months, consulting widely, on how they propose to respond. The Government will respond to the other recommendations in the report shortly.

Genetic Testing

Dr. Gibson: To ask the Chancellor of the Exchequer what assessment he has made of the use by members of the Association of British Insurers of genetic tests

that have not been approved by the Department of Health's Genetics and Insurance Committee for insurance purposes. [116566]

Miss Melanie Johnson: None.

Migration (London)

Mr. Blunt: To ask the Chancellor of the Exchequer what is his estimate of the size of annual migration into and out of London from other parts of the United Kingdom, broken down by region, in each of the last five years. [116139]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Crispin Blunt, dated 30 March 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent question about the estimated migration between London and other parts of the United Kingdom for each of tne last five years.

The enclosed table presents the information that you require. The latest year for which estimates are available is 1998. The estimates of internal migration within the United Kingdom are based on the movement of NHS doctor's patients between the former Family Health Service Authorities. They should not be regarded as a perfect measure of migration as there is variation in the delay between a person moving and registering with a new doctor. Additionally some moves may not result in a re-registration: for example, individuals may migrate again before registering with a doctor. Conversely, there may be others who move and re-register several times a year.

Moves between the individual Government Office Regions (GOR's) and the rest of the United Kingdom are published in *Key Population and Vital Statistics*, which is available in the House of Commons Library.

Migration into and out of London from other parts of the United Kingdom broken down by region

Thousand

Area	*1994*	*1995*	*1996*	*1997*	*1998*
To London from:					
North East	4.7	5.3	4.9	4.9	5.0
North West	13.2	14.0	13.7	13.6	13.9
Yorkshire and the Humber	9.7	10.6	10.6	10.3	10.6
East Midlands	9.2	10.4	10.0	10.1	10.3
West Midlands	11.0	11.8	11.8	11.5	11.3
East	29.2	30.8	29.7	30.6	31.6
South East	54.0	56.3	55.6	54.7	57.0
South West	15.5	16.7	16.2	16.9	16.5
England	146.4	156.0	152.6	152.6	156.1
Scotland	7.0	7.3	7.8	7.6	8.0
Wales	5.4	5.8	5.7	5.6	5.6
Northern Ireland	1.6	1.7	1.9	1.5	1.5
Total	160.4	170.7	168.0	167.3	171.2
From London to:					
North East	3.7	3.7	3.7	3.6	3.8
North West	10.8	11.1	10.8	10.8	10.5
Yorkshire and the Humber	8.2	8.5	7.9	8.1	8.1
East Midlands	10.0	10.2	10.0	10.3	10.4
West Midlands	8.9	9.8	9.3	9.7	9.6
East	49.5	50.3	52.8	56.7	55.4
South East	80.6	78.9	84.0	86.6	85.4
South West	20.3	20.4	21.2	21.8	20.4
England	192.1	193.0	199.8	207.6	203.5
Scotland	6.8	6.4	6.3	7.0	7.1
Wales	5.2	5.5	5.2	5.4	5.3
Northern Ireland	2.2	2.7	2.2	1.8	2.0
Total	206.3	207.6	213.4	221.7	217.9

Migration into and out of London from other parts of the United Kingdom broken down by region

Thousand

Area	*1994*	*1995*	*1996*	*1997*	*1998*
Net gain to London:					
North East	1.0	1.5	1.3	1.4	1.2
North West	2.4	2.9	2.9	2.8	3.4
Yorkshire and the Humber	1.4	2.1	2.7	2.2	2.5
East Midlands	–0.8	0.2	0.0	–0.2	–0.1
West Midlands	2.0	2.0	2.5	1.8	1.7
East	–20.3	–19.5	–23.1	–26.1	–23.8
South East	–26.6	–22.6	–28.4	–31.9	–28.4
South West	–4.8	–3.7	–5.0	–4.9	–3.9
England	–45.6	–37.0	–47.2	–55.0	–47.4
Scotland	0.1	0.8	1.5	0.6	0.9
Wales	0.3	0.3	0.6	0.3	0.3
Northern Ireland	–0.7	–1.0	–0.3	–0.3	–0.4
Total	–45.9	–36.9	–45.4	–54.5	–46.7

Statistics Commission

Mrs. Lawrence: To ask the Chancellor of the Exchequer what progress has been made with plans to establish the Statistics Commission; and if he will make a statement. [117386]

Miss Melanie Johnson: The Statistics Commission will be set up early in the next financial year.

Parliamentary approval of the expenditure will be sought in the 2000–01 Main Estimate for HM Treasury, Class XVI, Vote 1. Pending that approval, urgent expenditure estimated at £500,000 will be met by a repayable advance from the Contingencies Fund.

Capital Modernisation Fund

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer which allocations of spending referred to in his oral statement of 21 March 2000, *Official Report*, columns 858–72, were from the Capital Modernisation Fund; if he will list the projects to which the allocations have been made; if he will list the amounts allocated and unallocated from the Capital Modernisation Fund for financial years 1999–2000, 2000–01 and 2001–02; and if he will make a statement. [116646]

Mr. Andrew Smith: The Budget statement included the following allocations from the Capital Modernisation Fund:

£ million

	Total	*2000–01*	*2001–02*
Addition to total CMF	200	200	0
SMEs on-line (DTI/IR)	60.0	55.0	5.0
Innovative Clusters package (DTI)	50.0	15.0	35.0
Criminal Justice Package	184.6	103.4	81.2
of which:			
Home Office[1]	154.8	88.2	66.6
Lord Chancellor's Department[1]	23.3	10.0	13.3
CPS joint police units	5.0	3.8	1.3
Integrated Business Information Systems	1.5	1.5	—
DLR extension to City airport (DETR)	30.0	9.6	20.4
Unallocated	516.0	[2]185.2	330.8

[1] Detailed announcements to be made by the Home Secretary and Lord Chancellor respectively
[2] Includes underspend from 1999–2000

Further details will be set out in the Public Expenditure Statistical analyses to be published in April.

Social Services Funding

Mr. Baker: To ask the Chancellor of the Exchequer what plans he has to increase the funding available for social services functions in line with planned increases on health service funding. [116778]

Mr. Andrew Smith: Funding for social services will be set as part of the Spending Review.

Spending Review

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer when he will announce the outcome of the second comprehensive spending review. [116675]

Mr. Andrew Smith: The 2000 Spending Review will conclude by July.

Working Families Tax Credit

Mr. Kidney: To ask the Chancellor of the Exchequer if he will make working families tax credit a qualifying benefit for free school meals. [116702]

Dawn Primarolo: The provision of free school meals in England and Wales is a matter for the Secretary of State for Education and Employment, and in Northern Ireland it is a matter for the Secretary of State for Northern Ireland. In Scotland, free school meals are a devolved issue for the Scottish Executive.

The child tax credit elements of a Working Families Tax Credit award were built on the child credit rates in family credit, which WFTC replaced from October last year. The child credit rates in family credit included, from the outset, an additional weekly cash sum, provided to replace the value of entitlement to free school meals. These rates have been uprated annually in line with the Rossi index.

Customs Officers (UK Airports)

Mr. Hancock: To ask the Chancellor of the Exchequer how many customs officers *(a)* are employed at each UK airport and *(b)* have been employed at each UK airport in each of the last five years. [116717]

Dawn Primarolo: It is policy not to make public details of the deployment of Customs anti-smuggling officers at each individual UK airport.

Customs (Drugs Seizures)

Mr. Hancock: To ask the Chancellor of the Exchequer how many drug seizures have taken place in 1999–2000 and in the previous three years at airports in the UK; and if he will list them by airport. [116719]

Dawn Primarolo: Customs made 1,369 drug seizures at UK airports in 1996; 1,259 in 1997; and 1,412 in 1998. Figures for 1999 have yet to be validated.

It is policy not to make public details of Customs drug seizures at each individual UK airport.

Mr. Hancock: To ask the Chancellor of the Exchequer how many drug seizures have taken place in the year 1999–2000 and in the previous three years at ports in the UK; and if he will list them by port. [116716]

Dawn Primarolo: Customs made 798 drug seizures at UK sea ports in 1996; 791 in 1997; and 673 in 1998. Figures for 1999 have yet to be validated.

It is policy not to make public details of Customs drug seizures at each individual UK port.

Climate Change Levy

Mrs. Ewing: To ask the Chancellor of the Exchequer what assessment he has made of the compatibility of the penalty regime for the climate change levy with the European Convention on Human Rights. [116582]

Mr. Timms *[holding answer 28 March 2000]:* In accordance with section 19 of the Human Rights Act 1998, the Chancellor of the Exchequer will publish a statement about the compatibility of the provisions of the Finance Bill, including those relating to the climate change levy, when the Bill is published.

Workplace Parking

Mr. Gray: To ask the Chancellor of the Exchequer how many workplace car parking spaces are available at the buildings used and controlled by his Department. [116758]

Mr. Timms: The number of workplace car parking spaces available at the two buildings used and controlled by the Treasury is shown in the table:

Building	*Number of spaces*	*Allocated to other Departments*
Parliament Street (GOGGS), London SW1P 3AG	42	9—Cabinet Office 3—Cabinet War Rooms
Allington Towers, 19 Allington Street, London SW1E 5EB	11	Nil

In March 1999 we introduced a Green Transport Plan covering both buildings. These plans are in line with the commitment set out in the Transport White Paper and we have reviewed the scope for reducing our car parking requirements in that context.

Landfill Tax

Mr. Baker: To ask the Chancellor of the Exchequer if he will extend the landfill tax provisions in so far as they relate to making available funds to local communities for energy from waste plants. [116780]

Mr. Timms: Operators of landfill sites who are registered for landfill tax may claim for tax credits for contributions that they make to support environmental projects. These may include research for the purpose of encouraging the use of more sustainable waste management. Landfill site operators may choose to support research into energy from waste as part of such projects.

Further information regarding the scheme can be obtained from the regulatory body, ENTRUST Ltd., at the following address:

ENTRUST
Acre House
2 Town Square
Sale
Cheshire
M33 7WZ

CULTURE, MEDIA AND SPORT

NESTA Fellowship Awards

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if NESTA fellowship awards will be regarded as prizes for tax purposes. [116538]

Mr. Chris Smith *[holding answer 28 March 2000]:* NESTA's fellowships are not regarded as prizes for tax purposes. Fellows will receive individually tailored personal development programmes which will be designed to make the most of their potential. As each of these programmes will vary according to individuals' needs, the tax implications of the awards will also differ from case to case. NESTA is exploring the tax position of its programmes with the Inland Revenue with a view to ensuring that its Fellows and other grant recipients can receive the maximum benefit from their awards.

Stonehenge

Mr. Key: To ask the Secretary of State for Culture, Media and Sport if the preferred commercial operator of the proposed visitor centre at Stonehenge has been chosen; and if he will make a statement. [116486]

Mr. Alan Howarth *[holding answer 28 March 2000]:* No decision has yet been made. English Heritage is still in confidential commercial negotiations with shortlisted bidders. The outcome of these negotiations will be announced as soon as possible.

FOREIGN AND COMMONWEALTH AFFAIRS

Lord Levy

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs on which dates Lord Levy in his capacity as the Prime Minister's special envoy has had meetings with *(a)* ministers and *(b)* senior officials in his Department since 1 May 1997, giving in each case the purpose of the meetings; and if he will make a statement. [113498]

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the dates when he held discussions with Lord Levy about his role as the Prime Minister's personal envoy; and if he will make available minutes of those meetings. [113566]

Mr. Hain *[holding answer 7 March 2000]:* Lord Levy liaises regularly with the Foreign Secretary, Ministers and a limited number of officials in the Foreign and Commonwealth Office. The Foreign Secretary most recently spoke to Lord Levy on 16 March. I spoke to him on 21 March.

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs if Lord Levy reports directly to him on his activities as the Prime Minister's personal envoy; what mechanism exists to ensure information gathered by Lord Levy while acting as personal envoy to the Prime Minister is communicated to his Department; and if he will make a statement. [113506]

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs when he held discussions with Lord Levy about Lord Levy's visits to the Middle East dated *(a)* 9 to 10 April 1999, visit to Syria, *(b)* 5 to 7 June 1999, visit to Jordan, *(c)* 7 to 10 June 1999, visit to Syria, *(d)* 8 October 1999, visit to Egypt, *(e)* 9 to 11 October 1999, visit to Oman, *(f)* 11 and 12 October 1999, visit to Qatar, *(g)* 12 to 14 October 1999, visit to Bahrain, *(h)* 29 November to 1 December 1999, visit to Syria, *(i)* 2 and 3 February, visit to Syria, *(j)* 3 February, visit to Lebanon and *(k)* 3 February, visit to Egypt. [113877]

Mr. Hain *[holding answer 7 March 2000]:* Lord Levy's visits are reported to the Prime Minister and Foreign Secretary, in person by Lord Levy and by telegram from the Ambassador in the country concerned.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 22 February 2000, *Official Report*, column 852W, what practical support was given by his Department to Lord Levy during his visits to Middle Eastern states, apart from Israel, on official business as the Prime Minister's personal envoy. [114680]

Mr. Hain *[holding answer 15 March 2000]:* I refer to the answer given by my right hon. Friend the Prime Minister on 30 March 2000, *Official Report*, columns 245–46W. In addition, Lord Levy has been briefed by Ambassadors. Embassies have assisted in arranging programmes, and have provided accompanied transport by road. Lord Levy has been accompanied by a Foreign and Commonwealth Office official from London on some of his trips.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 22 February 2000, *Official Report*, column 852W, what practical support was given by his Department to Lord Levy during his visits to Israel *(a)* on official business as the Prime Minister's personal envoy and *(b)* on private visits during which Lord Levy conducted business on behalf of the Prime Minister. [114693]

Mr. Hain *[holding answer 15 March 2000]:* Practical support has been determined on a case-by-case basis, and has included briefing Lord Levy and providing accompanied transport by road when he is working on the Prime Minister's behalf.

Miss McIntosh: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent meetings he has had with Lord Levy to discuss the Middle East peace process. [115222]

Mr. Hain: I refer the hon. Member to the answer I gave to the hon. Member for Lewes (Mr. Baker) on 30 March 2000, *Official Report*, column 261W.

Iraq

Mr. Galloway: To ask the Secretary of State for Foreign and Commonwealth Affairs in the most recent year for which figures are available, how many applications were made to the UN Sanctions Committee under *(a)* the Oil for Food programme and *(b)* other humanitarian programmes; how many of these applications were (i) approved and (ii) refused; how many are outstanding; and what was the average length of time taken to consider each application. [116311]

Mr. Hain: Between December 1999 and 6 March 2000, 2,443 applications were submitted to the UN Iraq Sanctions Committee under the Oil for Food programme. None of these applications was refused. The Committee raised no objection to 1,883 of these applications. Additional information was requested on 560 applications.

Detailed information on all Oil for Food applications submitted over the last year can be found on the UN website at http://www.un.org/Depts/oip.html.

During the period 1 August 1998 to 20 November 1999 over 6,000 applications were received for humanitarian goods outside the Oil for Food programme. Of these 2,654 were approved, 427 were placed on hold for further information, and 2,823 were refused since the Committee considered them inconsistent with the relevant resolutions on Iraq. Some applications were withdrawn or nullified. A key factor here is the potential for dual use.

Medical supplies and food applications are circulated under a no objections procedure within two business days; applications for other humanitarian supplies within seven business days. Under the terms of United Nations Security Council resolution 1284, it has been agreed that a wide range of humanitarian items will no longer require Sanctions Committee approval. These items include foodstuffs, pharmaceutical and medical supplies, medical equipment and educational items. These items require notification to the UN's Office of the Iraq Programme.

Mr. Galloway: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give details of each application refused by the UN-Iraq Sanctions Committee under *(a)* the Oil for Food programme and *(b)* other humanitarian programmes in the last year for which the information is available. [116309]

Mr. Hain: I refer my hon. Friend to my answer of 30 March 2000, *Official Report*, column 263W.

Detailed figures on all applications to the United Nations Oil for Food programme, giving the number of applications and the status of the applications, can be found on the United Nations website at: http://www.un.org/Departments/oip.html

Mr. Galloway: To ask the Secretary of State for Foreign and Commonwealth Affairs what procedures the UN Iraq Sanctions Committee use in reaching decisions on applications under *(a)* the Oil for Food Programme and *(b)* other humanitarian programmes. [116310]

Mr. Hain: The UN Iraq Sanctions Committee established by United Nations Security Council resolution 661, comprising all members of the UN Security Council, reaches decisions on applications under the Oil for Food programme or under other humanitarian programmes by consensus in accordance with the relevant resolutions on Iraq. A significant number of applications, for essential civilian needs, medical supplies and foodstuffs, are circulated under a no objection procedure. Medicines are generally exempt from Committee approval.

Under the terms of United Nations Security Council resolution 1284, it has been agreed that an even wider range of humanitarian items will no longer require Sanctions Committee approval. These items include foodstuffs, pharmaceutical and medical supplies, medical equipment and educational items. These items require notification to the UN's Office of the Iraq Programme.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the oral statement of the Minister of State, the hon. Member for Neath (Mr. Hain), of 24 March 2000, *Official Report*, column 1290 on Iraq, if it is part of Yuli Vorontsov's brief to make inquiries about missing Iraqi nationals in Kuwait. [116870]

Mr. Hain: Mr. Vorontsov's brief is set out in paragraphs 13–14 of Security Council resolution 1284. He has been appointed as a high-level coordinator to pursue Iraq's obligations since the Gulf War and to return stolen Kuwaiti property, in collaboration with the International Committee of the Red Cross.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the oral statement of the Minister of State, the hon. Member for Neath (Mr. Hain), of 24 March 2000, *Official Report*, column 1292, to which brutality in relation to the Shia, the Minister was referring other than that which took place in 1991 in the Kerbala area. [116872]

Mr. Hain: I refer my hon. Friend to the regular reports from the UN Special Rapporteur on Human Rights in Iraq, particularly that of February 1999, which record the systematic assassinations, attacks and threats carried out against the Shiite leadership since 1991. The November 1999 Amnesty International report on Iraq also documents the assassinations of prominent Shia clerics over the previous 18 months. These documents are available on the UN website (www.un.org).

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the oral statement of the Minister of State, the hon. Member for Neath (Mr. Hain), of 24 March 2000, *Official Report*, column 1292 on Iraq, in what ways the Shia population of Iraq is protected by UK forces. [116874]

Mr. Hain: UK and US aircraft patrolling the southern No Fly Zone serve to protect the population, primarily Shia, from attacks by the Iraqi air force.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the oral statement of the Minister of State, the hon. Member for Neath (Mr. Hain), of 24 March 2000, *Official Report*, column 1292 on Iraq, from which countries of origin Saddam Hussein is smuggling materials for chemical and biological weapons. [116873]

Mr. Hain: As the record makes clear, I was describing the hypothetical situation if we were, inadvisedly, to lift sanctions prematurely.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the oral statement of the Minister of State, the hon. Member for Neath (Mr. Hain), of 24 March 2000, *Official Report*, column 1293 on Iraq, what assessment he has made of the threat to the Kirkuk oil field arising from the shortage of oil industry spare parts. [116936]

Mr. Hain: We have noted the comments on the Kirkuk oil field in the UN's latest report on Iraq's oil industry.

The Security Council is expected to adopt a new resolution on 31 March which will implement the Secretary-General's recommendation for an additional allocation of $600 million from oil for food revenue for the purchase of oil spare parts.

Zimbabwe

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met representatives of farmers in Zimbabwe; and if he will place the minutes of that meeting in the Library. [116494]

Mr. Hain: The High Commission in Harare is in regular touch with the Commercial Farmers' Union. They have not sought a meeting in London.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs how many farmers in Zimbabwe are British passport holders. [116493]

Mr. Hain: We have no precise figures of how many Zimbabwe farmers hold British passports. British passport holders are not obliged to register their presence with the High Commission in Harare.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the Commonwealth Secretary General calling on him to suspend Zimbabwe from the high-level group formed by the Commonwealth Ministerial Action Group. [116893]

Mr. Hain: No.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what requests he has made to the Zimbabwean Government to allow election observers to attend the forthcoming general election. [116899]

Mr. Hain: None this far.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to President Mugabe concerning the *(a)* postponement of the general election and *(b)* invasion of farms. [116969]

Mr. Hain: We have not made representations to President Mugabe about the postponement of the elections. On farm invasions, I spoke to the Vice-President on 6 March and wrote to the Foreign Minister on 7 March. My right hon. Friend, the Development Secretary, wrote to the Vice-President on 15 March.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans there are for the emergency evacuation of British passport holders from Zimbabwe. [116891]

Mr. Hain: We have a Civil Contingency Plan for Zimbabwe, as we do for many other countries. The Contingency Plan is designed to help the British community in a crisis, and in a worst case scenario, to provide for their evacuation. The Contingency Plan comes into effect if there is a breakdown in law and order leading to a significant risk to the safety of British nationals. We do not believe this is the case in Zimbabwe and our travel advice reflects that view. Our travel advice, and the safety of British nationals, is kept under constant review.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs how many officials have been sent to Zimbabwe in the last 12 months to enhance the consular operation there. [116896]

Mr. Hain: Four.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Zimbabwean nationals are currently in possession of *(a)* a UK work permit and *(b)* a holiday working visa. [116898]

Mr. Vaz: A total of 526 work permits were approved by the Overseas Labour Service for Zimbabwean nationals in 1998 and 905 in 1999.

Our High Commission in Harare issued 389 working holiday-maker visas in 1998 and 303 in 1999. However, since visa statistics are not collected on the basis of the nationality of applicants, these figures may include applications made in Harare by non-Zimbabwean nationals. Figures for the number of Zimbabweans applying for working holiday-maker visas at entry clearance posts worldwide are not available and could be obtained only at disproportionate cost.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met *(a)* civil and *(b)* human rights organisations to discuss Zimbabwe; and if he will publish the minutes of those meetings. [116894]

Mr. Hain: We are in close and regular touch with civil and human rights organisations in Zimbabwe through our High Commission in Harare.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs how many residents of Zimbabwe are eligible for British passports; and how many British passport holders there are in Zimbabwe. [116892]

Mr. Hain: We cannot provide exact figures because British nationals are not obliged to register with the High Commission in Harare. Our High Commission currently have 6,700 British nationals and some 5,000 dual British/Zimbabwe nationals registered. Actual numbers will be higher.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs how many UK visa applications have been received in the last 12 months from Zimbabwean nationals. [116897]

Mr. Vaz: Zimbabweans do not normally require visas before travelling to the United Kingdom though some in certain categories may do so. However, statistics on visa applications received worldwide are not collected on the basis of the nationality of applicants. We do not therefore have figures for the number of Zimbabweans applying at entry clearance posts worldwide. This could be obtained only at disproportionate cost.

Chechnya

Mr. McCabe: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with his Russian counterparts concerning the exchange between the UK and Russia of anti-terrorist information, with particular reference to Chechnya. [116563]

Mr. Battle: The Foreign Secretary discussed counter terrorism and Chechnya when he met the Russian Foreign Minister and the then Acting President Putin in February this year. It was agreed that the UK and Russia should continue to work together in combating terrorism.

Bangladesh

Ms Oona King: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received concerning the impact of the Public Safety Act (Special Powers) introduced by the Government of Bangladesh on 30 January. [116671]

Mr. Hain: There are reports of some arrests under the Public Safety Act. Our High Commissioner has raised our concerns about the Act with Bangladeshi Ministers. We continue to monitor the situation.

Moldova

Mr. Browne: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government are doing to ensure that the commitments agreed at the OSCE Istanbul Summit concerning Russian withdrawal from the Transdniestrian region of Moldova are met. [117385]

Mr. Vaz: Her Majesty's Government fully support the OSCE Istanbul Declaration on Moldova, which called for complete withdrawal of Russian troops, armaments and ammunition from Moldovan territory by the end of 2002. Her Majesty's Government regularly emphasise the need to comply with this agreement in our discussions with the Russians, Moldovans and Ukrainians (the latter as guarantors of the peace). The Declaration agreed to consider the establishment of a voluntary fund for international assistance to facilitate the withdrawal. The Foreign and Commonwealth Office has contributed £100,000 to this fund from its ASSIST budget.

An international Needs Assessment Mission to explore the removal and destruction of the ammunition and armaments is negotiating for access to Transdniestria. The UK is planning to contribute military experts to this Mission.

Iran

Mr. Amess: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the death sentences passed on three Iranian Baha'is and a sentence of 10 years prison imposed on a fourth in the city of Mashad and the impact this will have on the Anglo-Iranian dialogue on human rights. [117221]

Mr. Hain: We remain concerned at reports of the death sentences passed on Mr. Najafabadi, Mr. Moghaddam and Mr. Khulusi in Mashad on 3 February. The picture has been somewhat confused by the recent statement by Mr. Sadeqi, spokesman for the Iranian Judiciary, that no such sentences had been passed. The Portuguese Presidency, on behalf of EU partners, presented a demarche to the Iranian authorities expressing our concern and seeking clarification as to the current status of these three gentlemen on 17 February. This was followed up with a further demarche in Tehran on 19 February. We took similar bilateral action with the Iranian Ambassador on 21 February. I raised this issue with Deputy Foreign Minister Sarmadi on 6 March.

Iran is aware of our serious concern about the Baha'is. Persecution of individuals on religious grounds is totally unacceptable.

Mr. Amess: To ask the Secretary of State for Foreign and Commonwealth Affairs what support the Government will give to the resolution condemning Iran at the Commission on Human Rights in relation to the death sentences passed on three members of the Baha'i community in Iran on 3 February. [117220]

Mr. Hain: We, in conjunction with our EU partners, have drafted and will table the resolution to which the hon. Gentleman refers. We hope that the resolution will accurately reflect the human rights situation in Iran, both the improvements and the outstanding concerns such as the plight of the Baha'i community, as did the EU-sponsored resolution on human rights in Iran adopted at the United Nations General Assembly on 17 December.

Mercenaries

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will bring forward proposals in the UN for the drafting of a UN Convention on banning the use of mercenary soldiers. [116890]

Mr. Hain: The Secretary of State for Foreign and Commonwealth Affairs has no plans to bring forward proposals in the UN on this subject. The Government are committed to issuing a Green Paper on mercenary activity by November 2000. We will consider the way ahead in the light of the public response to that Green Paper.

Workplace Parking

Mr. Gray: To ask the Secretary of State for Foreign and Commonwealth Affairs how many workplace car parking spaces are available at the buildings used and controlled by his Department. [116759]

Mr. Battle: My Department has a total of 1,018 car parking spaces—88 in London and 930 at Hanslope Park, near Milton Keynes.

EU Legislation

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs what arrangements exist for regulatory impact assessments to be made for prospective items of European Union legislation. [116317]

Mr. Stringer: I have been asked to reply.

The Government take the same approach to prospective European legislation as to our own national proposals. We assess and scrutinise proposals in line with the requirements set out in our "Better Regulation Guide and Guide to Better European Regulation", copies of which are in the Libraries of the House. Government Departments carry out regulatory impact assessments (RIAs) for prospective European legislation where this imposes additional costs or savings, or has an impact on

business, charities, or voluntary bodies. Subject to the expectations set out in the "Guide to Better European Regulation", an RIA must accompany any Explanatory Memorandum (EM) on prospective European legislation submitted to Parliament for its consideration.

The European Commission has its own internal rules for evaluating prospective European legislation to take account of costs and benefits, called the fiche d'impact or business impact assessment. It is applied only to a limited range of legislative proposals.

SOCIAL SECURITY

Housing Benefit

Mr. Field: To ask the Secretary of State for Social Security (1) what are the estimated total savings to date for each month during which the non-redirection of benefit post scheme has been running; and how many local authorities have been running the scheme during each of those months; [114001]

(2) what the average savings per local authority per week have been to date from the non-redirection of benefit post scheme. [114002]

Angela Eagle *[holding answer 10 March 2000]:* The figures given are based on a series of estimates and assumptions set out in the notes to the table. They do not include the deterrent effect of the Royal Mail "do not redirect" scheme.

The table shows the number of local authorities (LAs) using the Royal Mail "do not redirect" service in each month since it became available in February 1999. It also shows the estimated number of frauds identified and total savings achieved on the assumption that each fraud case saved an average of £1,600.

On the basis of these estimates and assumptions the average weekly benefit savings achieved by each LA using this service would be around £250, which equates to £13,000 per authority per year. This means that on current information, were all local authorities to use this service, we would expect it to realise total savings of around £5.3 million per year.

Month	*Number of LAs using the service* [1]	*Number of LAs that are in their second or subsequent calendar month of using the service* [2]	*Estimated number of fraudulent cases identified* [2]	*Estimated savings (£000)* [3]
1999				
February	3	1	1	1
March	16	3	2	3
April	31	16	11	18
May	76	31	22	35
June	101	76	53	85
July	104	101	71	113
August	112	104	73	116
September	169	112	78	125
October[4]	194	169	118	189
November[4]	211	194	136	217
December	213	211	148	236
2000				
January	248	213	149	239
February	256	248	174	278

[1] Data are provided by Royal Mail HQ based on information supplied by Delivery Offices.
[2] Assumes that LAs identify an average of 0.7 fraudulent case per month in all months other than the first month that they use the service when it is assumed that no fraudulent cases are identified (based on data collected in a telephone survey of LAs).
[3] Assumes that the saving from identifying a fraudulent case is £1,600 (based on data supplied by a sample of LAs).
[4] Data supplied by Royal Mail listed some LAs as using the scheme but gave no date. These LAs are assumed to have started between October and November 1999.

Mail (Non-redirection)

Mr. Field: To ask the Secretary of State for Social Security if he will estimate what proportion of the savings from the non-redirection of mail accrue from claims made by *(a)* landlords, *(b)* private tenants and *(c)* local authority or housing association tenants. [114672]

Angela Eagle *[holding answer 14 March 2000]:* While estimates can be made of the average and total savings to date for local authorities from the non-redirection of benefit post scheme, the level of data available is insufficient to assess what proportion accrues from different types of tenancies.

Lone Parents

Mr. Webb: To ask the Secretary of State for Social Security if the benefits of lone parents will in future be administered by the new agency dealing with people of working age. [115850]

Angela Eagle: The new organisation will administer benefits including Jobseeker's Allowance, Income Support for people of working age, Incapacity Benefit, Widow's Benefit, Severe Disablement Allowance, Invalid Care Allowance and industrial injury disablement benefits. This will therefore include benefits for lone parents of working age. It will also administer the New Deal for Lone Parents, and other employment-focused programmes.

Pensions (Self-employed)

Mrs. Lait: To ask the Secretary of State for Social Security when he plans to announce his conclusions on pensions for the self-employed. [115909]

Mr. Rooker: In our Green Paper, "A new contract for welfare: PARTNERSHIP IN PENSIONS", we invited views on the proposal to bring self-employed people into the State Second Pension. The results of that exercise were inconclusive.

We also asked the independent Pension Provision Group for their views. We are now considering their report, which we intend to publish shortly.

Child Care Disregard

Ms Buck: To ask the Secretary of State for Social Security how many households currently in receipt of the child care tax credit component of the working families tax credit will gain from the amendment of housing benefit regulations introducing a disregard of the child care component; what will be the average gain; and what is the total cost. [116076]

Angela Eagle: We made changes in Housing Benefit and Council Tax Benefit to take account of the introduction of the working families tax credit in October 1999. These changes included an increase in the amount deducted from earnings for child care costs. The effect of this change is minimal.

This summer, subject to parliamentary approval and consultation with the Social Security Advisory Committee and the Local Authority Associations, we will be introducing a further amendment in Housing Benefit and Council Tax Benefit to increase the help available for child care. This amendment will allow child care costs to be deducted from working families tax credit or disabled persons tax credit in addition to earnings where those earnings are less than their eligible child care costs.

Estimate of the number of gainers, average gain and the total cost of the effect of proposed changes to Housing Benefit/Council Tax Benefit summer 2000

£

	Housing Benefit	*Council Tax Benefit*	*Total*
Cost (£ million per annum)	1	1	2
Gainers	1,000	1,000	n/a
Average gain (£ per week)	18	16	n/a

Notes:

1. Based on data taken from 1998 HBMIS datasets.
2. Costs are quoted in millions and are rounded to the nearest million.
3. Gainers are rounded to the nearest 1,000. Gainers cannot be added together because some people will benefit in both Housing Benefit and Council Tax Benefit.
4. Average gains are rounded to the nearest pound.

Widowers

Mrs. Curtis-Thomas: To ask the Secretary of State for Social Security how many men have been widowed and left with children under 16 years of age in each year since 1995. [116670]

Angela Eagle: The information is not available in the format requested. Such information as is available is in the table.

Number of existing widowers with children who are aged under 16 in Great Britain

	Number
Spring 1995	15,000
Spring 1996	15,000
Spring 1997	15,000
Spring 1998	20,000
Spring 1999	20,000

Note:
Estimates rounded to nearest 5,000
Source:
Labour Force Survey

Widowers' Benefits

Mrs. Curtis-Thomas: To ask the Secretary of State for Social Security how many ex gratia payments have been made by his Department in respect of benefits for widowers in each of the last five years. [116881]

Angela Eagle: One widower has been paid ex gratia payments of widows' benefits in the current year. No other such payments have been made in the last five years.

Workplace Parking

Mr. Gray: To ask the Secretary of State for Social Security how many workplace car parking spaces are available at the buildings used and controlled by his Department. [116766]

Mr. Bayley: There is a total of 29,960 car parking spaces at 492 buildings used and controlled by the Department. These buildings are where either the Department is the sole occupier or buildings where the Department is the major occupier and other Government Departments or private tenants share the premises.

We are preparing Green Transport Plans for our key buildings in line with the commitment set out in the Transport White Paper and are reviewing the scope for reducing our car parking requirements in that context.

Websites

Mr. Maclennan: To ask the Secretary of State for Social Security if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of websites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each website (i) the topics which have been covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each website for each of the next three years. [115842]

Angela Eagle: The Department and its agencies use the internet as one of a variety of methods to communicate with the public. The DSS website is updated regularly and includes separate webpages for the individual agencies and others. The website covers numerous topics and contains over 3,000 pages providing a range of information on benefits, complaints procedures and corporate documentation such as press releases, Ministerial speeches and Agency business plans.

The Departmental website is currently under development and is due to be relaunched shortly to take account of the Department's priorities in delivering services to its identified client groups. £245,000 has been allocated from the Departmental publicity budgets for this relaunch to ensure the DSS website meets Government website standards and addresses the criticisms voiced in the NAO report. Ongoing departmental costs at this stage are not yet finalised but are likely to change to reflect the need to improve content and service provision.

The information that is available on costings and visits to the website are shown in the tables. To provide further breakdowns of the figures and costings would incur disproportionate costs.

£000

	Approximate costs
Initial start up costs (including staff and resources for the launch of the service)	430
Annual cost for service and maintenance	80
Costs for annual licence	50

Note:
These costs are only available for the Department as a whole and are borne by the Information Technology Services Agency who undertake a corporate role with respect to DSS Internet service provision.

	Statistics
Average hits (departmental)	2,510,316
Estimated average user sessions (departmental)	636,967

	Topics
BA site	Benefit Information, Local office details, reports and leaflets, Press Releases, Customer Charter, Complaint Procedures, Pension Forecasting Information, Feedback section
CSA site	Child Support Maintenance leaflets, CSA publications, frequently asked questions and answers and CSA contact details
HQ site	General DSS information, DSS Facts and Figures, DSS reports and publications, speeches, press releases, the Decision Makers Guide, statistical information from ASD
ITSA site	ITSA publications, ITSA fact sheets and the history of ITSA
WPA site	Background to the scheme, War Pension Welfare Service, types of claim, how to make a claim, supplementary allowances, war widows entitlement, treatment and allowance, your rights to appeal and contacting WPA

Appeals Service Agency

Mrs. Anne Campbell: To ask the Secretary of State for Social Security when the Appeals Service Agency will be introduced; and if he will make a statement. [117573]

Angela Eagle: The Appeals Service agency will be established with effect from Monday 3 April 2000. This new executive agency will be responsible for administration of appeals, and its Chief Executive will be accountable to Parliament for performance. Appeal tribunals will remain independent of the Department with the President, who remains head of the tribunal Non Departmental Public Body, and panel members being appointed by the Lord Chancellor. The new structure will bring greater accountability, but will also retain and support the independence and impartiality of tribunals.

In the past year, following the introduction of the new decision making and appeals arrangements, the Appeals Service under its Chief Executive designate has achieved both substantial reductions in the backlog of older cases and reduced waiting times for appeals to be heard. Full agency status, and the fact that the Chief Executive will be accountable to Parliament for the agency's performance for the first time, will provide the scope to consolidate these gains and wherever possible improve upon them over the coming year.

A Framework Document for the agency will set out its aims and objectives, together with lines of accountability and details of planning, reporting, personnel and finance arrangements. A Service First statement will set out the standards of service appellants can expect from the agency. A Business Plan has also been published, together with Secretary of State targets for the forthcoming year. Copies of these documents are being placed in the Library.

Performance Targets

Mrs. Anne Campbell: To ask the Secretary of State for Social Security what performance targets he has set his Department's agencies for 2000–01; and if he will make a statement. [117574]

Mr. Darling: The targets I have set the Child Support Agency (CSA), War Pensions Agency (WPA) and The Appeals Service (TAS) for 2000–01 are as given. The targets reflect our determination to reform the welfare state and to modernise the Social Security system to encourage work for those who can and provide security for those who cannot. They underpin the Departmental Aim and Objectives set out in our Public Service Agreement.

Further information on CSA, WPA and TAS plans for 2000–01 is contained in their individual business plans, which have been published today. Copies have been placed in the Library.

The targets I have set for the Benefits Agency and publication of its Business Plan will be announced in due course.

Targets for 2000–01 are:

CSA Secretary of State Targets 2000–2001

Outstanding Work

The Agency will reduce its outstanding work to a prescribed level in all key business processes by 31 March 2001. The reduction in outstanding work to be achieved is based on a prescribed level of work equivalent to (x) weeks of intake and is different for each business process:

Pre Maintenance Assessment (18 weeks)

Revisions, Supercessions and Case Checks (6.2 weeks)

Account Advice (4 weeks)

Interim Maintenance Assessment (49 weeks)

Account Maintenance (1.4 weeks)

Debt Management (12 weeks)

Enforcement (30 weeks)

Case Compliance

To collect child maintenance and arrears from 71 per cent. of non resident parents with maintenance liability due to be paid through the Agency's collection service.

Cash Compliance

To collect 68 per cent. of child maintenance and arrears due for payment through the Agency's collection service.

Accuracy

The cash value of all assessments checked in the year to be correct to the nearest penny in at least 78 per cent. of cases.

Complaints

To reduce the number of complaints received compared with current caseload to less than 0.15 per cent.

Customer Service Standards

The Agency will demonstrate improvement across the range of the Customer Service Standards.

Secretary of State Milestone Targets

The Change Agenda—Child Support Reform

(a) establish Process Learning Centres by 30 April 2000

(b) complete the introduction of customer account statements for clients by 30 June 2000

(c) establish a Model Office by 31 December 2000

(d) commence data cleansing by 31 January 2001

Debt Reduction

To reduce the outstanding level of debt owing from full maintenance assessments at 31 March 2000 by 25 per cent. by 31 March 2001.

Staffing

(a) by March 2001, work with others in the Department to develop, pilot and evaluate new ways of measuring staff perception of the organisation to improve satisfaction and motivation; and

(b) contribute to the reduction in public sector sickness by reducing absences by 10 per cent. from 1998 Public Service Agreement baseline levels by 31 December 2000.

Investors in People

Individual Business Units will maintain Investors in People accreditation during 2000–01 and the Agency will achieve Investors in People accreditation by 31 March 2001.

Fraud/Security Measures

To develop and implement shadow measures for fraud/security by 1 July 2000; and for these measures to be reported on for the remainder of the year to inform the development of targets for 2001–02.

Customer Service Standards:

Payments

98 per cent. of payments made to the Parent with Care (or their bank or building society) to be made within 10 working days of receipt from the Non Resident Parent.

Customer Account Statements

When requested, we aim to issue the majority of customer account statements within 40 working days.

Office Interview

98 per cent. of clients to be seen within 10 minutes of the time of a pre-booked office appointment.

Client Helplines and the National Enquiry Line

80 per cent. of telephone calls to Client Helplines and the National Enquiry Line to be answered first time.

Correspondence

65 per cent. of letters to be answered within 10 working days of receipt.

Customer Satisfaction

95 per cent. of customers surveyed on quality call backs (following contact with the National Enquiry Line/Client Helplines and Face-to-Face) to be at least satisfied with the service received.

Complaints

To resolve the majority of customer complaints within 20 working days of receipt.

The Appeals Service Agency Targets 2000–01

Active Customer Focused Service Delivery

1. By March 2001, the average waiting time for an appeal to be heard will be no more than 14 weeks from time of receipt within the Appeals Service.

2. By March 2001, no more than 10 per cent. of cases will have been outstanding for more than 26 weeks.

3. To publish a Service First Statement, put in place arrangements to collect information on performance against the new measures, and meet the published standards.

4. To put in place monitoring systems to allow a Secretary of State target for customer satisfaction to be set in April 2001.

5. To reduce instances of avoidable adjournments by 25 per cent.

Investing in People

6. To lead and manage people effectively through specified measures and contribute to the reduction in public sector sickness absence levels by reducing absences by 10 per cent. from 1998 Public Service Agreement baseline levels by 31 December 2000.

7. By 31 March 2001, work with others in the Department to develop, pilot and evaluate new ways of measuring staff perception of the organisation to improve satisfaction and motivation.

War Pensions Agency Targets 2000–01

Putting Service First

1. To deliver a quality service to war pensioners and war widows by achieving the standards published in the War Pensions Agency's Service First Charter.

Working in Partnership

2. By 31 March 2001, to implement those recommendations of the 1999 War Pensions Agency Prior Options Review which relate to the objectives of the War Pensioners' Welfare Service and the partnership opportunities associated with the management of the Ilford Park Polish Home to the standards and timetable agreed with the Department.

Modernisation and Managing Change

3. To work with the Lord Chancellor's Department, Ministry of Defence and the voluntary sector/ex-service organisations to implement the recommendations of the War Pensions Agency's 1999 Decision Making and Appeals Study to the standards and timetable agreed with the Department.

Valuing our People

4. To lead and manage people effectively through specified measures and contribute to the reduction in public sickness absence levels by reducing absences by 17 per cent. from 1998 Public Service Agreement baseline levels by 31 December 2000.

Efficiency

5. To generate efficiencies during 2000–01 to absorb the effect of pay and price pressures; and introduce additional cost saving measures that will enable the War Pensions Agency to operate within its running cost allocation.

BEST COPY AVAILABLE

Written Answers to Questions

Monday 3 April 2000

TRADE AND INDUSTRY

Public Bodies

Mr. Quinn: To ask the Secretary of State for Trade and Industry if he will list the notional time commitment of each chair of the regional non-departmental public bodies. [116360]

Dr. Howells: The time commitment for chairs of the Post Office Users Councils for Scotland, Wales and Northern Ireland is up to 50 days per annum. The average commitment for the chairs of the seven Regional Industrial Development Boards is of the order of one meeting a month lasting approximately two hours, plus the time required to read case papers beforehand.

Mr. Quinn: To ask the Secretary of State for Trade and Industry (1) how many *(a)* male and *(b)* female board members each regional non-departmental public body for which he is responsible has; [116373]

(2) how many board members he appoints to each non-departmental public body. [116372]

Dr. Howells: A list of non-departmental public bodies to which DTI Ministers make appointments, and information on the numbers of male and female board members each body has, can be found in the publication "Public Bodies 1999" (ISBN 0 11 430159 X), copies of which are available in the Library of the House.

Synchrotron

Mr. Gordon Prentice: To ask the Secretary of State for Trade and Industry when the French Government first publicly expressed a preference for the Rutherford Appleton Laboratory as the site for the diamond synchrotron. [116945]

Mr. Byers: The preference was first stated publicly in a letter from the French Minister of National Education, Research and Technology to my noble Friend the Under-Secretary of State for Science on 14 March 2000. They had made clear to him in private discussions in October 1999 that this was their view.

Super Jumbo Aircraft

Mr. Gibb: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 24 March 2000, *Official Report*, column 781W, on the super jumbo aircraft, if he will place in the Library a copy of his Department's independent assessment of the likely demand for the A3XX. [116950]

Mr. Alan Johnson: No, because this assessment contains commercially confidential and market-sensitive information. It was prepared following discussions with manufacturers, suppliers and airlines of commercially sensitive issues, which were of considerable assistance to my Department in drawing up the assessment. If such information were circulated more widely, the understanding on which it had been obtained would be breached, and in future my Department would be less able to serve the interests of taxpayers, since they would not be able to gain access to such a wide range of informed opinion when preparing market assessments.

Websites

Mr. Maclennan: To ask the Secretary of State for Trade and Industry if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of websites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each website (i) the topics which have been covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each website for each of the next three years. [115844]

Ms Hewitt *[holding answer 30 March 2000]:* Management of the websites of my Department, agencies and non-departmental public bodies, and Government Offices for the Regions is devolved to those with responsibility for particular areas. The costs associated with setting up and on-going operation of sites are not held or collected centrally and therefore the information requested could be provided only at disproportionate cost. The same is true both for future expenditure plans and for information on final costs versus initial budget estimates.

In terms of topics covered, the DTI site and associated sites offer information on nearly every area of the Department's responsibilities. The central DTI site (those within the Web domain www.dti.gov.uk) received an average of just over 5,600,000 hits per month over the last six months. Again, hits for all the sites for which my Department is responsible could be calculated only at disproportionate cost.

Workplace Parking

Mr. Gray: To ask the Secretary of State for Trade and Industry how many workplace car parking spaces are available at the buildings used and controlled by his Department. [116768]

Dr. Howells *[holding answer 30 March 2000]:* 182 plus a further eight set aside for bicycles and motorcycles.

Departmental Properties

Mr. Don Foster: To ask the Secretary of State for Trade and Industry what *(a)* number and *(b)* percentage of properties in his charge are empty; and what steps are being taken by his Department to reduce the number of such properties. [116913]

Dr. Howells: None. There are two empty floors, which are currently being marketed, in Atholl House, Aberdeen.

As announced on 28 March 2000, *Official Report*, column 108W, responsibility for a partly empty site at Eastcote has been transferred to my right hon. Friend the Secretary of State Defence.

US International Trade Commission

Mr. Fabricant: To ask the Secretary of State for Trade and Industry what representations the Foreign and

Commonwealth Office has made to visiting analysts from the United States International Trade Commission in respect of their inquiry on behalf of the United States Senate Finance Committee on the impact on the United States economy of including the United Kingdom in NAFTA. [116315]

Mr. Vaz: I have been asked to reply on behalf of my right hon. Friend the Secretary of State for Trade and Industry.

I refer the hon. Member to the answer I gave to him today, *Official Report*, column 285W.

PRIME MINISTER

Ministerial Travel

Mr. Jenkin: To ask the Prime Minister what aircraft he has at his disposal for travelling on official business; what the cost is in the current financial year; what proposals he is evaluating for acquiring further aircraft for the purpose; and at what cost. [115266]

The Prime Minister *[holding answer 20 March 2000]:* The rules on air travel by Ministers are set out in "Travel by Ministers", a copy of which is in the Library of the House. Decisions on which aircraft to use will be determined on cost, the number of people travelling with me, security and business considerations and the availability of aircraft. A list of Cabinet Ministers' visits overseas, and information on spend by all Ministers on travel overseas for the period 1 April 1999 to 31 March 2000 are currently being assembled, and will be published as soon as possible after the end of the current financial year. This will include information on when I have used RAF and other charter flights and the cost.

US International Trade Commission

Mr. Fabricant: To ask the Prime Minister if he, or his officials, during the last two weeks, advised visiting analysts from the United States International Trade Commission, or asked United States Government members or officials to ask the visiting analysts, not to meet hon. Members. [116318]

The Prime Minister: I refer the hon. Member to the answer given to him today by the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Leicester, East (Mr. Vaz), *Official Report*, column 285W.

Interception of Communications

Mr. Baker: To ask the Prime Minister if it is Government policy that none of the security and intelligence agencies is permitted to intercept communications initiated by hon. Members nor to conduct electronic surveillance thereon. [116904]

The Prime Minister *[holding answer 30 March 2000]:* I refer the hon. Member to the Answer I gave to my hon. Friend the Member for Walsall, North (Mr. Winnick) on 30 October 1997, *Official Report*, column 861W and to the hon. Member on 17 November 1997, *Official Report*, columns 17–18.

Mr. Baker: To ask the Prime Minister if he will list the tests which apply before authorisation is given for an interception of a communication initiated by a newspaper or other media concern. [116903]

The Prime Minister *[holding answer 30 March 2000]:* The tests which apply for the inception of all communications are as set out in the Interception of Communications Act 1985. These tests are that a warrant cannot be issued unless it is considered necessary:

(a) in the interests of national security;

(b) for the purpose of preventing or detecting serious crime; or

(c) for the purpose of safeguarding the economic well-being of the United Kingdom.

Subject to the approval of Parliament, the Interception of Communications Act will be replaced by provisions in the Regulation of Investigatory Powers Bill. The tests for interception will however remain the same.

President Clinton

Mr. Matthew Taylor: To ask the Prime Minister how many times he has met President Clinton outside *(a)* the United Kingdom and *(b)* the United States since 1 July 1998; and what was the (i) date, (ii) location and (iii) purpose of each meeting. [117067]

The Prime Minister: The information requested is as follows:

8 February 1999, Amman, at the funeral of King Hussein;

18 June, bilateral in the margins of the Cologne G8 Summit;

30 July 1999, Sarajevo Summit; and

20 November 1999, meeting in Florence for "Third Way" conference.

Voting Systems

Mr. Lansley: To ask the Prime Minister if Mr. Geoff Mulgan of his Policy Unit is involved in policy relating to voting systems. [117153]

The Prime Minister: No.

NORTHERN IRELAND

Human Rights Training (RUC)

Mr. Hesford: To ask the Secretary of State for Northern Ireland what progress has been made in the training of RUC officers in human rights issues. [108061]

Mr. Ingram: As with all police forces in the UK, the Royal Ulster Constabulary is examining all aspects of human rights including training in preparation for the Human Rights Act coming into force in October 2000.

It is in contact with the Northern Ireland Human Rights Commission and with national police training colleges and plans are at an advanced stage for all RUC officers and civilian staff to receive training.

Union Flag

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland if a Union flag was provided for, if arrangements were made to fly the Union flag on the designated dates at, and if the Union flag was flown on 17 March at *(a)* Department of Agriculture, The Mall,

Armagh, *(b)* Department of Agriculture, Newry Road, Armagh, *(c)* Southern Education and Library Board, The Mall, Armagh, *(d)* Southern Education and Library Board, Market House, Armagh, *(e)* Crown Buildings, Alexander Road, Armagh, *(f)* RUC Station, Newry Road, Armagh, *(g)* Department of Environment, Ballinakone, Armagh and *(h)* Vehicle Testing Station, Hamiltonstown Road, Armagh; and if he will make a statement. [116089]

Mr. Ingram: All central Government buildings are provided with a Union flag and a list of those dates on which the Union flag should be flown.

The Union flag was provided and flown on 17 March at the Department of Agriculture and Rural Development's offices on the Mall, Armagh and Crown Buildings, Alexander Road, Armagh and the Department of the Environment's Vehicle Testing Station, Hamiltonstown Road, Armagh. Arrangements have been made to fly the Union flag at these buildings on all designated dates.

It is assumed that the building referred to in *(g)* is the Department of Regional Development's Roads Service Depot at 17 Ballinahonemore Road, Armagh. Although the Union flag was provided and arrangements are in place to fly the flag on all designated dates at this building, and at the Department of Agriculture and Rural Development's office at Newry Road, Armagh, it was not flown on these buildings on 17 March due to an oversight.

The Union flag is not flown at RUC Stations on Public and/or Bank holidays.

The decision whether or not to fly the Union flag on Southern Education and Library Board property is a matter for that Board.

Employment Equality

Mr. McNamara: To ask the Secretary of State for Northern Ireland what progress has been made in developing a memorandum of understanding between the Northern Ireland Human Rights Commission and the Equality Commission. [117357]

Mr. George Howarth: This is a matter for the Commissions themselves.

FOREIGN AND COMMONWEALTH AFFAIRS

Iraq

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the oral statement of the Minister of State of 24 March 2000, *Official Report*, columns 1292–93 on Iraq, what assessment he has made of the letter of 9 March from Riad El-Taher of Friendship Across Frontiers. [116875]

Mr. Hain: FCO officials replied to Mr. El-Taher's letter of 9 March on 29 March addressing his comments on the humanitarian situation in Iraq.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the oral statement of the Minister of State of 24 March 2000, *Official Report*, columns 1292–93 on Iraq, what evidence he has received that Iraq is manufacturing chlorine-based mustard gas. [116871]

Mr. Hain: To reiterate the point in my statement of 24 March 2000, *Official Report*, columns 1292–93, chlorine is a constituent of mustard gas which was used by Iraq in the attack on Halabja in 1988. It is therefore clearly important that we are sure that chlorine imported into Iraq under the "oil for food" programme is used for the purposes for which it was approved.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his letter to the hon. Member for Linlithgow, concerning his willingness to debate Government policy on Iraq, if he will do so at Kensington Town Hall on 6 May with Denis Halliday and Hans von Sponeck. [117247]

Mr. Hain: As my right hon. Friend the Secretary of State said in his letter, he is happy to debate Government policy on Iraq, as am I. Indeed I debated our policy with my hon. Friend in the House most recently on 24 March.

Zimbabwe

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the scope of the projects of the British military advisers working in Zimbabwe; and how many such advisers there are. [116895]

Mr. Hain *[holding answer 30 March 2000]:* There are five military advisers providing peacekeeping training to the Southern African Development Community region, including modules on human rights, rights of the child, the role of the ICRC, democratic control of the armed forces, structure of the UN and non-governmental organisations and three other advisers involved in peacekeeping training in support of UN priorities.

Iran

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the visiting rights available to *(a)* members of the family and *(b)* legal advisers, in respect of the 13 Jews detained in Iran. [117251]

Mr. Hain: We have regularly raised with the Iranian authorities our concerns at the detention on espionage charges of a number of Iranian nationals including 10 members of the Jewish community, following the release on bail in February of three of the Jewish detainees. I discussed this matter with the Deputy Foreign Minister Sarmadi on 7 March. It is our understanding that visits by some family members have been allowed and that some of the defendants have appointed legal representatives. We are seeking clarification from the Iranian authorities on the latter point. The Iranian authorities are fully aware of the importance that we and our EU partners attach to this issue.

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the availability of legal representation for the 13 Jews detained in Iran. [117252]

Mr. Hain: Our understanding is that some of those detained have appointed legal representation. However, we are aware of recent reports that legal representation has been denied to some of the detainees. We are seeking clarification from the Iranian authorities on this point. The Iranian authorities are fully aware of the importance that we and our EU partners attach to this issue.

Mr. Roger Crooks

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs on which occasions Roger Crooks was present at meetings referred to in *(a)* Sir Thomas Legg's report, Session 1997–98, HC 1016, *(b)* the First Special report of the Foreign Affairs Select Committee sessions 1997–98, HC 760, *(c)* the Second Special report of the Foreign Affairs Select Committee session 1997–98, HC 852 and *(d)* the Second report of the Foreign Affairs Select Committee sessions 1998–99, HC116-I; and if he will make a statement. [116932]

Mr. Hain: This information is not held centrally and to provide such details would incur disproportionate costs.

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs if Mr. Roger Crooks was present at the official meeting held on 3 December 1997 between his Department's officials, and representatives of the (i) Cabinet Office, (ii) Department for International Development and (iii) Ministry of Defence; and if he will make a statement. [116925]

Mr. Hain: No.

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the occasions on which Mr. Peter Penfold had meetings with Roger Crooks *(a)* in Sierra Leone, *(b)* in Conakry, *(c)* in the United Kingdom and *(d)* on board a Royal Naval vessel. [116928]

Mr. Hain: Mr. Penfold confirms that he spoke to Mr. Crooks occasionally in Sierra Leone and Conakry, but that he had no meetings with Mr. Crooks in the UK or elsewhere.

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 16 March 2000, *Official Report*, column 287W, for what purposes his Department has had discussions on the general situation in Sierra Leone; and if he will make a statement. [116968]

Mr. Hain: As stated in my answer of 16 March, Mr. Crooks is refurbishing one of the main hotels in Freetown to be used as the Headquarters of UNAMSIL. FCO and MOD personnel have had occasional contacts with him over the last few years. Discussions have focused on the general situation in Sierra Leone, not arms or military matters.

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs on which occasions John Flynn, the Foreign Secretary's Special Representative for Sierra Leone, met Mr. Roger Crooks. [116931]

Mr. Hain: Never.

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 16 March 2000, *Official Report*, column 287W, if his Department knew of Roger Crooks' dual US/Sierra Leone citizenship at the time of their discussions; and if these discussions have continued since Roger Crooks' expulsion from Sierra Leone. [116962]

Mr. Hain: The information is as follows:

(a) No.

(b) The Government of Sierra Leone expulsion order on Mr. Crooks was lifted in May 1999. The High Commissioner reports that he had one discussion with Mr. Crooks since his return to Sierra Leone.

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs on which occasions *(a)* Miss Ann Grant, *(b)* Mr. Richard Dales, *(c)* Craig Murray, *(d)* Mr. Tim Andrews, (d) Mr. John Everad and (f) Lynda St. Cooke met Roger Crooks. [116927]

Mr. Hain: We believe that none of the six has met Roger Crooks. We have not yet been able to confirm this with one of them. When we have confirmation I will write to my hon. Friend.

Oxford Forum

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs who selects hon. Members to attend the Oxford Forum. [116929]

Mr. Vaz: There is no organisation called the Oxford Forum in which the Foreign and Commonwealth Office is involved.

Sierra Leone

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs who were *(a)* the three officials from other Foreign and Commonwealth Office departments, *(b)* the official from the Cabinet office and *(c)* the official from the Department for International Development who attended the meeting referred to in the Second report of the Foreign Affairs Committee, Session 1998–99 (HC 116) at footnote 163, page xxi. [116926]

Mr. Hain: My right hon. Friend the Foreign Secretary has already given a full account to Parliament of the events covered in the FAC report. There is nothing to add to his previous statements.

Kazakhstan

Mr. Oaten: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Government of Kazakhstan about freedom of the press. [117113]

Mr. Vaz: This is an issue of concern to us and our EU partners. We have ensured that it has been raised in EU statements, including at the OSCE Review Conference in Vienna and Istanbul in September 1999, and more recently in the EU response to the statement by President Nazarbaev at the OSCE Permanent Council meeting in Vienna in February.

Mr. Oaten: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with European Foreign Ministers on human rights in Kazakhstan. [117114]

Mr. Vaz: We and our EU and OSCE partners continue to monitor developments in Kazakhstan, including those relating to progress on democratic reform there, and will raise issues of concern as necessary. We shall also seek to ensure that, in the context of the Partnership &

Co-operation Agreement, these issues are adequately addressed at the next EU-Kazakhstan Co-operation Council due in June.

China

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what decision was taken by the General Affairs Council on 20 March on sponsoring a resolution on China at the 56th Conference on Human Rights. [116279]

Mr. Battle: I refer the hon. Member to the answer given to my hon. Friend the Member for Clydesdale (Mr. Hood) on 29 March 2000, *Official Report*, columns 167–68W.

The position the EU will take on the US resolution on China will reflect developments up until the time the resolution is considered by UNCHR.

US International Trade Commission

Mr. Fabricant: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reason, when his officials met analysts from the United States International Trade Commission during the last two weeks, they advised the analysts not to meet hon. Members. [116312]

Mr. Vaz: UK Ministers and officials did not advise the visiting International Trade Commission analysts not to meet with hon. Members, nor was any such advice given to US Government members or officials. Meetings between officials and the analysts were wide-ranging covering the Government's policy towards the EU, the assumptions underlying the ITC inquiry and the economic consequences of the scenarios the ITC are considering.

EU Treaties

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs which proposals made by EU institutions and member states for incorporation into a new treaty, other than those relating to composition of the Commission, cannot be adopted via the fast track option contained in the Treaty amendments agreed at Amsterdam in 1997. [116308]

Mr. Vaz: There is no fast-track option for Treaty change. The Treaties can only be changed through an IGC. All amendments need to be agreed unanimously by member states' Governments and ratified by the member states before they can come into force.

SCOTLAND

Departmental Properties

Mr. Don Foster: To ask the Secretary of State for Scotland what *(a)* number and *(b)* percentage of properties in his charge are empty; and what steps are being taken by his Department to reduce the number of such properties. [116923]

Dr. Reid: My Department has no empty properties.

INTERNATIONAL DEVELOPMENT

Websites

Mr. Maclennan: To ask the Secretary of State for International Development if she will list the expenditure incurred by her Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of websites, indicating the cases in which the expenditure has been above that budgeted; and if she will list for each website (i) the topics which have been covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each website for each of the next three years. [115391]

Clare Short: The Department for International Development's website was set up at an initial cost of £10,000. Operating costs have been £16,000 per annum and expenditure has been within the allocated budget. The topics covered are: "Who We Are"—an introduction to DFID; "What We Do"—an introduction to DFID's work around the world; "Working with Us"—information for users seeking to work with DFID; "News Centre"—information on press releases, speeches etc.

The average number of hits per month is 55,000. Maintenance costs for the next three years are likely to be around £12,000 per annum. The website will be re-designed over the coming year at a cost of up to £50,000.

Sudan

Mr. Paul Marsden: To ask the Secretary of State for International Development what recent discussions she has had with the Canadian Government regarding exports to Sudan; and if she will make a statement. [115719]

Clare Short: I have held no discussions with the Canadian Government regarding exports to Sudan.

Forest Fires (Ethiopia)

Dr. Tonge: To ask the Secretary of State for International Development what representations she has received concerning the forest fires in Oromiya state, Ethiopia; and if she will make a statement. [116550]

Clare Short: It is reported that tens of thousands of hectares of natural forest have been razed by fires in the forest areas of Bale and Borana Administrative Zones. It is believed that the fires were started by local farmers burning land for local cultivation that escalated out of control. The Ethiopian Government sought donor help to combat the fires in February 2000. A number of donor countries who were well placed to address the problem helped form and deploy an International Fire Emergency Advisory Group. Donors, including DFID, maintain daily contact in Addis Ababa.

International experts travelled down to Bale and Borana to assess the damage and map out a strategy to contain the fires. Their findings were presented to the Ethiopians on 6 March. A US expert was brought in to head up the fire-fighting operation with support and equipment from South Africa and Germany. On 9 March, South Africa announced that it would provide a further 22 fire-fighters and other experts. We concluded that as the UK has

limited experience in fighting large-scale forest fires it was best for those with expertise and technical equipment to take the lead.

Departmental Properties

Mr. Don Foster: To ask the Secretary of State for International Development what *(a)* number and *(b)* percentage of properties in her charge are empty; and what steps are being taken by her Department to reduce the number of such properties. [116910]

Clare Short: No properties in my charge as Secretary of State for International Development are empty.

EDUCATION AND EMPLOYMENT

Higher Education

Dr. Lynne Jones: To ask the Secretary of State for Education and Employment how many people aged *(a)* 18 to 21, *(b)* 21 to 24 and *(c)* 25 years and over have applied for higher education in each of the last three years; and what percentage of the population in each age group these figures represent. [109978]

Mr. Wicks: The latest data on applicants via UCAS are shown in the following table. Although applicants fell between 1998 and 1999, the final number of accepted applicants increased by 1.6 per cent. over the same period.

Home domiciled applicants for entry to full-time and sandwich [1] undergraduate courses in the United Kingdom through the universities and colleges admission system (UCAS) 1997–99

	1997		1998		1999	
Age	Number	Percentage of population [1]	Number	Percentage of population [1]	Number	Percentage of population [1]
Under 21	300,926	43.1	303,729	[2]41.0	306,809	40.9
21 to 24	41,000	5.3	37,287	5.1	36,361	5.1
25 and over	56,401	6.0	48,572	5.2	45,521	5.0
Total	398,327		389,588		388,691	

[1] Based on the averaged 17 and 18 year old population for under 21s, the averaged 21–24 year old population for 21–24s, and the averaged 25–34 year old population for 25s and over.
[2] The drop in the participation rate between 1997 and 1998 reflects the unusually large increase in the number of 18 year olds in the population between these years, resulting from a rise in the birth rate.

UCAS covers only applicants to full-time and sandwich courses; although similar data for part-time courses are not available, entrant numbers are. The following table shows the numbers of entrants to part-time courses as a proportion of the age group, for the two most recent years; data on part-time entrants for 1999 will not be available until April 2000. The figures show that, in contrast to applicants to full-time courses, participation rates for mature part-time students have risen. The majority of mature students opt to enter higher education via part-time courses.

Home domiciled entrants to part-time undergraduate courses [1] in the United Kingdom

	1997		1998	
Age	Number	Percentage of population [2]	Number	Percentage of population [2]
Under 21	15,227	2.2	16,236	2.2
21 to 24	26,116	3.5	26,645	3.8
25 and over	176,139	18.9	181,572	19.8
Total	217,482		224,453	

[1] Includes courses in HE institutions, including the Open University, and FE institutions. The figures for the Open University will include some double counting of students who enrol on more than one course.
[2] Based on the averaged 18 and 19 year old population for under 21s, the averaged 21–24 year old population for 21–24s, and the averaged 25–34 year old population for 25s and over.

New Deal (Ethnic Minorities)

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what assessment he has made of the impact of the New Deal on ethnic minorities. [110592]

Ms Jowell *[holding answer 22 February 2000]:* We have set a target that all New Deal partnerships achieve parity of job outcomes between ethnic minority and white clients by the end of this Parliament. We recognise the additional disadvantages which can be faced by ethnic minority jobseekers and that is why the Employment Service is working so closely with key organisations such as the Commission for Racial Equality, Local Race Equality Councils and community groups in this important area of work.

At the end of November 1999, we know that nearly 20,000 young people from ethnic minorities had gone into work from the New Deal for young people. 13,700 had benefited from training and work experience under the New Deal options. At present, the New Deal appears to be doing less well in helping young people from ethnic minorities in obtaining jobs than young white people, although much of the discrepancy may be in part due to less complete destination data for ethnic minority leavers and from variation in performance between delivery areas. They are, however, leaving the Gateway more quickly and are slightly less likely to return to JSA after finding employment. We also assess the performance of different ethnic minority groups and are aware of the variations in outcomes between the groups. For example, we know that those of Indian, Bangladeshi and Chinese origin are closer to achieving equality of job outcomes with white participants than are Black-African participants.

The table shows jobs as a percentage of New Deal starts for each ethnic grouping.

	Percentage
White	48
Black Caribbean	36
Black African	30
Black Other	38
Indian	43
Pakistani	37
Bangladeshi	40
Chinese	36
Other	35

There is a feature article on New Deal and ethnic minority participants in the February edition of Labour Market Trends that sets out in more detail the findings of experience so far.

Socrates Programme

Mr. Boswell: To ask the Secretary of State for Education and Employment if he will make a statement on *(a)* participation in, *(b)* the costs to United Kingdom and European funds and *(c)* the educational benefits of the first Socrates programme; and what his plans are for the second Socrates programme. [116017]

Ms Jowell *[holding answer 23 March 2000]:* The first phase of the EU Education action programme Socrates ran from 1995 to 1999. During that period some 920 million euros were available for activities across the European Union, many of which will continue until the end of this academic year.

Participation

In the UK, during academic year 1997–98, the latest year for which figures are available, the following were funded:

1,108 school partnership projects; 323 school preparatory visits; 161 teacher training projects; 655 teachers took part in language training abroad; 80 UK teacher trainees took up language assistant posts in other European countries; 166 Higher education institutions took part; 10,592 students studied in another country; 10 Adult Education projects and nine Open and Distance Learning projects were funded; and 159 policy study visits were made to another country.

In the EU, throughout the period of the first phase, the European Commission estimates that nearly half a million students received grants for an integrated period of study in another European country under the Erasmus action; over 50,000 teachers in higher education undertook teaching assignments at higher education institutions in another European country; over 10,000 schools were involved in joint projects (a great many of them involving UK schools); and around 150,000 young people were involved in joint activities.

Costs

The average annual cost to the UK is 28 million euros. Incoming grants total 25 million euros.

Educational benefits

All participants have built and strengthened links with colleagues in other participating countries. Many institutions have gained access to, and developed, innovative training materials and methods. Individual participants have gained an appreciation of each others' cultures and working practices, have developed communication, new technology and other core skills and have improved their employability and confidence levels.

Plans for the new programme

The total budget for the second phase of the programme is 1.85 million euros for the seven years from 2000 to 2006. Priorities and budget allocations for the new programme for the year 2000 are currently under discussion in the Socrates programme management committee. During the course of these discussions the UK will use its best endeavours to ensure that the priorities set for the programme are compatible with the UK's domestic policy agenda for each of the education sectors the programme serves.

Early Years Education

Mr. Oaten: To ask the Secretary of State for Education and Employment if he will list for *(a)* England and *(b)* each local education authority in Hampshire the number of three-year-olds with free early years education places providing five or more sessions of education per week in (i) 1979, (ii) 1990 and (iii) each year from 1992 to 1999. [115964]

Ms Hodge *[holding answer 23 March 2000]:* The latest available January census information on three-year-olds educated in maintained schools is shown in the following table.

Places for 46,000 children have been created in 64 local authorities with the greatest social need, from the £40 million Nursery Education Grant made available during 1999–2000. Expenditure of £390 million is being made available over the three financial years 1999–2000 to 2001–02 to increase by 190,000 the number of new, free, good quality, early education places for three-year-olds. The priority is to reach those three-year-olds in social need who could most benefit from a free nursery place.

Information on three-year-olds educated in maintained schools for January 2000 is currently being collected as are the actual figures for three-year-old places created in the private and voluntary sector from September 1999 onwards. Provisional estimates of both sets of figures are expected to be published in a Statistical First Release in May.

Numbers of full and part-time pupils aged three [1] in maintained schools [2] in Hampshire local education authority area and in England: 1979, 1990 and 1992–99 (position as at January each year)

	England		Hampshire [3]		Portsmouth [3]		Southampton [3]		Hampshire [4]	
	Part-time	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time	Full-time
1999	267,928	34,288	999	4	706	1	546	0	[5]—	[5]—
1998	270,286	33,003	969	13	726	0	501	2	[5]—	[5]—
1997	262,110	29,815	[5]—	[5]—	[5]—	[5]—	[5]—	[5]—	2,218	10
1996	261,654	28,818	[5]—	[5]—	[5]—	[5]—	[5]—	[5]—	2,082	10
1995	253,537	27,818	[5]—	[5]—	[5]—	[5]—	[5]—	[5]—	1,922	20
1994	242,187	27,263	[5]—	[5]—	[5]—	[5]—	[5]—	[5]—	1,916	28

Numbers of full and part-time pupils aged three [1] in maintained schools [2] in Hampshire local education authority area and in England: 1979, 1990 and 1992–99 (position as at January each year)

	England		Hampshire [3]		Portsmouth [3]		Southampton [3]		Hampshire [4]	
	Part-time	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time	Full-time
1993	231,907	26,014	[5]—	[5]—	[5]—	[5]—	[5]—	[5]—	1,533	35
1992	225,521	25,579	[5]—	[5]—	[5]—	[5]—	[5]—	[5]—	1,542	18
1990	200,397	25,294	[5]—	[5]—	[5]—	[5]—	[5]—	[5]—	1,485	40
1979	88,372	26,330	[5]—	[5]—	[5]—	[5]—	[5]—	[5]—	769	43

[1] Ages as at start of academic year (31 August)
[2] Includes maintained nursery, primary and special schools
[3] Local education authority areas created after the Local Government Re-organisation in April 1997
[4] Before the Local Government Re-organisation in April 1997
[5] Not applicable for that year

Schools (Capital Allocations)

Judy Mallaber: To ask the Secretary of State for Education and Employment if he will break down the capital allocations since May 1997 to schools in *(a)* the Amber Valley constituency and *(b)* Amber Valley District. [116376]

Ms Estelle Morris *[holding answer 27 March 2000]:* The information requested is shown in the following tables.

Capital Allocations for the Amber Valley Constituency since May 1997

£

School name	New Deal for Schools	Supplementary Credit Approvals	Grant Maintained Schools Funding	Special Educational Needs	Outside Toilets Initiative	Class Size Initiative	Annual Capital Guidelines	Voluntary Aided Grants	School Formula Capital (Minimum)	Grand Total
Aldercar Infant	—	—	—	—	—	—	—	—	5,555	5,555
Aldercar	—	—	—	—	—	—	—	—	10,765	10,765
Ambergate Primary	—	—	—	—	—	—	—	—	4,905	4,905
Breadsall C of E Primary	—	—	—	—	50,000	—	—	—	—	55,170
Christ The King RC Primary	—	—	—	10,500	—	2,938	—	107,776	5,245	126,459
Codnor C of E VC Primary	—	—	—	—	—	—	—	—	7,190	7,190
Coppice Primary	—	—	—	—	—	—	—	—	6,255	6,255
Copthorne Infant	—	—	—	—	—	—	—	—	4,940	4,940
Corfield C of E Infant	—	—	—	—	—	—	—	—	4,860	4,860
Crich C of E Infant	—	—	—	—	—	—	—	—	4,430	4,430
Crich Junior	—	—	—	—	—	—	—	—	4,670	4,670
Croft Infant	—	—	—	—	—	—	—	—	5,660	5,660
Denby Free C of E Primary	—	6,675	—	—	—	—	—	85,934	4,161	96,770
Fritchley C of E (VA) Primary	—	—	—	—	—	—	—	35,145	4,078	39,223
Heage Primary	240,000	—	—	—	—	—	—	—	5,990	245,990
Heanor Gate School	—	—	326,822	—	—	—	—	—	23,875	350,697
Heanor Langley Infant	—	—	—	—	—	96,400	—	—	5,240	101,640
Holbrook Centre for Autism	—	—	—	—	—	—	—	—	4,540	4,540
Holbrook C of E Primary	110,000	—	—	—	—	—	—	—	5,485	115,485
Horsley C of E Primary	70,000	—	—	—	—	—	—	—	4,770	74,770
Horsley Woodhouse Primary	—	—	—	—	—	—	—	—	4,855	4,855
Ironville and Codnor Park Primary	—	—	—	—	—	—	—	—	5,915	5,915
John Flamsteed Community	669,163	—	—	—	—	—	—	—	12,715	681,878
Kilburn Infant	—	—	—	—	—	—	—	—	5,820	5,820
Kilburn Junior	—	—	—	—	—	—	—	—	6,110	6,110
Langley Mill C of E Infant	—	—	—	10,000	—	—	—	—	4,985	14,985
Langley Mill Junior	—	—	—	—	—	—	—	—	6,700	6,700
Leys Junior	—	—	—	—	—	—	—	—	5,540	5,540
Little Eaton Primary	—	—	—	—	—	86,400	—	—	6,445	92,845
Lons Infant	—	—	—	—	—	—	—	—	4,690	4,690
Loscoe C of E Primary	—	—	—	—	23,575	—	—	—	5,225	28,800
Mapperley C of E Cont Primary	—	—	—	—	44,000	—	—	—	4,490	48,490
Marlpool Infant	—	—	—	—	—	—	—	—	4,440	4,440
Marlpool Junior	—	—	—	—	—	—	—	—	5,900	5,900
Mary Howitt Infant Community	—	—	—	—	—	—	—	—	6,320	6,320
Mill Hill	—	—	116,231	—	—	—	—	—	24,280	140,511
Morley Primary	—	—	—	—	35,190	—	—	—	4,685	39,875
Mortimer Wilson	—	525,000	—	—	—	—	—	—	18,460	543,460
Mundy C of E Junior	—	—	—	—	65,000	—	—	—	5,920	70,920
Parkwood	—	—	—	—	—	—	—	—	5,485	5,485
Pottery Primary	225,000	—	—	—	—	—	—	—	8,325	233,325
Richardson Endowed Primary	—	—	—	—	—	—	—	—	5,195	5,195
Riddings Infant	—	—	—	—	—	—	—	—	5,780	5,780
Riddings Junior	—	—	—	—	40,250	—	—	—	6,360	46,610
Ripley Infant	—	—	—	—	—	—	—	—	5,955	5,955
Ripley Junior	—	—	—	—	—	—	—	—	8,030	8,030
Somercotes Infant	—	—	—	—	—	—	—	—	6,180	6,180
Somerlea Park Junior	—	—	—	—	—	—	—	—	6,470	6,470
South Wingfield Primary	—	—	—	—	—	—	—	—	5,050	5,050
St. Andrew's C of E Primary	—	—	—	—	—	—	—	—	4,850	4,850
St. John's C of E Primary	—	—	—	1,000	—	86,400	—	—	8,480	95,880
Stanley Common C of E Primary	—	—	—	—	50,000	—	—	—	4,770	54,770
Street Lane Primary	—	—	—	—	—	—	—	—	4,500	4,500
Stanwick Hall	—	—	—	—	—	—	—	—	20,395	20,395
Stanwick Primary	205,000	—	—	—	—	—	—	—	7,960	212,960
The Delves	—	—	—	—	—	—	—	—	6,910	6,910

Capital Allocations for the Amber Valley Constituency since May 1997

£

School name	New Deal for Schools	Supplementary Credit Approvals	Grant Maintained Schools Funding	Special Educational Needs	Outside Toilets Initiative	Class Size Initiative	Annual Capital Guidelines	Voluntary Aided Grants	School Formula Capital (Minimum)	Grand Total
Waingroves Primary	—	—	—	—	—	—	—	—	6,265	6,265
William Howitt Junior Community	—	—	—	—	—	—	—	—	6,820	6,820
Woodbridge Junior	—	—	—	—	—	—	—	—	6,500	6,500
Annual Capital Guidelines	—	—	—	—	—	—	315,706	—	0	315,706
Total	1,519,163	531,675	443,053	21,500	308,015	272,138	315,706	228,855	411,855	4,051,664

Judy Mallaber: To ask the Secretary of State for Education and Employment what has been the total capital allocation since May 1997 to schools in *(a)* the Amber Valley constituency and *(b)* Amber Valley District. [116377]

Ms Estelle Morris *[holding answer 27 March 2000]:* The resources allocated since May 1997 for capital purposes to schools in the *(a)* Amber Valley constituency amount to £4,051,664 and for *(b)* Amber Valley District amount to £4,415,068.

Careers Guidance Services

Mr. Boswell: To ask the Secretary of State for Education and Employment if he will make a statement on the performance by careers guidance services of the terms of their contracts over the last three years. [116462]

Mr. Wicks *[holding answer 28 March 2000]:* For the financial years 1997–98 and 1998–99, Careers Service performance was based upon a range of activities including individual interviews, group sessions and personal action plans. During this period, most Careers Services achieved their agreed targets and many exceeded them.

More recently Careers Services have focused on those who need help most in support of social inclusion and achieving National learning targets. In the financial year 1999–2000, Careers Services made significant shifts in their activities, increasing their resources on work engaging 16 to 17-year-olds in learning by 37 per cent. compared with the previous year.

Despite the change in focus of Careers Services young people have, however, suffered from a lack of co-ordinated advice and guidance and gaps in provision. That is why we have launched the Connexions Service. It will take forward the provision of careers information, advice and guidance as part of a radical new approach to raising standards and ensuring coherent and co-ordinated support for all young people.

Standard Spending Assessment

Mrs. Anne Campbell: To ask the Secretary of State for Education and Employment if he will estimate the cost of raising the level of education SSA per child to at least *(a)* the level of that of the median authority and *(b)* the level of the median authority minus five per cent. [116754]

Ms Estelle Morris: We estimate that it would cost £511 million to raise the per pupil funding of all Local Education Authorities to the level of that of the median authority and £96 million to raise it to the level less 5 per cent. of that of the median authority.

Mr. St. Aubyn: To ask the Secretary of State for Education and Employment (1) what assessment he has made of the equity of the standard spending assessment for education as a method of allocation; [117128]

(2) what recent representations he has received regarding measures being taken to reform received standard spending assessment for education, with particular reference to the *(a)* areas cost adjustment and *(b)* additional educational needs allowance. [117134]

Ms Estelle Morris: My right hon. Friend has received a number of representations on the area cost adjustment and additional education needs elements of the standard spending assessment. We have already acknowledged that there are valid objections to the current SSA formula. The Government, in partnership with local government, have set up a review to see whether there is a better way of determining the distribution of funds which is simpler, more stable, more robust and fairer than the present arrangements.

Mrs. Anne Campbell: To ask the Secretary of State for Education and Employment if he will estimate the cost of raising the standard spending assessment per pupil for each local education authority in England to at least that of Hertfordshire for 2000–01. [117225]

Ms Estelle Morris: We estimate that it would cost £760 million to raise the standard spending assessment per pupil for each local education authority in England to the level of that of Hertfordshire for 2000–01.

Access to Work (Disabled People)

Mr. Llew Smith: To ask the Secretary of State for Education and Employment what plans he has to improve Access to Work for disabled people. [116988]

Ms Hodge: The Access to Work programme has been successful in helping an increasing number of disabled people to remain or move into employment year on year. Over the next financial year we expect to help more than 23,000 people through Access to Work at a cost of nearly £26 million. This represents an increase of over 3,000 compared with the current year.

The Employment Service is also planning to improve the quality of service offered through Access to Work. Over the next year, it is strengthening the Disability Service training, conducting a customer satisfaction survey, and undertaking a review to streamline Access to Work processes.

Dyslexia

Mr. Llew Smith: To ask the Secretary of State for Education and Employment what plans he has to improve the special tuition available to dyslexic children. [116974]

Jacqui Smith: It is the responsibility of schools and local education authorities (LEAs) to ensure that children with dyslexia receive appropriate tuition. Schools and LEAs must have regard to guidance in the Code of Practice on the Identification and Assessment of Special Educational Needs (SEN). This guidance recognises a continuum of special educational needs and advocates a staged approach to meeting such needs. The Code provides advice on the needs of children with specific learning difficulties, including dyslexia. A revised version of the Code is expected to be issued next year, which will place a stronger emphasis on the importance of early identification of SEN, so the appropriate help can be given as soon as possible. Under the National Literacy Strategy all children are being taught phonics, spelling and grammar. This has been shown to be particularly helpful for children with mild dyslexia. Children who demonstrate particular difficulties at word level, which are due to their SEN, can be identified much earlier and more focused support added. Such children have also been helped by the requirement, since September 1998, for newly qualified teachers to show that they can identify pupils who have special educational needs, including dyslexia, and know where to get help in order to give positive and targeted support to children.

My Department is also part funding a two year study programme by the Dyslexia Institute in partnership with the Centre for Reading and Language Studies at the University of York. The research has at its heart a controlled intervention study designed to evaluate the effects of structured programmes of intervention for seven-year-old pupils who are experiencing specific difficulties to read, write and spell.

Workplace Parking

Mr. Gray: To ask the Secretary of State for Education and Employment how many workplace car parking spaces are available at the buildings used and controlled by his Department. [116762]

Mr. Wills *[holding answer 30 March 2000]:* In total, there are 900 workplace car parking spaces available at the Department's head office buildings in Darlington, London, Runcorn and Sheffield. We have prepared travel plans for all our key buildings in line with the commitment set out in the Transport White Paper and are reviewing the scope for reducing our car parking requirements in that context.

Learning Accounts

Mr. Boswell: To ask the Secretary of State for Education and Employment how many people are currently waiting for individual learning accounts; and what is the average period between application and allocation. [117244]

Mr. Wicks: The first trance of individual learning accounts are being administered and funded solely through Training and Enterprise Councils. In England alone, over 101,000 accounts had been opened by the end of February 2000, against a UK target of 100,000 accounts opened by April 2000, and we are on track to achieve the target of one million accounts opened in the lifetime of this Parliament. Information on how many people are currently waiting for individual learning accounts; and the average period between application and allocation is not held centrally.

School Meals

Helen Jones: To ask the Secretary of State for Education and Employment if he will list the local education authorities in which no schools provide hot school meals. [117145]

Jacqui Smith: This information is not collected centrally. Under current education legislation, it is up to local education authorities, and schools with delegated budgets for school meals, to decide on their presentation and content, including whether a meal should be hot. The Government's minimum nutritional standards for school lunches will apply to both hot and cold lunches.

Helen Jones: To ask the Secretary of State for Education and Employment what estimate he has made of the number of families eligible to claim free school meals which do not do so. [117144]

Ms Estelle Morris: Information reported by maintained schools in England to the Department for Education and Employment in January 1999 showed that there were 1,417,300 pupils on the schools' register (on the census day) who were known by schools to be eligible for free school meals. Of these, 1,088,800 pupils were reported to have taken a free school meal on the census day.

Further information provided by the Department of Social Security, for November 1999, showed overall that there were an estimated 1,490,000 school age children (5–16 years) in England from 849,000 families in receipt of Income Support or Income-based Jobseeker's Allowance. No information is available from the Department of Social Security on the number of these children who took their free meals.

Standards and Effectiveness Unit

Mrs. May: To ask the Secretary of State for Education and Employment what was the number of staff and the budget for the Standards and Effectiveness Unit at the end of *(a)* September 1999 and *(b)* December 1999. [117507]

Ms Estelle Morris: At the end of September and December 1999, the number of staff in the Unit was 204. The running cost budget for the Unit in the current year is £6.421 million.

Class Sizes

Mr. Burstow: To ask the Secretary of State for Education and Employment what plans he has to ensure that schools have sufficient accommodation to meet the pressures on class sizes when the cohorts of children currently benefiting from the class size reduction initiative turn eight years old. [116736]

Ms Estelle Morris: The Department's guidance to LEAs on drawing up infant class size implementation plans made clear that the criteria for plan approval included the need to ensure no adverse impact upon the size of junior classes.

Mr. Burstow: To ask the Secretary of State for Education and Employment what assessment he has made of the impact of the class size reduction initiative on smaller schools where site constraints limit expansion and published admission numbers are reduced as a result. [116737]

Ms Estelle Morris: The Department issues regular monitoring questionnaires, to all LEAs, which seek information on the implementation of the infant class size initiative. We have no evidence to suggest that the initiative has had an adverse impact on smaller schools which have reduced their admission numbers in order to comply with the infant class size limit.

Local Education Authorities

Mrs. May: To ask the Secretary of State for Education and Employment if he will make a statement on the future of local education authorities. [117511]

Ms Estelle Morris: Local education authorities have four key functions related to schools: school improvement, special education needs, access and strategic management.

We believe that LEAs should be held accountable by regular inspections, which is why Ofsted has a programme of inspections in place—and why we introduced legislation allowing intervention and outsourcing where necessary.

We believe that as far as possible schools should manage themselves and their budgets. That is why we are delegating far greater resources to schools than the previous Administration.

Departmental Properties

Mr. Don Foster: To ask the Secretary of State for Education and Employment what *(a)* number and *(b)* percentage of properties in his charge are empty; and what steps are being taken by her Department to reduce the number of such properties. [116911]

Mr. Wills: There are currently eight Departmental headquarters properties and 53 Employment Service (ES) properties that are either fully or partly vacant. Using the standard measure of square metreage, these figures represents 3.19 per cent. of vacant space against the total headquarters property for DfEE and 4.9 per cent. against the total for ES. Both ES and DfEE use the services of external estates surveyors, under contract, who advise on the best method of achieving a speedy and cost effective disposal. This will include assignment, sub-letting or surrender. The option pursued will depend upon, for example, the terms of the lease, the wishes of the landlord and market conditions. In line with usual practice, retained estates surveyors employ local estate agents who market vacant premises.

Teachers (Performance-related Pay)

Mrs. May: To ask the Secretary of State for Education and Employment how many external assessors for the performance-related pay scheme for teachers have been recruited and how many remain to be recruited; and by what date they will be recruited. [117510]

Ms Estelle Morris: The actual numbers of external assessors to be deployed will depend on the number and distribution of teachers who apply to cross the threshold. Numbers are likely to peak in the first two years of the new arrangements when very large numbers of teachers will be eligible for assessment. The maximum requirement in year one will be in the region of 520 full-time equivalents. The recruitment process for external assessors is nearly complete.

Schools Funding

Mrs. May: To ask the Secretary of State for Education and Employment what is *(a)* the breakdown for the financial year 1999–2000 and *(b)* the forecast breakdown for 2000–01, of funding for schools between the Standards Fund, local education authority expenditure, and other Government grants. [117506]

Ms Estelle Morris: The following table sets out: (a) Education Standard Spending, which is the amount the Government assume local authorities will spend for the purpose of setting Standard Spending Assessments; (b) Standards Fund Grant; and (c) Other Government Grants, which include Nursery Grant for three and four-year-olds, Class Size Grant, and Special Grants to be paid under the Local Government Act 1988.

	1999–2000	*2000–01*
Education Standard Spending	20,414	21,479
Standards Fund Grant	563	1,077
Other Government Grants	247	877
Total	21,224	23,433

DEFENCE

Weapons Failures

Mr. Duncan Smith: To ask the Secretary of State for Defence what the figures are for the mean time between failure for the British Army Light Support Weapon *(a)* modified and *(b)* unmodified, and for other Light Support Weapon equivalents used by other armed forces tested by the British army. [114214]

Mr. Spellar *[holding answer 13 March 2000]:* The mean time between failure expressed as mean rounds between failure for modified Light Support Weapon as tested on recent trials, firing a Battlefield mission of 960 rounds in 37 minutes, is greater than 2,500 rounds in all climates and with all NATO qualified ammunition types. Of the other Light Support Weapon systems tested, the mean rounds between failure range from 398 to 2,008 rounds.

I am withholding details of the performance of the unmodified LSW under Exemption 1 of the Code of Practice on Access to Government Information.

Mr. Duncan Smith: To ask the Secretary of State for Defence if he will place in the Library a copy of the most recent field trial report on *(a)* SA80 and *(b)* LSW. [114215]

Mr. Spellar *[holding answer 13 March 2000]:* The report to which the hon. Member refers is classified and is withheld under Exemption 1 of the Code of Practice for the release of Government Information.

Mr. Duncan Smith: To ask the Secretary of State for Defence (1) what are the figures for the mean time between failures for *(a)* the SA80 as modified, *(b)* the G36, *(c)* 5IG (Swiss Army), *(d)* DEMAR. Co, *(e)* M16 and *(f)* other personal weapons recently tested by the Army; [114217]

(2) what reliability tests the armed forces have carried out on personal weapons used by other armed forces, with particular reference to *(a)* G.36, *(b)* S/G (Swiss Army), *(c)* DEMAR. Co (upgraded M16) and *(d)* M16. [114216]

Mr. Spellar *[holding answer 13 March 2000]:* The mean time between failure expressed as mean rounds between failure for the modified SA 80 Individual Weapon (IW) as tested on recent trials, firing a Battlefield mission of 150 rounds in eight minutes 40 seconds, is greater than 2,500 rounds in all climates and with all NATO qualified ammunition types.

The mean round between failure for G36, Diemaco and SIG is commercially sensitive. However only one Weapon system was considered comparable to the modified SA80 1W.

The reliability tests for all the Weapons systems have been based on the firing of 21 Battlefield missions.

Websites

Mr. Maclennan: To ask the Secretary of State for Defence if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of websites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each website (i) the topics covered, (ii) the average number of hits per month and (iii) the estimated expenditure on each website for each of the next three years. [115090]

Mr. Spellar: The information requested by the right hon. Member is not held centrally or in the form requested. I will write to the right hon. Member and a copy of my letter will be placed in the Library of the House.

Heavy-lift Aircraft

Mr. Cohen: To ask the Secretary of State for Defence what aircraft was used to take Puma helicopters to Mozambique; how long the journey took; and what estimate he has made of how long it would have taken for an equivalent number of helicopters to have arrived in a complete state had Boeing C-17 aircraft been used for the transportation. [116599]

Mr. Spellar: An An-124 aircraft was used to carry four Puma helicopters to Heudspruit, South Africa. The journey time from Brize Norton to Heudspruit took 16 hours 50 minutes; the flight time was 14 hours ten minutes. Two C-17 aircraft would have been required to transport the four Pumas and, as the cruise speeds are similar, the flight times would have been similar to the An-124. It was necessary to remove the rotors and rotor head for the Pumas to be transported in the An-124. It is assessed that the same degree of dismantlement would have been necessary had C-17 been used.

Mr. Cohen: To ask the Secretary of State for Defence how long it would take for an Antonov 124, if purchased by his Department, to be placed on the British Military List; and what impact this would have on protecting its operation from interference by foreign powers. [116598]

Dr. Moonie: Details of our assessment of these issues forms part of the current decision making process on options to meet our short-term strategic airlift requirement. I am withholding information under Exemption 2 (internal discussion and advice) of the Code of Practice on access to Government Information.

Mr. Cohen: To ask the Secretary of State for Defence what is the unit cost for the purchase of *(a)* an Antonov 124 and *(b)* a Boeing C17. [116560]

Dr. Moonie: This information is commercially sensitive. I am withholding it under Exemption 13 (third party's commercial confidences) of the Code of Practice on Access to Government Information.

Mr. Cohen: To ask the Secretary of State for Defence how many aircraft would be available under *(a)* the Antonov 124 package and *(b)* the Boeing C17 package. [116497]

Dr. Moonie: A final decision on aircraft numbers has yet to be reached and will form part of our overall decision on airlift requirements.

Mr. Cohen: To ask the Secretary of State for Defence how long it would take for (i) an Antonov 124, and (ii) a Boeing C17 to carry 40 battle tanks to the Balkans. [116502]

Dr. Moonie: That information is not available and could be calculated only at disproportionate cost.

Mr. Hoyle: To ask the Secretary of State for Defence when the C-17 was chartered by the Ministry of Defence from the USAF during the Kosovo conflict; and what the payload was which was offered. [116562]

Dr. Moonie: A request for airlift assistance to move the vehicles of a High Velocity Missile Battery was submitted to the USAF on 29 March 1999. The move involved seven C-17 flights using two aircraft flying from Hanover to Skopje. The lift commenced on 1 April and was completed on 4 April 1999.

Under the UK/US Acquisition and Cross Service Agreement, the USAF determine the most appropriate means of transportation, based on their resources available at the time. Therefore, while no actual offer of payload was made, the USAF provided sufficient airlift to meet the stated requirement.

MPs' Visits

Mr. Walter: To ask the Secretary of State for Defence if he will list *(a)* the visits by hon. Members to his Department's establishments in Wales since May 1997 and *(b)* invitations declined by local hon. Members to visit establishments in their constituencies. [116348]

Dr. Moonie *[holding answer 27 March 2000]:* The visits by hon. Members of Parliament to Ministry of Defence (MOD) establishments in Wales since May 1997 are listed in the table. It is not however possible to list the invitations declined by local hon. Members to visit establishments in their constituencies, as such records are not comprehensively maintained.

Date of visit	Location/unit	MP/Constituency
6 February 1998	DERA Pendine	Mr. Nick Ainger MP (Carmarthen West and South Pembrokeshire)
5 March 1998	HQ 160 (Wales) Brigade and Infantry Training Centre, Brecon	The right hon. Sir George Young MP (North West Hampshire)
8 March 1998	C Flight 22 Squadron RAF Valley	The right hon. Dr. John Reid MP (Hamilton North and Bellshill)
18 May 1998	3 Royal Welsh Fusiliers, Wrexham	Mr. Martyn Jones MP (Clwyd South) The right hon. Barry Jones MP (Alyn and Deeside) Dr. John Marek MP (Wrexham)
26 May 1998	3 Royal Welsh Fusiliers, Wrexham	Mr. Gareth Thomas MP (Harrow West)
2 June 1998	DERA Pendine	Mr. Nick Ainger MP (Carmarthen West and South Pembrokeshire)
19 June 1998	3 Royal Welsh Fusiliers, Caernarfon	The right hon. Dafydd Wigley MP (Caernarfon) Mr. Ieuan Wyn Jones MP (Ynys Mon)
25 June 1998	C Flight 22 Squadron, RAF Valley	Mr. Brian Donohoe MP (Cunninghame South) Mrs. Ann Keen MP (Brentford and Isleworth)
1 July 1998	Royal Marine Commando Logistic Regiment, Castlemartin Range	Mr. Michael Fabricant MP (Lichfield) Mr. Stephen Hepburn MP (Jarrow) Hon. Lindsay Hoyle MP (Chorley) Mr. Sydney Rapson MP (Portsmouth North)
2 July 1998	Senneybridge Training Camp	Mr. John Spellar MP (Warley)
10 July 1998	3 Royal Welsh Fusiliers, Wrexham	Mr. Elfyn Llwyd MP (Meirionnydd Nant Conwy)
19 July 1998	14 Signal Regiment, Brawdy	Mrs. Jackie Lawrence MP (Preseli Pembrokeshire)
3 August 1998	Royal Monmouthshire Royal Engineers, Monmouth	Mr. Huw Edwards MP (Monmouth)
16 September 1998	3 Royal Welsh Fusiliers, Queensferry	The right hon. Barry Jones MP (Alyn and Deeside)
22 September 1998	Pennally Training Camp	Mr. Peter Hain MP (Neath)
13 November 1998	1223 (Machen) Detached Flight Air Training Corps	The right hon. Ron Davies MP (Caerphilly)
14 November 1998	3 Royal Welsh Fusiliers, Wrexham	Mr. Martyn Jones MP (Clwyd South)
25 November 1998	1358 (Pontardwe) Squadron Air Training Corps (ATC)	Mr. Peter Hain MP (Neath)
4 December 1998	Army Careers Information Office, Rhyll	Mr. Chris Ruane MP (Vale of Clwyd)
18 January 1999	Defence Aviation Repair Agency, St. Athan	Mr. Anthony Coleman MP (Putney) Mr. Dan Morris MP (Wansdyke)
25 January 1999	Defence Aviation Repair Agency, Sealand	Mr. Anthony Coleman MP (Putney) Mr. Dan Morris MP (Wansdyke)
11 March 1999	RAF Valley—Search and Rescue	Mr. Ieuan Wyn Jones MP (Ynys Mon)
7 April 1999	Defence Aviation Repair Launch Day, St. Athan	Mr. John Spellar MP (Warley) Mr. John Smith MP (Vale of Glamorgan) The right hon. Barry Jones MP (Alyn and Deeside) Mr. Peter Viggers MP (Gosport)
26 May 1999	C Flight 22 Squadron, RAF Valley	Mr. Iain Coleman MP (Hammersmith and Fulham) Mr. Stephen McCabe MP (Birmingham Hall Green) Mr. Dan Norris MP (Wansdyke)
10 June 1999	104 Regiment Royal Artillery (Volunteers), Cardiff	Mr. Martin Bell MP (Tatton)
17 June 1999	101 Battalion REME (Volunteers), Wrexham	Hon. Lindsay Hoyle MP (Chorley)
4 August 1999	6 Cadet Battalion Royal Welsh Fusiliers, Swynnerton	The right hon. Dafyyd Wigley MP (Caernarfon)
1 September 1999	Defence Storage and Distribution Centre, Llangennech	The right hon. Denzil Davies MP (Llanelli)
11 September 1999	104 Regiment Royal Artillery (Volunteers), Royal Artillery Range, Manorbier	Mrs. Jenny Jones MP (Wolverhampton South West)
29 September 1999	RAF Valley	Mr. Lembit Öpik MP (Montgomeryshire)
20 January 2000	RAF DARA Sealand	The right hon. Barry Jones MP (Alyn and Deeside)
25 January 2000	DERA Aberporth	Mr. Gareth Thomas MP (Clwyd West)
28 January 2000	DERA Pendine	Mr. Nick Ainger MP (Carmarthen West and South Pembrokeshire)

Notes:

1. The Under-Secretary of State for Defence approves the visits of MPs to establishments. However, it is possible that MPs may have visited local establishments or cadet units on public open days and such visits are not included in the list.
2. There is no requirement for the Department to keep records of such visits and some establishments only have records available since March 1998. The list should therefore not be viewed as exhaustive.

Tritium

Mr. Welsh: To ask the Secretary of State for Defence what quantities of tritium have been produced at the Chapelcross nuclear facility in each month since April 1995; and what percentage of the tritium produced by this facility has been exported to Governments and agencies outside the United Kingdom. [116592]

Mr. Hoon *[holding answer 28 March 2000]:* To reveal such information would be contrary to national defence and security interests and I am therefore withholding details under Exemption 1 of the Code of Practice on Access to Government Information.

Defence Diversification Council

Mr. Wood: To ask the Secretary of State for Defence what progress has been made on the establishment of a defence diversification council. [116713]

Dr. Moonie: I refer my hon. Friend to the reply I gave my hon. Friend the Member for Birmingham, Selly Oak (Dr. Jones) on 22 March 2000, *Official Report*, column 566W.

Workplace Parking

Mr. Gray: To ask the Secretary of State for Defence how many workplace car parking spaces are available at the buildings used and controlled by his Department. [116773]

Dr. Moonie *[holding answer 30 March 2000]:* This information is not held centrally and could be provided only at disproportionate cost. The provision of parking facilities is being addressed in the development of my Department's corporate Environmental Management System, which incorporates Travel Plans.

Gulf War Illnesses

Mr. Matthew Taylor: To ask the Secretary of State for Defence how many meetings officials from the Gulf Veterans' Illnesses Unit held with the United States Department of Veterans' Affairs between 15 October and 31 December 1999, indicating the date and location of each meeting and the section of the Department of Veterans' Affairs in which the officials who attended each meeting worked. [117092]

Mr. Spellar: During the period 15 October to 31 December 1999, an official from my Department's Gulf Veterans' Illnesses Unit in London attended two meetings at which officials from the US Department of Veterans' Affairs, Veterans Health Administration Section, would have been present. One meeting was on 20 October and the other was on 21 October. Both meetings took place in Washington DC.

In addition to the above, a member of the Gulf Veterans' Illnesses Unit based in Washington DC maintains a continuous dialogue with United States Department of Veterans' Affairs colleagues.

Mr. Roger Crooks

Mr. Mackinlay: To ask the Secretary of State for Defence on which occasions *(a)* Vice Admiral Alan West and *(b)* Major Peter Hicks have met Roger Crooks since 1995. [116930]

Mr. Spellar: Vice Admiral Sir Alan West, the current Chief of Defence Intelligence, has never met Mr. Crooks. Major Peter Hicks served as a Military Liaison Officer with the Defence Intelligence Staff from 1994–98. He deployed to Sierra Leone on three occasions to support contingency planning for the evacuation of UK and other foreign nationals. In 1997, he directly assisted in a civilian evacuation from Sierra Leone. He had no professional contact with Mr. Crooks and recalls only one occasion at which he may have briefly met him socially.

Service Personnel

Mr. Duncan Smith: To ask the Secretary of State for Defence how many people *(a)* left and *(b)* joined the (i) Army, (ii) Royal Navy, (iii) Royal Air Force, (iv) Royal Marines, (v) Territorial Army, (vi) Royal Naval Reserve and (vii) Royal Auxiliary Air Force in each of the last six months. [117564]

Mr. Spellar: The latest available figures on a consistent basis across all Services are as follows. They include both trained and untrained personnel.

(a) Number of people who left in the month of:

	August 1999	September 1999	October 1999	November 1999	December 1999	January 2000
Army	1,219	1,355	1,462	1,326	1,063	1,557
Royal Navy	288	425	476	412	370	396
Royal Air Force	387	437	433	352	332	392
Royal Marines	72	144	128	98	91	86
Territorial Army	698	919	863	957	544	1,214
Royal Naval Reserve	50	4	50	63	114	36
Royal Auxiliary Air Force	24	38	49	26	23	21

(b) Number of people who joined in the month of:

	August 1999	September 1999	October 1999	November 1999	December 1999	January 2000
Army	1,216	1,908	1,390	1,583	639	2,280
Royal Navy	87	548	320	450	44	413
Royal Air Force	228	406	453	314	289	390
Royal Marines	62	151	106	111	59	101
Territorial Army	471	531	1,779	712	474	607
Royal Naval Reserve	23	33	63	69	94	31
Royal Auxiliary Air Force	13	40	28	37	16	25

Helen Jones: To ask the Secretary of State for Defence what progress has been made in updating guidance to the Services on the values and standards expected of Service personnel; and if he will make a statement. [117640]

Mr. Spellar: The Army and RAF have revised and updated the guidance given to their personnel on the values and standards of each Service and the standards of behaviour and conduct to which they are expected to adhere. This underpins Service ethos and so helps to sustain the operational effectiveness of the armed forces.

The revised guidance is set out in publications entitled "Values and Standards of the British Army" and "Core Values and Standards of the Royal Air Force" which are being widely distributed in the Services. Copies have been placed in the Library of the House.

Nuclear Weapons

Mr. Matthew Taylor: To ask the Secretary of State for Defence if he will list the *(a)* names, *(b)* dates and *(c)* locations of joint US/UK nuclear weapon exercises which have been held since 1993. [117093]

Mr. Spellar: The following joint UK/US nuclear weapon accident response exercises have been held since 1993:

Date	*Name*	*Location*
April 1994	Diver Mist	Suffolk
September 1998	Diagonal Glance	Somerset

Food Products (Welfare Standards)

Mr. Key: To ask the Secretary of State for Defence if he will set out the prescribed welfare standards which govern imported food products supplied to HM forces. [112967]

Dr. Moonie *[pursuant to his reply, 6 March 2000, c. 498W]:* I regret the answer given was incorrect in referring to an "EC Meat Commission". In the case of meat sourced in EC countries quality standards are based upon the EC Meat Classification Scheme as operated in the UK by the Meat and Livestock Commission and set down in The Meat Buyers Guide.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Fossil Fuel

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made in *(a)* preparation for negotiating limits to fossil fuel use internationally and *(b)* setting limits to fossil fuel use in the United Kingdom of (i) the availability of fossil fuel reserves (1) worldwide and (2) in the United Kingdom and (ii) the cumulative impact of emissions from fossil fuel burning on the rate and extent of climate degradation. [113862]

Mr. Meacher: I know of no negotiations on setting limits to fossil fuel use, either internationally or in the UK. There are negotiations about targets for reducing greenhouse gas emissions, which will inevitably affect countries' use of fossil fuels, which is a major source of carbon dioxide emissions, the main man-made greenhouse gas.

Assessments published by the Department of Trade and Industry indicate that estimates of the UK's remaining proven, probable and possible oil reserves have been broadly unchanged since the 1980s, and estimated gas reserves have increased slightly over the same period, despite large increases in production.

In numerical terms UK reserves of oil and gas are currently estimated to be around 1,750 million tonnes and 1,750 billion cubic metres (about 1,450 million tonnes of oil equivalent), respectively. Work undertaken in 1998 for DTI by International Mining Consultants Ltd. estimates the reserves, resources and mineral potential at UK mines to be about 620 million tonnes of coal (about 370 million tonnes of oil equivalent). This estimate is on a more restricted basis than the oil and gas estimates because it takes no account of coal reserves other than those at mines that were operating at the time of the report. An alternative estimate contained in the BP Amoco Statistical Review of World Energy puts UK coal reserves at 1,500 million tonnes of coal.

According to the BP Amoco Statistical Review of World Energy, world reserves of oil, gas and coal are about 140 billion tonnes, 130 billion tonnes, 650 billion tonnes respectively, all converted to oil equivalent. These refer to quantities estimated with reasonable certainty to be present and recoverable under existing economic and operating conditions; the ultimately recoverable amounts could be much larger.

The UK is likely to start importing gas at some point between 2003 and 2010. Through access to world energy markets, the Government's assessment is that fossil fuel resource availability by itself will not constrain consumption for the foreseeable future and is correspondingly unlikely to be a factor in the international negotiations.

The most recent report from the Met Office's Hadley Centre estimated that, under the 'business as usual' scenario, the global temperature will be 2°C warmer than now by the 2050s. This temperature rise would be delayed by 50 years with stabilisation of carbon dioxide in the atmosphere at 750 parts per million and by over 100 years with stabilisation at 550 parts per million. About 70 per cent. of the climate change impact will be due to fossil fuel burning between now and 2100.

Waste Incinerators

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the locations by region of *(a)* existing waste incinerators and *(b)* pending planning applications for waste incinerators. [114150]

Mr. Mullin: The following list shows the location, by Environment Agency Region, of waste incineration processes regulated by the Environment Agency under the Integrated Pollution Control regime in England and Wales. The Environment Agency is responsible for regulating chemical waste, drum and other waste (at a rate

of one tonne per hour or more) incineration processes under Part I of the Environmental Protection Act 1990. The majority of small incineration processes under one tonne per hour are regulated by local authorities. Detailed information on the location of these incinerators is not held centrally.

Environment Agency Region	*Town*	*Operator*
Anglian	Grimsby	The BOC Group
Anglian	Ipswich	White Rose Environmental Ltd.
Anglian	Royston	Vetspeed Ltd.
Anglian	Southend-on-Sea	Defence Evaluation and Research Agency
Midlands	Birmingham	Severn Trent Water Ltd.
Midlands	Birmingham	Tyseley Waste Disposal Ltd.
Midlands	Buxton	Durga Environmental Ltd.
Midlands	Cinderford	Engelhard Sales Ltd.
Midlands	Coventry	Coventry and Solihull Waste Disposal Co. Ltd.
Midlands	Dudley	MES Environmental Ltd.
Midlands	Nottingham	Wastenotts (Reclamation) Ltd.
Midlands	Nottingham	WRE Services Ltd.
Midlands	Redditch	Medical Energy (Worcs) Ltd.
Midlands	Sandwell	BIP Limited
Midlands	Scunthorpe	Fibrogen Ltd.
Midlands	Shrewsbury	WRE Services Ltd.
Midlands	Stoke-on-Trent	MES Environmental Ltd.
Midlands	Stourbridge	Severn Trent Water Ltd.
Midlands	Wolverhampton	Leigh Environmental Ltd.
Midlands	Wolverhampton	MES Environmental Ltd.
North East	Billingham	Northumbrian Environmental Management Ltd.
North East	Bradford	Yorkshire Water Services Ltd.
North East	Doncaster	Amlon Metal Ltd.
North East	Huddersfield	Kirklees Waste Services Ltd.
North East	Knottingley	Laporte Performance Chemicals UK Limited
North East	Leeds	Yorkshire Environmental Solutions Ltd.
North East	Leeds	Yorkshire Water Services Ltd.
North East	Middlesbrough	Fine Organics
North East	Sheffield	SARP (UK) Ltd.
North East	Sheffield	Sheffield City Council
North East	Sheffield	Yorkshire Water Services Ltd.
North West	Bolton	GM Waste Ltd.
North West	Morecambe	British Energy Generation Ltd.
North West	Preston	Royal Ordnance (Weapons and Munitions) Ltd.
North West	Runcorn	ICI Chemicals And Polymers Ltd.
North West	South Wirral	Cleanaway Ltd.
North West	South Wirral	Shell (UK) Ltd.
North West	Ulverston	Glaxo Operations UK Ltd.
North West	Widnes	North West Water Ltd.
North West	Wirral	Lubrizol Ltd.
South West	Bristol	Blagden Packaging NV
South West	Bristol	Bristol City Council
South West	Castle Cary	Bronzeoak Thermal Processing
South West	Weymouth	Defence Research Agency
South West	West Woodlands	Wessex Incineration Co. Ltd.
Southern	Ashford	White Rose Environmental Ltd.
Southern	Dartford	Wellcome Foundation Ltd.
Southern	Fareham	Southern Water Services Ltd.
Southern	Portsmouth	Onyx Hampshire Ltd.
Southern	Romney Marsh	Magnox Electric Plc
Southern	Sittingbourne	Powergen CHP Ltd.
Southern	Southampton	Shanks Chemical Services Ltd.
Thames	Barking	Blagden Packaging NV
Thames	Barking	Thames Water Utilities Ltd.
Thames	Basingstoke	Onyx Hampshire Ltd.
Thames	Belvedere	Riverside Resource Recovery Ltd.
Thames	Harrow	Northwick Park Hospital
Thames	London	London Waste Ltd.
Thames	London	South East London Combined Heat And Power Ltd.
Thames	London	Thames Water Utilities Ltd.
Thames	Slough	S. Grundon (Services) Limited
Thames	Slough	S. Grundon (Waste) Ltd.
Thames	Thornton Heath	Mayday Energy Centre Ltd.
Thames	Uxbridge	Clinical Energy Limited
Thames	Stevenage	Glaxo Research and Development Ltd.
Wales	Bridgend	Davies Brothers Waste Ltd.
Wales	Cemaes Bay	Magnox Electric Plc
Wales	Deeside	J. Reid Trading Ltd.
Wales	Neath	HLC Neath Port Talbot Ltd.
Wales	Pontypool	Shanks Chemical Services Ltd.

Information on planning applications for waste incinerators is held by the respective planning authorities and not by the department. However, the Environment Agency has received IPC applications for a new incinerator, or a variation of the existing authorisation at the sites listed. This list also includes sites where the Agency intends to vary the conditions of the existing authorisation.

Environment Agency Region	*Town*	*Operator*
South West	Bristol	Medipower Services Ltd.
Southern	Maidstone	Kent Enviropower Ltd.
Southern	Sittingbourne	Sita Holding UK Ltd.
Southern	Southampton	Onyx Hampshire Ltd.
Southern	Southampton	Shanks Chemical Services Ltd.
Thames	Harlow	Merck Sharp and Dohme Ltd.
Thames	London	Thames Water Utilities Ltd.

London Transport

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will list quality targets set for *(a)* London Underground and *(b)* London Buses, giving in each instance performance against them for each of the years they have been in existence; [115417]

(2) if he will make a statement on the revision of the quality targets set for London Underground and London Buses. [115418]

Mr. Hill: The current performance targets set for London Underground and London Transport Buses are as follows. London Transport report on progress against these targets and those set in previous years in their Annual Reports, which are published in the early summer for the previous financial year.

London Underground (all targets for two years 1999–2000 and 2000–01)

Measure	*Target*
Capacity (train kms run)	10 per cent. increase on 1998–99 performance
Reliability (unweighted excess journey time—minutes)	4 per cent. improvement on 1998–99 level
Customer satisfaction measures [1,2]:	
Train service	77
Information	77
Customer safety and security	83
Staff helpfulness and availability	70
Cleanliness	69

[1] Measured through LT's Customer Satisfaction Survey
[2] Average score out of 100

London Transport Buses

		Percentage
Customer satisfaction measure	*1999–2000 Target* [1]	*2000–01 Target* [1]
Service reliability	54	55
Personal safety and security	79	80
Smoothness and freedom from jolting during the journey	58	59
Attitude and behaviour of staff	78	79
Cleanliness and condition of buses	69	70
Information on buses	68	69
Information at bus stops	64	65

[1] These targets are measured as the proportion of passengers—asked in surveys—who marked the service 7.5 or better out of a total of 10

From 3 July London Transport Buses will become part of the new body, Transport for London, under the Greater London Authority, and targets will be subject to review by the Mayor.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions how much London Transport has spent on external consultants in each of the last five years. [115419]

Mr. Hill: I understand from London Transport that they have spent the following amounts on external consultants in each of the last five years:

£ million

Year	*Spend*
1995–96	50.81
1996–97	40.35
1997–98	42.35
1998–99	91.16
1999–2000	[1]108.10

[1] Provisional—final figure not yet available

London Underground

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions how many escalators on the London Underground are out of order in each zone; for how long the escalator has been out of order in each case; and when they are expected to be fixed. [115416]

Mr. Hill: These are operational matters for London Underground who have provided the information in the following table.

Escalators—the situation on 17 March 2000

Station	*Out of service*	*Back in service*
Zone 1		
Charing Cross	9 February 2000	22 September 2000
Bank	17 March 2000	[1]—
Bond Street	16 March 2000	[1]—
Chancery Lane	16 March 2000	[1]—
Holborn	16 March 1999	[1]—
Holborn	2 November 1999	22 May 2000
Holborn	25 August 1997	27 March 2000
Notting Hill Gate	1 February 2000	20 June 2000
Notting Hill Gate	6 January 2000	10 July 2000
Oxford Circus	10 February 2000	11 July 2000
Oxford Circus	9 February 2000	22 September 2000
Oxford Circus	9 February 2000	11 July 2000
Oxford Circus	8 February 2000	22 September 2000
Oxford Circus	8 February 2000	11 July 2000
Oxford Circus	17 January 2000	2 July 2000
Oxford Circus	12 August 1999	25 April 2000
St. Pauls	16 March 2000	[1]—
London Bridge	26 January 2000	[1]—
Westminster	15 March 2000	[1]—
Baker Street	11 February 2000	15 August 2000
Kings Cross	16 March 2000	[1]—
Kings Cross	16 March 2000	18 August 2000
Kings Cross	15 September 1999	11 July 2000
Liverpool Street	14 March 2000	[1]—
Paddington	13 March 2000	[1]—
Euston	10 February 2000	[1]—
Euston	25 February 2000	11 July 2000
Old Street	24 September 1999	8 August 2000
Old Street	10 November 1999	2 May 2000
Tottenham Court Road	19 July 1998	8 August 2000
Leicester Square	11 March 2000	[1]—
Knightsbridge	8 March 2000	[1]—
Vauxhall	10 January 2000	15 August 2000

Escalators—the situation on 17 March 2000

Station	*Out of service*	*Back in service*
Victoria	11 February 2000	18 August 2000
Victoria	10 February 2000	3 August 2000
Warren Street	12 January 2000	23 August 2000
Total 36		
Zone 2		
Bethnal Green	5 November 1999	2 July 2000
Shepherds Bush	24 September 1999	26 June 2000
St. Johns Wood	28 July 1999	18 May 2000
Rotherhithe	17 March 2000	[1]
Archway	17 March 2000	[1]
Archway	18 February 2000	[1]
Clapham North	3 October 1999	1 June 2000
Clapham South	28 September 1999	3 November 2000
Oval	16 March 2000	[1]
Manor House	16 February 2000	[1]
Manor House	29 March 1999	7 May 2000
Brixton	9 February 2000	18 August 2000
Highbury	7 February 2000	18 August 2000
Total 13		
Zone 3		
South Wimbledon	2 October 1999	5 April 2000
Wood Green	21 February 2000	[1]
Seven Sisters	11 February 2000	18 August 2000
Turnpike Lane	17 March 2000	[1]
Walthamstow Central	11 February 2000	8 May 2000
Walthamstow Central	11 February 2000	11 July 2000
Total 6		

[1] To be announced

Mr. Andrew George: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 14 March 2000, *Official Report*, columns 118–19W, on London Underground, what is the nature of the plans that are in hand to bring the lifts at Westminster Underground Station into service. [117101]

Mr. Hill: This is an operational matter for London Underground. However, I understand that LUL will shortly invite the HMRI to inspect the lifts to ensure that they can be entered into public service.

Departmental Inquiries

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the *(a)* reviews, *(b)* public inquiries and *(c)* commissions of inquiry announced by his Department since May 1997. [115123]

Ms Beverley Hughes *[holding answer 17 March 2000]:* The information for reviews and inquiries is as follows. My Department has announced no commissions of inquiry since May 1997.

Reviews

Bus Review.

Competition in the Water Industry in England and Wales.

Comprehensive Spending Review of Housing.

Financial Management and Policy Review of the Audit Commission.

Financial Management and Policy Review on the Darwin Advisory Committee.

Finance Management and Policy Review of the Housing Corporation.

Financial Management and Policy Review of the Rent Assessment Panels.

Financial Management and Policy Review for the Royal Commission on Environmental Pollution.

Financial Management and Policy Review of the UK Ecolabelling Board.

Fundamental Review of the Laws and Procedures relating to Compulsory Purchase and Compensation.

Housing Fitness Standard Review Steering Group.

Inter-departmental Review of Fuel Poverty.

Marine Nature Conservation Review Group.

Next Steps Review of the Highways Agency.

Opencast Coal: Review of Planning Policy.

The Provision of New Drains and Sewers in England and Wales.

Review of Bird Registration procedures under Section 7 of the Wildlife and Countryside Act 1981.

Review of Business Rates Revaluation.

Review of Compulsory Competitive Tendering in Local Government.

Review of Controls over Demolition in the light of the 'Shimizu' judgment.

Review of Criminal Prosecutions and Sanctions for Pollution of the Sea following Marine Accidents.

Review of the Environmental Action Fund.

Review of Expert Panel on Air Quality Standards.

Review of Fees and Charges for Bird Registration and CITES Wildlife Trade Applications.

Review of the 5-Year Strategy for HM Coastguard.

Review of Global Wildlife Division's panel of part-time Wildlife Inspectors.

Review of the Hedgerows Regulations 1997.

Review of Heritage Notifications.

Review of the House buying and selling process.

Review of Implementation of 1995 guidance on signing for tourist attractions and facilities in England.

Review of the implementation of Part IIA of the Environmental Protection Act 1990 (contaminated land).

Review of the Index of Local Deprivation.

Review of Legislation relating to integration within the Environment Agency and Scottish Environment Protection Agency.

Review of Marine Nature Conservation.

Review of the Missions to search for the fishing vessel 'Gaul' lost in 1974 and identification of bodies washed ashore along the coast of Russia.

Review of the National Contingency Plan for Marine Pollution from Shipping and Offshore Installations.

Review of the Pilotage Act.

Review of Policy on Chemicals in the Environment.

Review of policy within the OSPAR Commission for the protection of the marine environment of the NE Atlantic on hazardous substances, radioactive substances, nutrients and marine biodiversity. (Outcome announced in a PQ in September 1997).

Review of the Noise Act.

Review of Policy on International Access to Regional Airports.

Review of Political Restrictions on Local Government Officers.

Review of procedures for statutory and non-statutory consultation on planning applications.

Review of Railtrack's Safety and Standards Directorate.

Review of Rolling Stock Leasing Market.

Review of Salvage and Intervention and their Command Control.

Review of the Secretary of State's standards of modern zoo practice.

Review of Single Vehicle Approval.

Review of Speed Policy.

Review of Trust Ports.

Review of the Water Abstraction Licensing System in England and Wales.

Review of the Water Charging System.

Review of UK National Air Quality Strategy (NAQS).

Revenue Grant Distribution Review Group.

Local Government Capital Finance Review.

Roads Review (published as 'A New Deal for Trunk Roads in England')

Transport Safety Review.

Inquiries

Inquiry into rolling stocks.

Inquiry into Safety on the River Thames.

Inquiry into South Hampshire Rapid Transit Project.

Inquiry into Merseyside Rapid Transit Project

Inquiry into Gaul tragedy.

Inquiry into Paddington rail crash directed by Health and Safety Commission.

Inquiry into Marchioness tragedy.

Bournemouth—Swanage Ferry tolls public inquiry June 1997.

Inquiry into Southall train crash directed by Health and Safety Commission.

Nuclear Regulation

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what additional resources have been *(a)* sought by and *(b)* provided to the Nuclear Installations Inspectorate to cover the additional work needed to assess the new regulatory regime requirements for (i) British Nuclear Fuels in preparation for PPP and (ii) British Energy as a private company. [115358]

Mr. Meacher: Resources for the regulation of British Nuclear Fuels and British Energy are provided for within the Nuclear Installations Inspectorate's current staffing plans for 2000–01. HSE plans to recruit up to 30 additional inspectors to increase its cadre of nuclear inspectors in 2000–01 to deliver its programme of inspection which will include the regulation of British Nuclear Fuels and British Energy.

M4 Bus Lane

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* buses and *(b)* passengers have used the M4 bus lane on each day since the ending of Reading Buses' services to and from London; and if he will make a statement. [115267]

Mr. Hill *[holding answer 20 March 2000]:* The bus lane continues to help provide a first-class service for passengers using buses, coaches and taxis and benefits all road users. Use of the bus lane has increased by over 20 per cent. from 3,000 vehicles in the last week of operation to 3,700 vehicles using the bus lane each day. Of these 600 are buses (including coaches), and each bus carries 15 passengers, an average of 9,000 bus passengers each day. Under normal traffic conditions, time savings of up to nine minutes are being obtained by users of the bus lane, and the reliability of their journey increases.

Reading Buses will withdraw their London service on Sunday 7 May 2000. Therefore data on changes to usage of the M4 bus lane will not be available until some time later Reading Buses use the lane 15 times per day. This accounts for only 2.5 per cent. of buses and coaches using the lane and is much less than the typical week by week variation in these vehicles.

I am disappointed Reading Buses are withdrawing their London service. I understand that this was on economic grounds, and that they say that the services would have stopped earlier but for the M4 bus lane. I am however pleased that another operator has increased use of this section of the M4 by 30 buses per day since the bus lane opened.

Jubilee Line

Mr. Kaufman: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 16 March 2000, *Official Report*, column 328W, concerning the Jubilee line, what other recently completed railways *(a)* in the United Kingdom and *(b)* abroad have experienced delays at one point which resulted in delays and train cancellations throughout the line; and for what reason the doors designed to lead to trains on the westbound Jubilee line platform at Westminster station are not in use. [115751]

Mr. Hill: The information requested in answer to the first part of my right hon. Friend's question is not held centrally and could be obtained only at disproportionate cost.

However, London Underground is a member of an international group of Metro operators. I understand that within this group over half have constructed new lines in recent years; of these new lines more than half have experienced "teething problems".

I understand from London Underground that the platforms at Westminster are designed to accommodate seven car trains (to allow for capacity increases in later years). Jubilee line trains presently consist of only six cars. The rear platform edge doors of the Westbound platform are therefore not currently in use and are kept closed for safety reasons. I am advised that information notices are posted on the relevant doors.

Quangos

Mrs. Ellman: To ask the Secretary of State for the Environment, Transport and the Regions how many quangos operate *(a)* nationwide *(b)* with a regional remit and *(c)* within the north-west region. [116071]

Ms Beverley Hughes: The Department currently sponsors 31 executive NDPBs, 13 of which operate nationwide. The eight NDPBs that have a regional remit are the Regional Development Agencies. Two of the Department's NDPBs operate solely within the North-West region: the North West Development Agency and Liverpool Housing Action Trust.

GM Crops

Mr. Flynn: To ask the Secretary of State for the Environment, Transport and the Regions what assessment has been made of the ways in which it is possible to recover pollen dispersed from GM plants in field trials in the event of the experiment demonstrating environmental harm. [116267]

Mr. Meacher: It would not be possible to recover pollen released from field trials. This is one of the reasons why no genetically modified crops may be released for field trials in the United Kingdom without a detailed risk assessment of the possible harm to human health and the

environment. This includes specific consideration of the possible effects of the dispersal of GM pollen. The risk assessments are reviewed critically by the scientific and technical experts on the Advisory Committee on Releases to the Environment (ACRE). If ACRE had any concern that GM pollen would cause environmental harm, then the release would not be allowed.

Mr. Alan Simpson: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to place conditions in the contracts for biodiversity research relating to farm-scale trials of GM crops to ensure there are no conflicts of interest among contractors which might undermine the credibility of research. [116208]

Mr. Meacher: I have no plans to place conditions in the contracts. The research contractors involved in the evaluations are respected Government research institutions who have no corporate links to any vested interest. The research methodology and findings for the farm-scale evaluations are reviewed and agreed by an independent Scientific Steering Committee and the overall findings of the evaluations will be peer reviewed by other independent scientists, completely outside the research programme. This all guarantees that the findings of the farm-scale evaluations will be unbiased and science based.

Mr. Alan Simpson: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the criteria used to assess the scientific independence of scientific contractors working on farm-scale evaluations of GM crops before contracts were awarded. [116207]

Mr. Meacher: The Department invited 15 organisations to tender for the farm-scale evaluations. These were chosen to be Government funded bodies (such as research council institutes or universities) or independent research bodies. In the event, the contractors chosen were all Government funded institutes and had demonstrated that they had the capacity to carry out the work, as well as the required scientific expertise. As with all Government contracts of this nature, the researchers were asked to provide details of all personnel expected to carry out the work, along with their CVs.

Mr. Alan Simpson: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of potential conflicts of interest relating to the contract given to the Institute of Arable Crop Research for farm-scale evaluation of GM crops following the recruitment of staff involved by CropGen. [116209]

Mr. Meacher: Three members of staff employed by the Institute of Arable Crop Research have been recruited to advise CropGen. Two were previously involved with the farm-scale evaluations in a specialist advisory role but neither will be involved in the next stage of the project.

Cycling

Mr. Robathan: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he had with the Dutch Transport Minister during her recent visit concerning policies to *(a)* increase the distance cycled and *(b)* to reduce cycling fatalities; and if he will make a statement. [116081]

Mr. Hill: My right hon. and noble Friend the Minister for Transport met the Dutch Transport Minister on 7 March. Cycling issues were not on the agenda on this occasion.

Education Standard Spending Assessments

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions if he will calculate in percentage terms the difference between his Department's most recent standard spending assessment in education for the counties of *(a)* Cheshire and *(b)* Hertfordshire; and if he will make a statement on the reasons for the difference. [116122]

Ms Beverley Hughes: The education standard spending assessments (SSA) for 2000–01 for Cheshire county council and Hertfordshire county council are £275,998,592 and £471,433,598 respectively, a difference of 71 per cent. This arises from applying the SSA formula to the numbers relevant to each county. The great majority of the difference is accounted for by the greater number of pupils in Hertfordshire.

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions if he will calculate the value of his Department's most recent *(a)* standard spending assessment for education for the county of Cheshire and *(b)* average standard spending assessment for the shire counties. [116117]

Ms Beverley Hughes: The education standard spending assessment for 2000–01 for Cheshire county council is £275,998,592. The average education standard spending assessment for 2000–01 for shire county councils is £272,584,489.

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions if he will calculate the value of his Department's most recent *(a)* standard spending assessment per pupil for the county of Cheshire, *(b)* average standard spending assessment per pupil for shire counties and *(c)* average standard spending assessment per pupil for the Metropolitan and London authorities; and if he will make a statement. [116118]

Ms Beverley Hughes: The information requested is given in the table:

£ per pupil

	Under 5s Education SSA	*Primary Education SSA*	*Secondary Education SSA*	*Post-16 Education SSA*	*Education SSA* [1]
Cheshire County Council	1,962	2,257	2,898	3,236	2,602
Shire County Council Average	2,109	2,348	3,024	3,426	2,715
Metropolitan District Average	2,414	2,456	3,168	3,813	2,863
London Borough Average	3,394	2,982	3,802	4,194	3,510
Met District and London Borough Average	2,777	2,645	3,386	3,978	3,094

[1] This column is calculated by dividing the Education SSA (including the element for 'other' education, such as adult education) by the sum of Under 5, Primary, Secondary and Post-16 pupils

Planning Applications

Sir Sydney Chapman: To ask the Secretary of State for the Environment, Transport and the Regions how many of the town and country planning applications called in by him in each of the last 10 years *(a)* were recommended by his inspector for approval and *(b)* were accepted by him; in how many cases his inspector recommended refusal; and of these how many were accepted by him. [116282]

Mr. Raynsford: Information is available on the following basis:

Year	*Number approved*	*Number in line with Inspector*	*Number refused*	*Number in line with Inspector*
1996–97	56	55	51	43
1997–98	[1]24.5	[1]23.5	[1]63.5	[1]61.5
1998–99	46	44	73	65
1999–2000[2]	41	39	36	35

[1] Includes a split decision on one case
[2] Provisional
Note:
Figures are not available for earlier years

Company Cars

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of company cars in use in the UK in 1999. [116327]

Mr. Hill: At the end of June 1999, the latest date for which we have figures, there were 2.53 million cars licensed in Great Britain that were registered to companies. Equivalent information for Northern Ireland is not readily available.

Audit Commission (Quality Control Review)

Dr. Julian Lewis: To ask the Secretary of State for the Environment, Transport and the Regions to which officials and members of the Audit Commission the Quality Control Review team submits its preliminary findings in respect of the work of an individual auditor. [116435]

Ms Beverley Hughes: The views of the Review Team are not submitted to officials or members of the Audit Commission prior to the submission of the final Quality Control Report, which is submitted to the Director of Audit Policy and Appointments.

Dr. Julian Lewis: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the quality control reviews conducted in *(a)* 1994, *(b)* 1995 and *(c)* 1996, when (i) the Controller or (ii) any other official or member of the Audit Commission altered, or asked or required to be altered, the team's findings in respect of an individual auditor. [116438]

Ms Beverley Hughes: Apart from members of the Review Team and the Director of Audit Policy and Appointments, neither the Controller nor any other official nor any Commissioner is involved in determining the results of Quality Control Reviews.

Dr. Julian Lewis: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the auditors in London who were subjected to the Audit Commission's Quality Control Review process in *(a)* 1994, *(b)* 1995 and *(c)* 1996, together with the findings of (i) unsatisfactory, (ii) satisfactory and (iii) excellent in each case and on each occasion. [116439]

Ms Beverley Hughes: The Audit Commission did not operate a grading system of unsatisfactory, satisfactory and excellent for the years in question. The work of no audit supplier was considered unsatisfactory in the period concerned.

Dr. Julian Lewis: To ask the Secretary of State for the Environment, Transport and the Regions which officials and members of the Audit Commission have the authority to alter, or ask or require to be altered, a preliminary finding by the Audit Commission's Quality Control Review team. [116437]

Ms Beverley Hughes: Apart from the Review Team and the Director of Audit Policy and Appointments, no officials or Commissioners have any involvement in determining the results of a Quality Control Review.

Dr. Julian Lewis: To ask the Secretary of State for the Environment, Transport and the Regions what is the basis on which the work of an individual auditor is selected for review by the Audit Commission's Quality Control Review team. [116434]

Ms Beverley Hughes: The basis of selection is to choose:

an audit from each District Auditor and Partner every year;

an audit from each Audit Manager at least every three years;

the same audited body no more often than every three years;

an approximate apportionment of Quality Control Review effort between NHS and local government audits each year.

Dr. Julian Lewis: To ask the Secretary of State for the Environment, Transport and the Regions if he will list *(a)* the preliminary and *(b)* the final findings of (i) unsatisfactory, (ii) satisfactory and (iii) excellent awarded by the Audit Commission's Quality Control Review process on (1) the two occasions in 1994, (2) the two occasions in 1995 and (3) the occasion in April 1996 when reviews were undertaken of the Auditor's investigation into Westminster City Council's designated sales policy. [116440]

Ms Beverley Hughes: Only one of the reviews conducted in the years 1994, 1995 and 1996 was a comprehensive QCR report on the audit of the accounts of Westminster City Council and that related to the 1994–95 audit year. I understand that the auditor's overall performance was adjudged better than the level required by the Commission's Code of Audit Practice.

Dr. Julian Lewis: To ask the Secretary of State for the Environment, Transport and the Regions how many quality control reviews were carried out in *(a)* 1994, *(b)* 1995 and *(c)* 1996, where the preliminary finding awarded differed from the final finding awarded. [116436]

Ms Beverley Hughes: This information about the overall number of reviews is not available centrally.

Regional Assemblies

Mr. Quinn: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on progress with the creation of directly elected regional assemblies in England. [116371]

Ms Beverley Hughes: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman) on 27 March 2000, *Official Report*, column 17W.

Public Bodies

Mr. Quinn: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will list the notional time commitment for each chair of the regional non-departmental public bodies; [116361]

(2) how many *(a)* male and *(b)* female board members each regional non-departmental public body for which he is responsible has; [116374]

(3) if he will list the regional non-departmental public bodies for which he is responsible. [116375]

Ms Beverley Hughes: The table provides the information requested.

Non-departmental body: regional	*Chairman's time input* [2]	*Board membership* [1] *Total*	*(a) Male*	*(b) Female*
Regional Development Agencies				
Eastern	2 dpw	13	10	3
North East	3 dpw	13	10	3
North West	3 dpw	13	9	4
South East	2 dpw	13	9	4
South West	2 dpw	13	10	3
East Midlands	3 dpw	14	10	4
West Midlands	3 dpw	13	10	3
Yorkshire and Humberside	3 dpw	13	10	3
Total (RDAs)		105	78	27

[1] Includes Chairmen and Deputy Chairmen
[2] Days per week

Mr. Quinn: To ask the Secretary of State for the Environment, Transport and the Regions how many board members he appoints to each non-departmental public body. [116335]

Ms Beverley Hughes: A full list of the non-departmental public bodies to which the Secretary of State makes appointments is published in the publication Public Bodies 1999 (ISBN 0 11 430159 X), copies of which are available in the House Library.

Regional Government

Mr. Quinn: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the accountability of regional quangos to the people of their regions. [116329]

Ms Beverley Hughes: As executive NDPBs, the eight Regional Development Agencies are accountable to Ministers and Parliament. They are required, by the Regional Development Agencies Act 1998, to take account of the views of voluntary regional chambers in preparing their strategies, and to give an account of their activities to the chambers. Chambers are representative of the people in the regions that they serve: 70 per cent. of their members are elected members of the region's local authorities, with the remaining 30 per cent. drawn from the region's social, economic and environmental sectors.

Mr. Quinn: To ask the Secretary of State for the Environment, Transport and the Regions when he last met representatives of the regional chambers to discuss possible future development in regional Government. [116330]

Ms Beverley Hughes: My right hon. Friend the Minister for Local Government and the Regions and I met representatives of all but one of the regional chambers on 16 December to discuss a range of issues, including the future development of regional governance.

Mr. Quinn: To ask the Secretary of State for the Environment, Transport and the Regions when he will set a date for a referendum on the creation of a directly elected regional assembly in Yorkshire and Humberside. [116370]

Ms Beverley Hughes: The Government are committed to move to directly elected regional government in England, where there is support demonstrated in a referendum. While no date has yet been set, Yorkshire and the Humber is strengthening its regional presence through the work of Yorkshire Forward, the Regional Chamber for Yorkshire and Humberside, and other regional stakeholders.

Millennium Dome

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the value of the site of the Dome *(a)* with and *(b)* without the Dome building. [116364]

Ms Armstrong: A pre-sale valuation of the site is being undertaken in the context of the competition to identify a use for the Dome when the Millennium Experience finishes. The Government estimate of the financial value of the site is commercially confidential until the end of the competition.

Drinking Water

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what was the cost of removing *(a)* pesticides and *(b)* nitrates from drinking water supplies in each of the last five years. [116656]

Mr. Mullin: The Director General of the Water Services collects this information from each of the licensed water and sewerage companies in England and Wales, via their July Return. The Director General

informs me that capital expenditure to remove nitrates and pesticides from drinking water supplies (in 1998–99 prices) in each of the five years was:

Capital expenditure

£ million

	To remove nitrates from drinking water supplies	*To remove pesticides from drinking water supplies*
1994–95	20	138
1995–96	9	160
1996–97	5	121
1997–98	6	64
1998–99	6	11
Total	46	494

There are also running costs associated with nitrate and pesticide removal but neither the Director General or the Government hold this information.

New Dwellings

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what annual scale of migration of *(a)* people and *(b)* households into the South East from (i) London and (ii) the rest of England is assumed in his proposals for new dwellings to be provided in the next five years. [116654]

Ms Beverley Hughes: The latest sub-national population projections, from the Office for National Statistics, project annual net migration in 2001 into the South East Government Office region from London to be 28,200, and annual net migration from the region to the rest of England to be 5,400. By 2006 annual net migration into the region from London is projected to be 28,000 and annual net migration from the region to the rest of England to be 6,700.

The population projections take account of these migration assumptions. They are one of the inputs used to calculate the household projections. No explicit migration components are identified in the household projections.

Household Statistics

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the number of households for each five year period between 1996 and 2021 for each English county and metropolitan area assuming zero net internal migration. [116655]

Ms Beverley Hughes: This information is not currently available and could be provided only at disproportionate cost.

DVLA

Mr. Gibb: To ask the Secretary of State for the Environment, Transport and the Regions how many birth and marriage certificates have been lost by the DVLA since the introduction of the new driving licence with a photograph. [116507]

Mr. Hill: DVLA had reimbursed the replacement cost of 220 birth certificates and the 32 marriage certificates. Of these, the Royal Mail accepted responsibility for the loss of 141 birth certificates and 20 marriage certificates. During the period April 1999 to date DVLA has issued over 3 million photocard licences.

Rateable Values (Water)

Jane Griffiths: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the avenues open to a member of the public to resolve a dispute with a water company about the notional rateable value of their home. [116491]

Mr. Mullin: Notional rateable values are used by water companies to set water charges for some premises. Rateable values ceased to be used for local taxation in 1990.

Customer complaints are investigated by the regional Customer Service Committees (CSC) of the Office of Water Services on behalf of the Director General. If the CSC does not resolve a complaint to the customer's satisfaction, the customer can ask for the complaint to be considered by the Director.

The exercise of the Director's statutory functions is subject to the scrutiny of the courts and the Parliamentary Commissioner for Administration.

Traffic Growth

Mr. Oaten: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the levels of traffic growth for *(a)* England, *(b)* Hampshire and *(c)* each local authority in Hampshire in (i) 1979, (ii) 1990 and (iii) for each year from 1992 to date. [116477]

Mr. Hill *[holding answer 27 March 2000]:* The table provides annual growth estimates for all motor vehicle traffic on English roads. Separate estimates for England are not available before 1988; the growth figures for 1979 to 1988 are therefore based on Great Britain as a whole.

Estimated annual traffic growth on English roads 1979 to 1998

Year	*Annual percentage change in motorised road traffic*
1979	–0.2
1980	6.2
1981	1.8
1982	2.7
1983	1.3
1984	5.2
1985	2.2
1986	5.1
1987	7.7
1988	7.2
1989	7.8
1990	1.4
1991	0.0
1992	–1.2
1993	0.6
1994	2.2
1995	1.4
1996	3.6
1997	2.5
1998	1.7

Note:
Data for 1979 to 1988 based on Great Britain averages.

The Department's annual road traffic statistics are currently based on 12-hour manual counts at about 8,500 sites each year, supplemented by data from automatic

traffic counters. Although this sample is now sufficient to provide reliable estimates by road type at a regional level, it is not large enough to provide estimates at the county or local authority level, particularly for minor roads. The 1999 manual count data are currently being analysed with a view to publication of a 1999 traffic growth estimate in May.

Shot (Toxic Substances)

Mr. Corbett: To ask the Secretary of State for the Environment, Transport and the Regions what research his Department is carrying out or evaluating on the effect of the use of toxic substances in shot. [117523]

Mr. Meacher: The Department of the Environment, Transport and the Regions is not currently carrying out or evaluating any research specifically on the effects of the use of toxic substances in shot. However, from 1993 to 1996, the Department part-funded the development by University College, London of a ballistics testing facility, in order to assist the evaluation of non-toxic shot and provide the shooting community with guidelines for judging alternative shot types. In addition, the Department also funded Cranfield University to design a comprehensive computerised predictive model of the effectiveness of differing shot types against wildfowl; this work was completed in 1998.

Sustainable Construction

Mr. Geraint Davies: To ask the Secretary of State for the Environment, Transport and the Regions when he will publish the Government's strategy for more sustainable construction. [117619]

Ms Beverley Hughes: "Building a better quality of life—a strategy for more sustainable construction" will be published on 4 April. The document will set out how we want the construction industry to contribute to sustainable development. The strategy will be a catalyst for change in the way buildings and infrastructure are designed, procured, constructed, maintained and used. It will lead to greater social, economic and environmental value in the built environment needed to modernise Britain.

Copies of the strategy will be placed in the Libraries of the House on 4 April.

Residential Units (Shops)

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions what is his estimate of the potential number of residential units which could be formed in empty or under-used space above shops; and what his target is for the number of such units to be formed in the next five years. [116906]

Mr. Raynsford: We estimate that the potential number of residential units that could be formed in empty or under-used space above shops to be 300,000 in England. This estimate does not take account of any space which may not be suitable for conversion. Nor does it take account of the significant financial, managerial and attitudinal obstacles which will need to be overcome if a high proportion of these spaces are to be brought into use.

Given the constraints that may exist, we have not set a target for conversion of vacant space above shops. However, my Department recently published a report "Conversion and Redevelopment: Process and Potential" which looked at the potential for residential conversions in detail. Copies of the report have been placed in the Library.

Empty Homes

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions what his target is for reducing the number of empty homes over the next five years. [116907]

Mr. Raynsford: We recognise that it is necessary for a proportion of the housing stock to be empty at any point in time to enable the process of buying, selling and letting to work efficiently. It is also inevitable that properties will be empty when under repair. We estimate the effective minimum level of empty properties is between 2 per cent. and 3 per cent. 3.7 per cent. of the housing stock was vacant on 1 April 1999.

We are pursuing policies designed to reduce the number of empty homes towards the minimum level.

Dial-a-ride

Mr. Pickthall: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the balance of advantage and disadvantage in establishing a fuel duty rebate for dial-a-ride services. [117149]

Mr. Hill: Possible changes to the scope of the existing fuel duty rebate scheme are currently being considered by the Commission for Integrated Transport, as part of its review of value for money from public financial support for the bus industry. At present a key eligibility criterion for rebate is that the bus service concerned should be available to the general public; we will give careful consideration to the case for extending eligibility in the light of the Commission's report expected later this year.

Housing Adaptations (Disabled Children)

Ms Rosie Winterton: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to make housing adaptations more affordable for families with disabled children; and if he will make a statement. [117650]

Mr. Raynsford: Each year, nearly 25,000 people receive disabled facilities grants to help with the cost of adapting their homes. However, some parents of disabled children are finding it difficult to afford their contributions, because no account is taken of the additional cost of housing a disabled child.

To make adaptations more affordable, I am introducing into the grant assessment a new housing allowance of £65 for applications on behalf of a disabled child. For other applicants, the allowance for housing costs will increase by £10 to £50. The new allowances, which come into effect today, will save parents of disabled children up to £9,000 and other applicants up to £3,500, depending on the size of their contributions.

Methyl Tertiary Butyl Ether

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions what

information he has collated on the manufacture in the United Kingdom of methyl tertiary butyl ether; when he expects the Environment Agency to complete its research project on the incidence of methyl tertiary butyl ether; and if this report will be published. [116237]

Mrs. Liddell: I have been asked to reply.

It is estimated that about 90,000 tonnes of MTBE was manufactured in the UK in 1999, although not all of this was blended into petrol. The research undertaken by the Environment Agency will provide information on the incidences of MTBE in groundwater in England and Wales and should also provide further information on the amount of MTBE and other oxygenates used in petrol. The results of the research are due to be published in the summer.

Hedges (EU Biodiversity Regulations)

Mr. Flynn: To ask the Secretary of State for the Environment, Transport and the Regions what steps he plans to take to ensure that the EU Court of Auditors' decision permitting release of agricultural support to farmers on condition that they minimise the width of hedges between fields, does not undermine the EU directives on biodiversity in the countryside. [116266]

Ms Quin: I have been asked to reply.

I refer my hon. Friend to the reply given to the hon. Member for Southport (Mr. Fearn) on 29 March 2000, *Official Report,* column 172W.

Rents

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for *(a)* 1996–97, *(b)* 1997–98 and *(c)* 1998–99 gross expenditure on (i) rent allowances and (ii) rent rebates for each local authority in England. [116700]

Angela Eagle: I have been asked to reply.

The information has been placed in the Library.

Green Belt

Mr. Fitzpatrick: To ask the Secretary of State for the Environment, Transport and the Regions when he will publish statistics on the extent of Green Belt land in each local authority. [117772]

Ms Beverley Hughes: I am today publishing estimates of the extent of Green Belt land in each local authority in England in the Information Bulletin 'Local Planning Authority Green Belt Statistics: England 1997'. A copy will be placed in the Library of the House.

The bulletin shows that there was very little change in the extent of Green Belt land between 1993 and 1997—an estimated net increase of just 1,850 hectares. This net increase is significantly less than that indicated by a comparison between 1993 figures published in PPG2, which have now been shown to be inaccurate, and the figures for 1997 calculated using digital (computerised) boundaries. Separately, we estimate that some 30,000 hectares have been added or proposed for addition to the Green Belt since May 1997.

AGRICULTURE, FISHERIES AND FOOD

Waste Incineration Directive

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food if he will list the exemptions agreed in respect of farmers and growers in other EU countries to the Waste Incineration Directive. [116253]

Mr. Hill: I have been asked to reply.

The European Council agreed a Common Position on the proposed Waste Incineration Directive in June 1999. The Common Position text excludes from the scope of the Directive experimental plants used for research, development and testing in order to improve the incineration process and which treat less than 50 tonnes of waste per year, and plants treating only the following wastes:

(i) vegetable waste from agriculture and forestry,

(ii) vegetable waste from the food processing industry,

(iii) wood waste with the exception of:

wood waste that may contain halogenated organic compounds or heavy metals as a result of treatment;

treated wood originating from building and demolition waste,

(iv) cork waste,

(v) waste excluded from the scope of the Waste Framework Directive (75/442/EEC) as amended, pursuant to Article 2(1) of that Directive. (Article 2(1) excludes from the scope of the Waste Framework Directive the following:

(a) gaseous effluents emitted into the atmosphere;

(b) where they are already covered by other legislation:

(i) radioactive waste;

(ii) waste resulting from prospecting, extraction, treatment and storage of mineral resources and the working of quarries;

(iii) animal carcases and the following agricultural waste: faecal matter and other natural, non-dangerous substances used in farming;

(iv) waste waters with the exception of waste in liquid form;

(v) decommissioned explosives; and

(vi) waste resulting from the exploration for, and the exploitation of, oil and gas resources from off-shore installations and incinerated on board the installation.

The Council decided it was appropriate to consider vegetable waste from the food processing industry and cork waste as biomass, and therefore to add them to the exclusions from the scope of the proposal alongside those originally proposed by the European Commission to avoid discouraging use of biomass for energy purposes.

The European Parliament is seeking to amend the list of exclusions, including by the addition of an exclusion for fibrous vegetable waste from sorting, screening and washing of virgin pulp and paper production, if it is co-incinerated at the place of production and the heat generated is recovered.

There are no country specific exclusions from the scope of the proposal, nor does any individual member state have the right to opt out of parts of the proposal.

Workplace Parking

Mr. Gray: To ask the Minister of Agriculture, Fisheries and Food how many workplace car parking spaces are available at the buildings used and controlled by his Department. [116767]

Mr. Morley *[holding answer 30 March 2000]:* The Ministry and its Agencies are made up of more than 200 separate sites and this information is not readily available for all of those sites. We are preparing travel plans for all our key buildings (offices with over 50 staff) in line with the commitment set out in the Transport White Paper and we are reviewing our car parking requirements in that context. The number of workplace car parking spaces available at the buildings where we are developing travel plans are shown in the table.

Building	*Total car parking spaces*
Nobel House, London, SW1P 3JR	12
Ergon House, London, SW1P 3JR	1
55 Whitehall, London, SW1A 2EY	0
3/8 and 10 Whitehall Place, London, SW1A 2HH	0
Eastbury House, London, SE1 7TL	15
Page Street, London, SW1 4PQ	[1]5
Foss House, 1–2 Peasholme Green, Kings Pool, York, YO1 2PX	270
Government Buildings, Epsom Road, Guildford, GU1 2LD	335
Lion House, Willowburn Trading Estate, Alnwick, NE66 2PF	56
Wessex RSC, Block 3, Government Buildings, Burghill Road, Bristol, BS10 6NJ	150
Northern RSC, Eden Bridge House, Lowther Street, Carlisle, CA3 8DX	34
North Mercia RSC, Electra Way, Crewe, CW1 6GJ	150
North East RSC, Government Buildings, Crosby Road, Northallerton, DL6 1AD	168
South Mercia RSC Block C, Government Buildings, Whittingdon Road, Worcester, WR5 2LQ	[2]176
East Midlands RSC Block 7, Government Buildings, Chalfont Drive, Nottingham, NG8 3SN	[2]170
Anglia RSC Block B, Government Buildings, Brooklands Avenue, Cambridge, CB2 2DR	450
South East RSC Block A, Government Buildings, Coley Park, Reading, RG1 6DT	136
South West RSC Clyst House, Exeter, EX5 1DY	242
Quantock House, Paul Street, Taunton, TA1 3NX	52
Central Science Laboratories, Sand Hutton, York, YO4 1LZ	496
Centre for Environment, Fisheries and Aquaculture Science (CEFAS), Pakefield Road, Lowestoft, NR33 OHT	117
CEFAS, Burnham Remembrance Avenue, Burnham-on-Crouch, CM08HA	15
CEFAS, The Nothe, Barrack Road, Weymouth, DT0 8UB	28
Veterinary Laboratory Agency and Veterinary Medicines Directorate, New Haw, Addlestone, KT15 3NB	440

[1] A travel plan has not yet been prepared for this site as the Ministry only fully occupied the building in February this year.
[2] The Ministry of Agriculture, Fisheries and Food is not the major occupier at these sites. Car parking spaces at the sites are allocated on a first come first served basis. The figures represent a percentage of the total car parking spaces available based on the number MAFF staff as a percentage of all staff on the site.

Plant Viruses

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of recent research from the Research School of Biological Sciences at the Australian National University concerning plant viruses recombining with vertebrate-infecting viruses; what evaluation he made of the risks of parts of the HIV virus being used as carriers in the context of his risk assessment of GM crops; and if he will make a statement. [115200]

Ms Quin: We will be studying the research referred to carefully. No parts of the HIV virus have been used in the construction of GM plants assessed for safety in the UK. If any such GM plants were to come forward for assessment they would be subject to stringent scrutiny.

Field Boundaries

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food if he will defer for 12 months the alteration to Integrated Administrative and Control System rules regarding the width of field boundaries; and if he will make a statement on his discussions with the European Commission regarding these rules. [116688]

Ms Quin *[holding answer 29 March 2000]:* I refer the hon. Member to the reply given to the hon. Member for Southport (Mr. Fearn) on 29 March 2000, *Official Report*, column 172W.

TREASURY

Personal Tax Allowance

Mr. Ottaway: To ask the Chancellor of the Exchequer what estimate he has made of the full-year cost to the Exchequer from April 2000 of transferring an unused personal tax allowance to an earning spouse. [116067]

Dawn Primarolo: The estimated cost for 2000–01 of allowing a married person to transfer an unused personal allowance to their earning spouse is £2,000 million. The estimated cost of allowing a married person to transfer a personal allowance in the way most beneficial to the couple, regardless of whether it would be otherwise unused, or either or both spouses are earning, is £4,250 million.

Child Care Tax Credit

Ms Kelly: To ask the Chancellor of the Exchequer what would be the additional cost to the Exchequer of replacing the child care tax credit with a non-means-tested

parenting allowance of £70 a week for one child, £105 a week for two or more children, available to all families with a child under the age of three years, regardless of the parents' employment status or the form of child care used and assuming that the child care tax credit still applied to families with children where the youngest child was over the age of three years and the parenting allowance did not apply to Statutory Maternity Pay recipients. [116642]

Dawn Primarolo *[holding answer 28 March 2000]:* If a weekly, non-means-tested allowances of £70 were to be given to all families with a single child under the age of three years and of £105 to families with two or more children, at least one of whom is under the age of three years, then the current full-year cost, based on data from the Family Resources Survey, would be about £8.5 billion.

Sterling

Mr. Welsh: To ask the Chancellor of the Exchequer what estimate he has made of the impact of his budget proposals on the value of sterling. [116522]

Mr. Andrew Smith *[holding answer 28 March 2000]:* Sterling's exchange rate is affected by many factors and events, both here and abroad. It is not possible to isolate the impact of the Budget on the value of sterling with any degree of precision.

Mr. Welsh: To ask the Chancellor of the Exchequer what estimate he has made of the value of sterling for *(a)* 2000, *(b)* 2001 and *(c)* 2002 using Treasury models. [116523]

Mr. Andrew Smith *[holding answer 28 March 2000]:* The Treasury does not forecast movements in the exchange rate.

Working Families Tax Credit

Mr. Kidney: To ask the Chancellor of the Exchequer what arrangements are in place to help with the transition from weekly to monthly payments for those recipients of Working Families Tax Credit who will receive the credit through a monthly pay packet from April. [116701]

Dawn Primarolo: Tax credits will start being paid through the pay packet from 18 April and this will help to demonstrate the rewards of work and to make work pay for families on low incomes. Tax credits will be paid at the same intervals as pay—weekly for employees paid weekly, fortnightly for those paid fortnightly and monthly for those paid monthly.

In the first few weeks of a 26-week tax credit award, the Inland Revenue will pay the tax credit direct to the employee—either direct to a bank account or by Girocheque. These initial payments will be made fortnightly (one week in arrears and one week in advance). The guidance notes for tax credit applicants make it clear that tax credit payments by employers will be made at the same frequency as wages or salary.

Travel-to-Work Areas

Mr. Sanders: To ask the Chancellor of the Exchequer if he will list the travel to work areas in order of the fall in unemployment during the past *(a)* 12 months, *(b)* 24 months and *(c)* 36 months for which figures are available. [116720]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Adrian Sanders, dated 3 April 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent question on the fall in unemployment in travel-to-work areas (TTWA's).

The ONS publish a monthly count of claimants of unemployment-related benefits. The claimant count consists of all people claiming Jobseeker's Allowance or National Insurance credits at Employment Service local offices. They must declare that they are out of work, capable of, available for and actively seeking work during the week in which the claim is made.

Information on the falls in the levels of the claimant count by TTWA during the past 12 months, 24 months and 36 months can be obtained from the Nomis database at the House of Commons Library.

Parliamentary Questions

Mr. Brady: To ask the Chancellor of the Exchequer if he will list the subjects of the parliamentary questions which have been transferred to his Department from other Departments in each session since 1 May 1997. [117222]

Mr. Timms: The Treasury, in common with other Departments, does not keep records relating to transferred questions.

Family Benefits

Mr. Brazier: To ask the Chancellor of the Exchequer if he will make a statement on the take-up of the child care credit in the Working Families Tax Credit. [115876]

Dawn Primarolo: The childcare tax credit component of the Working Families Tax Credit has been particularly successful, with over 90,000 recipients at the end of February. At its peak, in August 1999, 47,000 families claimed the child care disregard in Family Credit.

Cruickshank Report

Mr. Field: To ask the Chancellor of the Exchequer what action he proposes to take to stimulate development of credit unions following the Cruickshank report. [117106]

Miss Melanie Johnson: The Government announced moves to encourage credit unions to develop on 16 November 1999, including the creation of a new central services organisation and regulatory changes designed to help them to deliver a more consistent and flexible service to members.

Departmental Properties

Mr. Don Foster: To ask the Chancellor of the Exchequer what *(a)* number and *(b)* percentage of properties in his charge are empty; and what steps are being taken by his Department to reduce the number of such properties. [116921]

Mr. Timms: None of the properties owned or leased by the Treasury are empty.

Civil Procurement

Barbara Follett: To ask the Chancellor of the Exchequer what progress he has made in implementing

the recommendations of the Review of Civil Procurement in Central Government; and if he will make a statement. [117778]

Mr. Andrew Smith: From 1 April 2000, the Office of Government Commerce (OGC) will be operational. Peter Gershon has been appointed Chief Executive and Brian Rigby deputy Chief Executive. The Chief Executive will be responsible to Treasury Ministers on both policy and executive matters. The OGC will include the Private Finance Policy Team, and staff dealing with Procurement Policy and Procurement Practice and Development.

On 1 April 2000 the OGC will inherit from the Cabinet Office responsibility for the Buying Agency (TBA), Property Advisers to the Civil Estate (PACE) and the Central Computer and Telecommunications Agency (CCTA). Their Chief Executives will report to Peter Gershon. These new arrangements will help improve the efficiency and effectiveness of the Government's £13 billion annual civil procurement budget by creating a single, unified operation at the centre to focus on high value added activities.

A Supervisory Board chaired by the Chief Secretary to the Treasury and constituting officials and external representatives will help ensure a coherent cross departmental approach to procurement and provide on-going top-level support and strategic direction to the OGC.

Banking Services

Mr. Wray: To ask the Chancellor of the Exchequer what percentage of people in receipt of Income Related Benefit do not have use of banking services *(a)* in the UK and *(b)* in Scotland. [116369]

Mr. Rooker: I have been asked to reply.

Over 80 per cent. of all benefit recipients have bank accounts. Estimates from the 1997–98 Family Resources Survey are that 28 per cent. of individuals in Great Britain who are in receipt of Income Related Benefits do not have access to banking services and 38 per cent. of individuals in Scotland in receipt of Income Related Benefits do not have access to banking services.

Notes:

1. The source of the data used to answer the question is the Family Resources Survey (Great Britain only). The latest year for which data are available is 1997–98.

2. The estimates are based on sample counts, which have been adjusted for non-response using multipurpose grossing factors that control for region, Council Tax band and a number of demographic variables. Estimates are subject to sampling error and to variability in non-response.

3. The figures given have been rounded to the nearest whole per cent.

4. For the purposes of answering this question, income related benefits (IRBs) are taken to be Income Support, Jobseeker's Allowance (Income Based), Family Credit, Housing Benefit, Council Tax Benefit, Disability Working Allowance and Social Fund Grants.

5. Where two people are living together as husband and wife and they are in receipt of one or more IRBs between them, it should be noted that one of the couple claims the benefit(s) on behalf of both individuals. However, both individuals are regarded here as being in receipt of the benefit(s). Therefore, for such couples, the access of both recipients to banking facilities has been considered, as opposed to solely those of the claimant.

6. For the purposes of this analysis, an individual's access to Banking facilities has been defined as whether or not they have in their name (on a sole or joint basis) any one of a Current Account, a Post Office Ordinary/Investment account or any other type of savings/bank account held with either a bank or a Building Society.

SOCIAL SECURITY

Housing Benefit

4. **Sir Teddy Taylor:** To ask the Secretary of State for Social Security what progress he has made in dealing with fraudulent claims for housing benefit. [115866]

Mr. Darling: I wrote to all council chief executives on 6 March warning them to act immediately to remedy weaknesses identified by the Benefit Fraud Inspectorate.

I am today announcing a further 30 inspections of a range of councils including a number which are not operating all of the Departments anti-fraud initiatives.

If the BFI report to me a local authority's persistent failings I will direct them to achieve the standards I set within a rigorous timescale.

Mr. Field: To ask the Secretary of State for Social Security by what percentage the budget for housing benefit has increased in real terms *(a)* in each year since the introduction of housing benefit and *(b)* in total since the introduction of housing benefit. [117279]

Angela Eagle: The information is in the table.

Real annual change in expenditure on housing benefit, 1988–89 to 1999–2000, Great Britain

Financial year	*Percentage increase on previous financial years in real terms*
1989–90	6.3
1990–91	11.0
1991–92	18.8
1992–93	17.4
1993–94	13.9
1994–95	8.1
1995–96	4.6
1996–97	1.4
1997–98	–4.4
1998–99	–4.1
1999–2000 (estimated)	–0.9
Whole period	95.4

Notes:

1. Figures represent changes in the total amount of Rent Rebates and Rent Allowances paid to recipients, regardless of the source of funding.

2. Figures for 1999–2000 are based on estimates that underlie the March 2000 Financial Statement and Budget Report.

3. Expenditure figures have been converted to constant prices (real terms) using the Gross Domestic Product deflator underlying the March 2000 Financial Statement and Budget Report.

State Second Pension

6. **Mrs. Organ:** To ask the Secretary of State for Social Security how many people he estimates will benefit from the proposed state second pension. [115868]

Mr. Rooker: I refer my hon. Friend to the answer I gave my hon. Friend the Member of Halesowen and Rowley Regis (Mrs. Heal) earlier today at column 616.

Pensioners (Minimum Income Guarantee)

21. **Ms Rosie Winterton:** To ask the Secretary of State for Social Security what action he is taking to improve the take-up of the minimum income guarantee among pensioners. [115885]

Mr. Rooker: Our unprecedented take-up campaign will commence in the spring.

Mr. Flynn: To ask the Secretary of State for Social Security how many pensioners have incomes which are below the level of the minimum income guarantee. [115864]

Mr. Rooker: We currently estimate that just over half a million people are missing out on their Minimum Income Guarantee. We have announced details of a take-up campaign which will identify pensioners who may be entitled, and encourage them to claim. Details are in the Vote Office.

McDonald Report

22. **Mr. Flight:** To ask the Secretary of State for Social Security if he will make a statement on the Government's response to the McDonald report on pension provisions. [115886]

Mr. Rooker: We welcome the publication of the Retirement Income Working Party's Report as a contribution to an important debate. We are assessing the implications of the Report's proposals for pension scheme members, for the Exchequer and for private pension provision generally. Our willingness to be flexible for the benefit of pensioners is demonstrated by our recent decision to allow more pensioners to buy an investment-linked annuity as an alternative to a limited price indexed annuity.

Child Poverty

23. **Mr. Hope:** To ask the Secretary of State for Social Security what progress the Government are making in tackling child poverty. [115887]

Mr. Bayley: We have pledged to eradicate child poverty over the next 20 years and to halve it within 10 years. We are making good progress. Our £7 billion tax and benefit package will lift 1.2 million children out of poverty. And by helping parents back into work we are tackling the biggest cause of child poverty.

35. **Mr. Gordon Marsden:** To ask the Secretary of State for Social Security what assessment he has made of the impact to date of Government measures to reduce child poverty in the north-west of England. [115900]

Mr. Bayley: We are committed to halving child poverty over the next 10 years and to eradicating it within 20 years. And this strategy covers all regions of the UK.

Child poverty is a problem which has built up over generations and it will take time to eradicate. But we are already making substantial progress. Our £7 billion tax and benefit package will lift 1.2 million children out of poverty. As a result, the poorest two-child families will be £1,500 a year better off in 2001 than they were in 1997.

Poverty is multi-dimensional. It is characterised not just by low income, but also by factors such as poor educational attainment, poor housing and deprived communities. It is about the lack of opportunity and aspiration. That is why we are investing heavily in measures to provide children with a better start in life and to increase the opportunities to allow them to break out of the cycle of deprivation.

We are prepared to be judged on our results. We set out our indicators for tackling poverty in "Opportunity for all" (Cmd. 4445) and we will report progress against these in the autumn.

Disabled Workers

24. **Mr. Hoyle:** To ask the Secretary of State for Social Security what steps he is taking to help disabled people stay in work. [115888]

Mr. Bayley: We have a range of measures to help disabled people stay in work. These include the Disabled Person's Tax Credit to help make work pay; improvements in the support provided by the Independent Living Funds to allow severely disabled people to keep a higher proportion of their work income; and the New Deal for Disabled People pilots to help people to move into or stay in employment.

The Budget announced new plans to develop pilots to test the effectiveness of helping people when they become ill in work.

Marginal Tax and Benefit Withdrawal Rates

25. **Mr. Goggins:** To ask the Secretary of State for Social Security what action he is taking to reduce the number of people who face high marginal tax and benefit withdrawal rates. [115889]

Mr. Rooker: As a result of the tax and benefit changes announced in the last three Budgets around half a million fewer working households will face the very high marginal rates of 70 per cent. or more.

Winter Heating Allowance

26. **Dr. Godman:** To ask the Secretary of State for Social Security how many households containing elderly persons in *(a)* Inverclyde and *(b)* Scotland received the winter heating allowance in the last year. [115890]

Angela Eagle: Last winter in Scotland [99/00] around 900,000 Winter Fuel Payments were made at a cost of around £70 million. We estimate that approaching 12,000 payments were made to around 9,000 households at a cost of more than £900,000 in the Greenock and Inverclyde constituency area.

Next winter [00/01] payments will be increased from £100 to £150 per eligible household.

Pensions

27. **Mr. Blizzard:** To ask the Secretary of State for Social Security what plans he has to ensure that pensions are increased at least in line with the rise in the cost of living. [115891]

Mr. Rooker: We have said that the basic pension will remain as the foundation of income in retirement, that it will not be means-tested and that we will increase it at least in line with prices. We have increased Retirement Pension in line with the Retail Prices Index for third year running at a cost of £375 million.

29. **Mr. Jim Cunningham:** To ask the Secretary of State for Social Security how the Government propose to ensure that pensioners share in rising national prosperity. [115893]

32. **Fiona Mactaggart:** To ask the Secretary of State for Social Security what steps he has taken to increase the disposable income of pensioners since 1997; and if he will make a statement. [115897]

Mr. Rooker: The measures flowing from the Green Paper "Partnership in Pensions", together with those announced in the last two Budgets, demonstrate the priority we have given to improving pensioners' incomes.

We have introduced a Minimum Income Guarantee for today's pensioners which is being increased in line with earnings each year during this Parliament. From April 2001, it will be increased to £82 a week for a single pensioner and £90 for a pensioner over 80. The lower capital limit for the Minimum Income Guarantee will be doubled from £3,000 to £6,000 while the upper limit will be raised from £8,000 to £12,000, benefiting around 500,000 pensioners who have modest savings.

In addition, we have recognised that pensioners have special needs. That is why the £100 Winter Fuel Payment has been introduced and will be increased next winter from £100 to £150 per eligible household.

Other measures which impact favourably on pensioners' incomes include the reduction of VAT on fuel from 8 per cent. to 5 per cent., the introduction of free TV licences for people over 75 next Autumn, the restoration of free eye tests, and the minimum tax guarantee which will help take 200,000 pensioners out of tax completely.

Fraud

28. **Mr. Bercow:** To ask the Secretary of State for Social Security if he will make a statement on the progress made by his Department in combating fraud in the social security system. [115892]

Mr. Rooker: We set out our strategy for combating fraud and reducing error in "Safeguarding Social Security", published on 23 March 1999. We are putting this strategy into practice with strong and sensible safeguards to ensure the right money goes to the right people.

33. **Mr. Brooke:** To ask the Secretary of State for Social Security if he will make a statement on the Government's interaction with local authorities in the detection and prevention of benefit fraud. [115898]

Angela Eagle: Local authorities are responsible for the administration of Housing Benefit and we are working in partnership with them in developing and implementing anti-fraud initiatives such as the Verification Framework and the use of direct computer links between local authorities and the Department's benefit systems. We have recently reformed the anti-fraud financial incentive scheme for local authorities to ensure they can be rewarded for detecting and prosecuting cases of fraud and for the longer term we are working with local authority representatives to develop revised incentives for rewarding local authorities for their efforts to prevent, detect and deter fraud.

We have also made available extra funding for local joint anti-fraud activities between local authorities and the Benefits Agency in addition to funding for national initiatives.

Mr. Field: To ask the Secretary of State for Social Security, pursuant to his oral statement of 27 March 2000, *Official Report*, column 42, concerning 400 new fraud investigators (1) what the net increase in fraud investigation staff will be for each of the organisations relevant to his announcement when the recruitment is completed; [117277]

(2) how many of the new investigators will be recruited to each relevant organisation. [117278]

Mr. Rooker: This Department and the Revenue Departments are in discussion about the best deployment of additional staff to meet the business need identified by the noble Lord Grabiner. No decision has yet been made as to how many new investigators will be recruited to each relevant organisation.

Lone Parents

30. **Mr. Brady:** To ask the Secretary of State for Social Security if he will make a statement on the new deal for lone parents. [115894]

Angela Eagle: Independent evaluation has shown that the New Deal for Lone Parents (NDLP) is helping lone parents move into work. Since the launch of the national programme, over 103,000 lone parents have volunteered to participate in the programme and over one in three of these have obtained jobs.

As announced in the budget, from April 2001 we will be asking lone parents with a youngest child of five or over to come forward for a work-focused interview with a personal adviser. We want to ensure that all lone parents have the opportunity to find out about the choices, and the support, available to help them move into work.

Mr. Healey: To ask the Secretary of State for Social Security if he will make a statement on progress with the new deal for lone parents *(a)* in the UK and *(b)* in Yorkshire. [115882]

Angela Eagle: Independent evaluation shows that the New Deal for Lone Parents is working. Since the launch of the national programme, in October 1998, over 116,000 lone parents have attended an interview with 89 per cent. agreeing to participate and over one in three of these obtaining jobs. In Yorkshire and Humberside 9,137 have agreed to participate and 3,440 have obtained jobs.

Child Support Agency

31. **Helen Jackson:** To ask the Secretary of State for Social Security what measures he is taking to ensure that the self-employed comply with Child Support Agency instructions. [115895]

Angela Eagle: We expect all parents to meet their responsibilities to their children by providing information to the Child Support Agency. If a self-employed person refuses to provide details of their income, the CSA has a range of measures available to obtain the information, including powers to examine accounts and, as a last resort, to ask the Inland Revenue for information about earnings provided for tax purposes.

34. **Mr. Blunt:** To ask the Secretary of State for Social Security if he will make a statement on his proposals for reform of the Child Support Agency. [115899]

Angela Eagle: Our reforms will introduce a customer focused child support system that parents will be able to understand. It will ensure regular and reliable maintenance for over one million more children.

Barbara Follett: To ask the Secretary of State for Social Security what plans he has to introduce a statutory obligation on the Child Support Agency to pay compensation to its clients for delays and mistakes they have experienced. [115873]

Angela Eagle: In common with other Government Departments, the DSS and its Agencies have a discretionary compensation scheme to cover financial loss, suffering or distress caused by poor administration. The CSA also has the power to write off child support arrears and compensate the parent with care where substantial delays have occurred. Provisions in the Child Support, Pensions and Social Security Bill, currently before the House will put these arrangements on to a statutory basis.

Stakeholder Pensions

36. **Dr. George Turner:** To ask the Secretary of State for Social Security how many people he estimates will take out stakeholder pensions. [115901]

Mr. Rooker: There are around 5 million people in the target group for stakeholder pensions, but some of those initially in that group will have personal pensions and may be unlikely to take up stakeholder pensions when they are introduced. Take up will depend on how stakeholder and other pensions are marketed by providers, and on individual choices by savers.

Disability Living Allowance

37. **Mr. Llwyd:** To ask the Secretary of State for Social Security what the percentage of successful appeals in tribunals was against a refusal of disability living allowance in *(a)* 1997, *(b)* 1998 and *(c)* 1999; and if he will make a statement. [115902]

Mr. Bayley: The information is not available in the format requested. Such information as is available is in the table.

Disability living allowance appeal decisions

Percentage

	1997	*1998*	*1999*
All decisions which were successful[1]	54	48	48
Successful decisions which were against refusal (as opposed to awarded level) of benefit[2]	67	66	67

[1] Based on 100 per cent. data. Includes cases where increased level of benefit awarded.

[2] Based on 5 per cent. data.

Source:

Analytical Services Division

Benefits Agency Inspectors

Mr. John Cryer: To ask the Secretary of State for Social Security how many inspections of building sites have been made in the past 12 months by Benefits Agency inspectors to check on the employment status of construction workers. [115053]

Angela Eagle: This information is not kept centrally and could be obtained only at disproportionate cost.

Benefits Agency Delays

Mr. Edward Davey: To ask the Secretary of State for Social Security how many *(a)* national insurance number applications and *(b)* benefit applications are awaiting processing due to delays in clarification being received by the Benefits Agency from the Immigration and Nationality Directorate; and if he will make a statement. [116078]

Angela Eagle: The administration of benefits is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Edward Davey, dated 30 March 2000:

The Secretary of State has asked me to respond to your recent Parliamentary Question asking how many (a) national insurance number (NINO) applications and (b) benefit applications are awaiting processing due to delays in clarification being received by the Benefits Agency (BA) from the Immigration and Nationality Directorate (IND).

BA allocate, when necessary, a NINO to a benefit applicant. The process rarely requires any contact with or information from the IND.

Information on the number of benefit applications awaiting clarification from IND is not held. Collation of these statistics would involve a sift of files held at over 400 offices and would entail disproportionate cost.

Retirement Pensions

Mr. Wigley: To ask the Secretary of State for Social Security if he will amend the regulations relating to the date from which retirement pensions are payable to persons reaching retirement age, to ensure that such people receive their full entitlement, including any part-weeks, from the date of the relevant birthday; and if he will estimate the cost in the next financial year of such changes to the Exchequer. [116830]

Mr. Rooker: We do not intend to amend the present regulations which provide for payment of retirement pension in whole weeks in advance.

There would be no costs to the Exchequer for part weeks because it would follow that recovery of overpaid benefit would take place upon the death of the pensioner. It is because we are not prepared to countenance this recovery that we plan no change.

Bereavement Benefit

Mrs. Curtis-Thomas: To ask the Secretary of State for Social Security what estimate he has made of the number of men who will be eligible for bereavement benefit when the relevant provisions of the Welfare Reform and Pensions Act 1999 are implemented. [116882]

Angela Eagle: The information is in the table.

Number of men who will be eligible for each of the bereavement benefits in the first year of implementation

	Number
Bereavement Payment	15,000
Widowed Parent's Allowance	25,000
Bereavement Allowance	10,000

Notes:
1. Figures provided by the Government Actuary's Department.
2. Rounded to nearest 5,000 for each benefit.

Social Fund

Mrs. Humble: To ask the Secretary of State for Social Security what gross budget will be set for the Social Fund in 2000–01. [117673]

Angela Eagle: The gross discretionary Social Fund budget for 2000–01 will be £596 million. This represents an increase of £60.8 million over the total gross budget for 1999–2000 made possible by improved loan recovery performance.

As part of this allocation we have increased the Community Care Grant budget by £2 million to £100 million. All Benefits Agency Districts will receive an increase. This will provide more help to grant applicants, in particular families with children and the disabled.

The loans budget will be £494 million; an increase of £57.3 million. To improve the fairness of the scheme this increase will be allocated to Benefits Agency Districts in a way that will, over time, achieve greater consistency of outcome for applicants wherever they live.

£2 million will be retained centrally as a contingency reserve to provide additional help to any Benefits Agency Districts that face unexpected and unplanned expenditure as a result of a local emergency or disaster.

Details of individual District budget allocations will be placed in the Library today.

Benefits Agency/Employment Service Merger

Miss McIntosh: To ask the Secretary of State for Social Security what representations he has received on the proposed merger of the Benefits Agency and the Employment Service; and if he will make a statement. [115878]

Angela Eagle: My right hon. Friend the Prime Minister announced on 16 March our intention to create a new, modern organisation for people of working age helping more people on welfare towards independence and into work. Ministers have had discussions with representatives from a range of interested groups in the short period since the announcement. The response to date has been a widespread welcome of this move and a positive reaction to creating a single agency focused on work for those who can and ensuring proper support when they cannot.

SERPS

Mr. Field: To ask the Secretary of State for Social Security what estimate his Department has made of the cost to public funds arising from compensation to those who were misinformed about SERPS entitlement, other than the cost of postponing the change to surviving spouses entitlement to SERPS. [117104]

Mr. Rooker: It is not possible to estimate with confidence how many people will apply successfully to the Inherited SERPS scheme and therefore no estimate has been made of the cost to the National Insurance fund. I refer my right hon. Friend to the estimates made by the National Audit Office in the recently published report.

Family Benefits

Mr. Field: To ask the Secretary of State for Social Security how many families have been in receipt of *(a)* Family Credit but not the Working Families Tax Credit, *(b)* Working Families Tax Credit but not Family Credit and *(c)* Family Credit and Working Families Tax Credit for each month since February 1999. [117105]

Angela Eagle: Family Credit was replaced with Working Families Tax Credit from 5 October 1999.

The information is in the table.

Numbers of families in receipt of Family Credit and WFTC, for each month from February 1999 to February 2000

Thousand

Month	*Family Credit*	*WFTC*	*Total*
February 1999	789	—	789
March 1999	792	—	792
April 1999	793	—	793
May 1999	791	—	791
June 1999	801	—	801
July 1999	797	—	797
August 1999	784	—	784
September 1999	758	—	758
October 1999	625	253	878
November 1999	464	466	930
December 1999	365	566	931
January 2000	249	701	950
February 2000	109	849	958

Notes:
1. These figures, and in particular the WFTC figure for February, exclude awards made after February and backdated.
2. Figures are for Great Britain only.
3. Sample size 5 per cent., therefore subject to sampling error.
4. Figures have been rounded to the nearest thousand.

Source:
Family Credit/Working Families' Tax Credit 5 per cent. sample of awards.

Departmental Properties

Mr. Don Foster: To ask the Secretary of State for Social Security what *(a)* number and *(b)* percentage of properties in his charge are empty; and what steps are

being taken by his Department to reduce the numbers of such properties. [116922]

Mr. Rooker: In early 1998, all of the Department's properties were transferred to the private sector under two separate Private Finance Initiative contracts. We no longer hold or own any property. Instead, serviced accommodation is purchased from our two private sector partners, Trillium plc and the Newcastle Estate Partnership.

The deal that we negotiated with Trillium, the PRIME contractor, allowed us to hand back all of our "surplus" space, in both wholly and partly occupied buildings. On 1 April 1998, 134,991 sq m of vacant space transferred to Trillium so that there is now no continuing cost to the Department. The Department also has the flexibility to vacate and hand back further space over the period of the contract, at nil cost.

As a result of the PRIME contract there are now no vacant properties still being paid for by the Department.

Mortgage Interest

Mr. Burstow: To ask the Secretary of State for Social Security if he will lay the necessary regulations to amend the standard rate for income support mortgage interest payments. [117038]

Mr. Bayley: Regulations were laid before Parliament on 24 March 2000.

Mr. Burstow: To ask the Secretary of State for Social Security how much it would have cost his Department if he had amended the standard rate for paying mortgage interest in January when the January rate of 6.29 per cent. was more than the 0.25 per cent. point change required to trigger a change. [117028]

Mr. Bayley: The Office for National Statistics informed the Department on 8 March 2000 that a change in the standard interest rate had been triggered. Regulations were laid on 24 March 2000 and will come into force on 16 April 2000. There was no delay.

HEALTH

London NHS Trust Budgets

Mr. Coleman: To ask the Secretary of State for Health if he will publish the projected budget forecasts for each of the London NHS trusts for the end of the current financial year; and if he will make a statement. [110538]

Mr. Denham: The latest available information, based on income and expenditure forecasts by National Health Service trusts and health authorities at Quarter 3 (December 1999) has been placed in the Library.

The total deficit position includes the impact of technical accounting changes. The forecast deficit excluding this technical element is £36 million, which represents a very small deterioration from original plans for the year.

Intensive Care Beds

Mr. Hancock: To ask the Secretary of State for Health how many of the new 100 intensive care beds announced earlier in the year are now in place; if he will give the location and the number of beds that have been provided in each health authority area; and if he will make a statement. [113867]

Mr. Denham: Fast-track information on the number of critical care beds on 17 January 2000 compared with the position in a census on 31 March 1999 was placed in the Library on 1 February 2000.

Dr. Julian Lewis: To ask the Secretary of State for Health, pursuant to his answer of 27 January 2000, *Official Report*, column 346W, on intensive care beds, when the hon. Member for New Forest, East will receive the information promised. [117151]

Mr. Denham: The information was placed in the Library on 1 February.

Pay Award

Mr. Austin: To ask the Secretary of State for Health what the percentage increase in the total pay bill for the NHS will be as a result of the Pay Review Body award to *(a)* nurses, *(b)* midwives and *(c)* health visitors for the year commencing April 2000. [114748]

Mr. Denham: Implementing the recent Review Body recommendations on pay for midwives, health visitors and other nursing and midwifery staff will increase the total National Health Service paybill by an estimated 0.1 per cent., 0.1 per cent. and 1.3 per cent. for each respective group, giving an overall increase of 1.4 per cent.

Correspondingly, the awards will increase the paybill for midwifery staff by 3.4 per cent., the paybill for health visitors by 3.4 per cent. and the nursing paybill by 4.1 per cent.

Note:

Figures may not add due to rounding

Tobacco

Mr. Cummings: To ask the Secretary of State for Health (1) what mandate he has given to the European Commission to negotiate on behalf of Her Majesty's Government in meetings on the World Health Organisation's Convention for Tobacco Control; [114944]

(2) what estimates he has made of the impact on *(a)* employment and *(b)* exports of the World Health Organisation's Framework Convention for Tobacco Control, indicating the constituencies affected in each case; [114940]

(3) what recent discussions *(a)* he, *(b)* Ministers in his Department and *(c)* officials have had with (i) EU partners, (ii) other nations, (iii) the World Health Organisation and (iv) the European Commission regarding the World Health Organisation's Framework Convention for Tobacco Control; [114943]

(4) if he will make a statement on the position of Her Majesty's Government in relation to the World Health Organisation's Framework Convention for Tobacco Control. [114941]

Yvette Cooper: The White Paper "Smoking Kills" makes clear our strong support for the World Health Organisation's (WHO) Framework Convention on Tobacco Control. The first and current phase in the

development of the convention is to consult the 191 World Health Member States for their views on the Convention and its protocols. The second phase will cover negotiations on the content of the Convention.

The United Kingdom has been, and will continue to be, an active participant in the European Union and WHO working groups, which are the main bodies for taking forward work on the Convention, and in bilateral discussions with the Commission, WHO and other member states. The Commission's mandate for participation on issues where it has a legal competence, was developed by the EU's Health Working Group and reported to the EU Health Ministers at the Health Council in November 1999. The Commission's mandate will be kept under review as the work develops.

It is too early to say what the likely impact of the Convention on employment and exports will be, as this depends on the content of the Convention, which is yet to be negotiated. However, the World Bank's recent study on tobacco control "Curbing the Epidemic" concludes that adopting effective tobacco control policies would result in no net job losses in most countries, and even a net gain in some.

NHS Pensions Agency

Mr. Field: To ask the Secretary of State for Health what plans he has to consult on allowing the NHS Pensions Agency to pay benefits from the NHS pension scheme to a contributor's unmarried partner. [115116]

Mr. Denham: Providing survivor benefits for unmarried partners is one of a number of possible changes to the National Health Service Pension Scheme currently under consideration. There are no firm proposals for change at this time.

We have made our position clear at paragraph 60, Chapter 8 of the Green Paper "A new contract for welfare: partnership in pensions" published on 15 December 1998 Cm 4179. If the general membership of a public service scheme wanted, in future, to extend eligibility for survivors' pensions to unmarried partners and were prepared to meet the additional costs, the Government would be prepared to consider how practicable arrangements could be devised for achieving this in the context of a statutory scheme.

NHS Bodies (Budgets)

Mr. Gareth R. Thomas: To ask the Secretary of State for Health what was the level of deficit allocated to *(a)* NHS trusts and *(b)* health authorities, and their predecessors where applicable, for 1979 to 1999. [115106]

Mr. Denham: The information requested is given in the table.

Surplus/(deficits) of NHS trusts and health authorities (and predecessors) England 1984–85 to 1998–99

£000

	Health authorities [1] (including predecessors)	NHS trusts [2]
1984–85	(51,778)	—
1985–86	(76,145)	—
1986–87	(110,400)	—
1987–88	(10,756)	—
1988–89	(48,212)	—
1989–90	(237,786)	—
1990–91	(125,170)	—
1991–92	57,255	46,065
1992–93	(34,983)	88,445
1993–94	(56,071)	185,608
1994–95	(153,237)	178,678
1995–96	(296,242)	46,097
1996–97	(238,206)	(221,488)
1997–98	(7,681)	(103,720)
1998–99	18,350	(35,908)

Note:

Changes (in line with best accounting practice) since 1979 in the accounting and financial reporting arrangements for Health Authorities and subsequently NHS trusts mean that comparable information is not available prior to 1984–85. The changes also mean that the figures provided over the period 1984–85 through to 1998–99 are not directly comparable.

Sources:

[1] 1984–85 to 1995–96—Summarised account of Regional and District Health Authorities and Special Health Authorities for the London Postgraduate Teaching Hospitals

[1] 1985–86 to 1989–90—Summarised account of Family Practitioner Committees

[1] 1990–91 to 1995–96—Summarised account of the Family Health Services Authorities

[1] 1996–97 to 1998–99—Summarised account of the Health Authorities

[2] 1991–92 to 1998–99—Summarised account of NHS trusts except for 1996–97 which has been adjusted to take account of a change in the financial regime of NHS trusts.

Cancer Patients

Mr. Paul Marsden: To ask the Secretary of State for Health what assessment he has made of *(a)* the quality of treatment and *(b)* survival rates among cancer patients on low incomes; and if he will make a statement. [115716]

Yvette Cooper: As part of the national performance assessment framework, the Government are developing the national cancer standard and performance indicators to improve consistency in the quality of cancer services across the country. In addition, both the National Institute for Clinical Excellence and the Commission for Health Improvement have been set up specifically to help to reduce variations and ensure fair access to high quality treatment.

Data published in Cancer Survival Trends in England and Wales 1971–95 produced by the Office for National Statistics show that survival rates for adults in deprived groups are lower than those in more affluent groups for several cancers.

We have appointed Professor Mike Richards as the National Cancer Director to spearhead the drive to modernise all aspects of cancer care. He has indicated our intention to develop a national cancer programme building on the Calman/Hine Report to set out action to improve prevention of cancer and ensure patients from all social groups have access to faster better cancer care. The National Cancer Director will be developing the plan over the coming months and will engage with clinicians, managers and patients in the process.

MRSA

Mr. Edwards: To ask the Secretary of State for Health (1) if he will commission an independent inquiry into the incidence of MRSA; [115928]

(2) what was the incidence of MRSA in hospitals in England and Wales for 1996. [115927]

Yvette Cooper: MRSA is the antibiotic-resistant form of *Staphylococcus aureus*, a bacterium which is carried harmlessly on the skin by at least a third of the population. About 80 per cent. of the population who acquire MRSA similarly carry it harmlessly on the skin and do not suffer from any infection. Neither the number of hospitals recording MRSA outbreaks nor the total number of patients in National Health Service hospitals who have MRSA are recorded centrally. The Public Health Laboratory Service (PHLS) compiles aggregate data on numbers of incidents of MRSA which are voluntarily reported by NHS trusts. The available data on MRSA for England and Wales show that there were 2,107 reported incidents in 1996. An incident is three or more patients infected or colonised by the same strain of MRSA in the same month from the same hospital. We are working with the PHLS on improving surveillance systems so as to provide more complete data on MRSA and so that we can consider what further action is required.

Mr. Flynn: To ask the Secretary of State for Health what is his assessment of the total number of deaths which have resulted from *(a)* MRSA and *(b)* other hospital-acquired infection in each of the past 10 years. [115946]

Yvette Cooper *[holding answer 28 March 2000]:* There are no centrally held statistics on deaths caused by hospital-acquired infections (HAIs), including Methicillin resistant *Staphylococcus aureus* (MRSA). Different doctors will have different views on the role of HAI in a patient's death.

MRSA infection can take the form of many different diseases from trivial skin infection to pneumonia or septicaemia. Often the causative micro-organism is not specified on the death certificate. MRSA does not have a distinct code within the revision of the International Classification of Diseases used for encoding death registration data at the Office for National Statistics.

Hospices

Mr. Swayne: To ask the Secretary of State for Health (1) what representations he has received regarding the payments negotiated by NHS trusts and hospices for the provision of services in hospices; and if he will make a statement; [116009]

(2) what guidelines his Department issues to NHS trusts regarding the purchase of services from hospices. [116008]

Yvette Cooper: Successive guidance to health authorities has made clear their responsibilities for commissioning services that meet the assessed needs of their local communities. Health Service Circular 1998/99: "Palliative Care" states that commissioners, including primary health care groups need to work together with providers to develop a palliative care strategy which is right for their population, based on health needs assessment.

HSC 1998/198: "Commissioning in the new National Health Service" makes it explicit that full development of the new commissioning arrangements needs to involve partnership working both in and beyond the NHS. The guidance also states that regional offices should pay particular attention to the commissioning of cancer services in the follow-up to Calman/Hine.

Where services are commissioned from the non-NHS sector, commissioners should ensure the service provided is valuable, effective and offers value for money. The decision to commission services provided by non-NHS facilities will continue to be made locally and will be made in the best interests of the patient.

I met members of the National Council for Hospices and Specialist Palliative Care Services, including representatives of the independent sector and also attended a recent All Party Group on Hospices meeting. On both occasions the issue of funding of hospices was raised.

Professor Mike Richards, the National Cancer Director, is working to develop a supportive care strategy as part of his wider work programme, and this will set the context for future developments in the commissioning of services from hospices.

Mr. Pickthall: To ask the Secretary of State for Health if he will make a statement on the funding of *(a)* children's hospices and *(b)* adult hospices. [117150]

Yvette Cooper: The funding of adult and children's hospices is a matter for local discussion and agreement and must be based on local health needs assessment. The Health Improvement Programme (HImP) is and will continue to be the funding mechanism for palliative care services. Voluntary healthcare providers are viewed as important players in the planning and provision of services and should be involved in the development of HImPs. From this should flow more detailed plans for commissioning services, including arrangements for palliative care.

Chronic Diseases

Mr. Gill: To ask the Secretary of State for Health what is the incidence of *(a)* ME, *(b)* MS and *(c)* HIV/AIDS, and what was the level of public expenditure, in each of the past five years in respect of each category. [116254]

Ms Stuart: Information on the incidence and level of public expenditure on Chronic Fatigue syndrome (CFS)/Myalgic Encephalomyelitis (ME) is not available in the format requested. A number of definitions, disease descriptions or diagnostic criteria have been proposed to describe CFS/ME. However, there is no general agreement as to which should be used. This makes the results from studies on the prevalence of CFS/ME difficult to interpret and there is no agreement on the incidence of the illness.

Services for people with CFS/ME are funded from baseline expenditure.

The Department is currently supporting a number of projects at a total cost of £221,000 on CFS/ME research. In addition, we have also awarded the ME Association a

total of £30,000 for 1998–99 and 1999–2000 and the Association of Youth with ME a total of £6,200 in 1998–99 under the Section 64 scheme of grants.

Information on the incidence and level of public expenditure on Multiple Sclerosis is not available in the format requested. MS is one of the most common diseases of the central nervous system. It is estimated to affect between 80–90,000 people in the UK. However, the incidence (new diagnoses each year) is not known.

Services for people with MS are funded from baseline expenditure.

The Medical Research Council supported about a dozen projects on multiple sclerosis and associated demyelinating diseases in 1998–99 representing a spend of approximately £640,000 in that year.

The Department funds research to support policy and the delivery of effective practice in the National Health Service. The Department is currently spending approximately £150,000 per year on projects related to MS.

In addition, we have awarded the MS Society £15,000 per year from 1997–98 until 1999–2000 under the Section 64 scheme of grants, for their emerging therapies project.

The table reports new diagnoses of HIV and AIDS for England in each of the last five years.

As people with HIV infection may not have symptoms for some time, new diagnoses are dependent on people coming forward for testing; however, the data on new diagnoses based on clinical reports of AIDS cases are a reasonable measure of AIDS incidence.

Year of diagnosis	*New diagnoses of HIV infection*	*New diagnoses of AIDS*
1995	2,412	1,587
1996	2,438	1,298
1997	2,441	960
1998	2,557	677
1999	2,289	460

Notes:
1. Data reported by end 1999.
2. Numbers, particularly for the more recent years, will rise as further reports are received.

Funding for HIV/AIDS

£ million

Year	*Health authorities*	*Local authorities*	*Voluntary organisations*	*Public education*	*Research*	*Total*
1995–96	244.7	13.4	1.54	8.0	20.6	288.2
1996–97	237.7	13.7	1.63	5.2	19.5	277.7
1997–98	251.9	13.7	1.52	5.2	15.4	287.7
1998–99	281.4	13.7	1.58	4.8	16.2	317.6
1999–2000	286.4	15.0	1.60	4.5	16.0	323.5
Total	1,302.1	69.5	7.87	27.7	87.7	1,494.7

NHS Volunteers

Mrs. Virginia Bottomley: To ask the Secretary of State for Health what plans the Training Organisation for Personal Social Services has to incorporate volunteers and their management into the training strategy. [116445]

Mr. Hutton: The training strategy set out to identify how a fully skilled and qualified workforce could be obtained to meet the future requirements for modernised social care. This included determining the qualifications needed to meet appropriate care standards, the career pathways to promote life-long learning, and the recruitment strategies to ensure an adequate supply of suitable people. The strategy has considered the skills needed to manage social care teams, including the use of volunteers.

NHS Staff (Suspensions)

Mr. Mitchell: To ask the Secretary of State for Health (1) what estimate he has made of the total *(a)* number and *(b)* costs of suspensions of consultants, doctors and other medical staff on pay pending inquiries in each year since 1996; [116278]

(2) how many consultants, doctors or medical staff have been suspended on full pay for more than two months in each hospital trust in the Northern and Trent Regions in *(a)* 1998, *(b)* 1999 and *(c)* 2000 to date; and what his estimate is of the cost to the NHS of their suspensions. [116277]

Mr. Denham: National Health Service trusts routinely report suspensions lasting six months or longer. The information requested is not broken down by year. Since 31 March 1995 a total of 75 cases of suspension lasting six months or over have been reported. At 31 December 1999, the latest date for which figures are available, 27 hospital and community medical and dental staff had been suspended for six months or more at an estimated cost of £2.5 million.

Since 31 March 1998 the Northern and Yorkshire and Trent regions have reported 18 suspensions lasting six months or more at a total cost of approximately £2 million. At 31 December 1999, the latest date for which figures are available, 10 hospital and community medical and dental staff had been suspended for six months or more at a cost of approximately £1 million.

An internal management review has identified four areas for improvement in the current suspension procedures. Further work on these findings has been subsumed into the wider proposals for managing poor performance set out in the Chief Medical Officer's consultation document "Supporting doctors, protecting patients". The consultation period has just ended and the Department is currently considering the responses.

NHS Dentistry

Mr. Pike: To ask the Secretary of State for Health when he expects to announce his new NHS dental service strategy. [116340]

Mr. Hutton: Our plans for modernising National Health Service dentistry will be published shortly.

MMR Vaccines

Jackie Ballard: To ask the Secretary of State for Health which EU countries allow the use of single-dose vaccines for measles and mumps; and if he will make a statement about the use of such vaccines in the UK. [116492]

Yvette Cooper: Measles, mumps and rubella vaccine is recommended in all European Union countries, none recommend the use of single vaccines. The availability of single dose vaccines is a matter for individual countries.

To protect public health, United Kingdom medicines legislation restricts the importation of all unlicensed medicines, including single-dose vaccines. Unlicensed medicines may be imported only if there is no licensed medicine available or suitable for the individual patient concerned, and the Medicines Control Agency (MCA) does not object on specific grounds of safety or efficacy. In the case of unlicensed single vaccines, the MCA will object to their import unless a prescribing doctor has decided that the patient has a known medical condition that makes the licensed product (MMR) unsuitable. In addition the MCA objects to the import of the single dose mumps vaccine (Rubini strain) because of concerns about its efficacy.

There is no evidence that the use of single vaccines benefits children and good reasons exist why their use may put children at significant disadvantage.

Sellafield

Mr. Chaytor: To ask the Secretary of State for Health what research he has commissioned on the health implications of the Sellafield MOX plant; and if he will make a statement. [115530]

Yvette Cooper *[holding answer 27 March 2000]:* No specific study into the possible effects of the MOX plant at Sellafield on the health of the general public has been commissioned. However, the independent advisory Committee on Medical Aspects of Radiation in the Environment (COMARE) has been asked to examine the geographical distribution of childhood cancer in Great Britain, and as part of this study the committee will investigate the incidence of these diseases around all British nuclear installations. This study will include the Sellafield site.

Genetic Tests (Insurance)

Dr. Gibson: To ask the Secretary of State for Health how many responses were received by his Department's Genetics and Insurance Committee to their recent consultation on the use of genetic test results for insurance risk assessment; and if he will list the organisations and individuals concerned. [116571]

Yvette Cooper: The Genetics and Insurance Committee received 15 responses to the recent consultation on the criteria that GAIC will use to assess specific genetic tests and the use of their results for insurance purposes. Responses were received from:

the Association of British Insurers;

the Alzheimer's Association

Comments from Advisory Committee on Genetic Testing members (obtained at an ACGT meeting);

the Genetic Interest Group;

the Huntingtons Disease Association;

the Nuffield Council on Bioethics;

the Royal College of General Practitioners;

the Royal College of Pathologists;

the Royal College of Psychiatrists (Ethics Sub Committee);

the Scottish Huntingtons Association;

the Scottish Executive;

Health Department;

Public Health Policy Unit;

the UK Forum of Genetics and Insurance (which includes the response from the Faculty and Institute of Actuaries) and from three individuals who provided personal responses.

I have arranged for a list of the organisations concerned to be placed in the House of Commons Library.

Dr. Gibson: To ask the Secretary of State for Health if he will list the *(a)* organisations and *(b)* individuals asked by his Department's Genetics and Insurance Committee to submit responses to their recent consultation on the use of genetic test results for insurance risk assessment. [116570]

Yvette Cooper: The consultation on the criteria that the Genetics and Insurance Committee will use to assess specific genetic tests and the use of their results for insurance purposes was sent to patient support organisations, academics, insurers and actuaries and was made available on the Department website. I have arranged for a list of the organisations and individuals concerned to be placed in the House of Commons Library.

Cancer Surgery

Mr. Stephen O'Brien: To ask the Secretary of State for Health if he will make a statement about the adequacy of cancer surgery provision within the NHS. [115167]

Yvette Cooper *[holding answer 28 March 2000]:* We are determined to improve our cancer services and to tackle variations in treatment across the country. The National Cancer Director will be developing over the next few months a national cancer programme which will build on the Calman/Hine Report: "A Policy Framework for Commissioning Cancer" and set out our action to ensure all patients have access to faster better cancer care.

Since 1997 we have invested significant extra resources in workforce, equipment and facilities to speed access to high-quality, evidence-based diagnosis, treatment and care. By the end of 2000, patients with a suspected cancer referred urgently by their general practitioner will see a specialist within two weeks. Over the next five years, the number of cancer specialists will increase by 60 per cent.

and we will work with professionals and local cancer networks to identify future workforce demands and ways in which they could be met.

Ambulances (Response Times)

Mr. Breed: To ask the Secretary of State for Health what percentage of requests for ambulances were met within the target response time in *(a)* urban and *(b)* rural areas in the last three years for which figures are available. [117057]

Ms Stuart: Details about the performance of each National Health Service ambulance trust are contained in the Department of Health Statistical Bulletin "Ambulance Services, England 1998–99", copies of which are available in the Library.

Bed Numbers

Mr. Burstow: To ask the Secretary of State for Health how many NHS beds in each category will form the starting point against which any future changes in bed numbers can be measured. [117027]

Mr. Denham: Statistics on hospital bed numbers are published in the annual publication "Bed availability and occupancy—England", copies of which are in the Library. Latest figures are for 1998–99.

Smoking

Ms Church: To ask the Secretary of State for Health what estimate he has made of the amount to be spent in financial year 1999–2000 on smoking-related illnesses. [117030]

Yvette Cooper: The information requested is not available on a year-by-year basis. However, a study "Cost Effectiveness of Smoking Cessation Interventions" by the Health Education Authority, in collaboration with the University of York published in 1997, estimated the annual cost to the National Health Service of treating smoking-related disease was between £1.4 billion and £1.7 billion for England.

Waiting Lists (Essex)

Mr. Jenkin: To ask the Secretary of State for Health how many people were waiting for hospital treatment at Essex Rivers Health Care Trust on *(a)* 31 March 1997 and *(b)* the latest date for which figures are available. [116839]

Mr. Denham *[holding answer 30 March 2000]:* The information is as follows:

Total number of patients waiting at Essex Rivers Healthcare National Health Service Trust on 31 March 1997 and 31 January 2000 (the latest date for which figures are available)

Month	*Total number waiting*
31 March 1997	6,737
31 January 2000	6,212

Source:
Form KH07 completed Quarterly
Monthly waiting list return

Mr. Jenkin: To ask the Secretary of State for Health how many people have been waiting for 12 months or more for hospital treatment at Essex Rivers Healthcare Trust on *(a)* 31 March 1997 and *(b)* on the latest date for which figures are available. [116847]

Mr. Denham *[holding answer 30 March 2000]:* The information is as follows:

Number of patients waiting over 12 months at Essex Rivers Healthcare National Health Service Trust

Month/year	*Number*
31 March 1997	6
31 January 2000[1]	534

[1] The latest date for which figures are available

Sources:
Form KH07 completed Quarterly
Monthly waiting list return

Mr. Jenkin: To ask the Secretary of State for Health how many people had waited 13 weeks or more for an outpatient appointment at Essex Rivers Healthcare Trust on *(a)* 31 March 1997 and *(b)* 31 December 1999. [116842]

Mr. Denham *[holding answer 30 March 2000]:* The information is as follows:

Number of patients waiting over 13 weeks for a first outpatient appointment at Essex Rivers Healthcare National Health Service Trust

Month/year	*Number*
31 March 1997	1,821
31 December 1999[1]	3,916

[1] The latest date for which figures are available

Source:
Form QMO8 completed quarterly

Mr. Jenkin: To ask the Secretary of State for Health how many people had waited over 26 weeks for an outpatient appointment at Essex Rivers Healthcare Trust on *(a)* 31 March 1997 and *(b)* 31 December 1999. [116838]

Mr. Denham *[holding answer 30 March 2000]:* The information is as follows:

Number of patients waiting over 26 weeks for a first outpatient appointment at Essex Rivers Healthcare National Health Service Trust

Month/year	*Number*
31 March 1997	404
31 December 1999[1]	1,336

[1] The latest date for which figures are available

Source:
Form QMO8 completed quarterly

Intensive Care Units

Mr. Keetch: To ask the Secretary of State for Health what were the staffing levels of intensive care units in each year from 1995 to 1999, *(a)* nationally and *(b)* in Herefordshire; and if he will make a statement. [116901]

Mr. Denham: The information requested is not collected centrally.

BCG Vaccinations

Mr. Lidington: To ask the Secretary of State for Health if he will make a statement on the BCG vaccination programme for the current academic year. [116953]

Yvette Cooper *[holding answer 30 March 2000]:* I refer the hon. Member to the reply I gave the hon. Member for Brentwood and Ongar (Mr. Pickles) on 10 February 2000, *Official Report*, column 261W.

Ambulances (Durham)

Mr. Steinberg: To ask the Secretary of State for Health how many emergency calls were made to ambulance brigades in Durham Health Authority in the last five years; and what was the average response time for each of those years. [117214]

Ms Stuart: Details about the performance of all National Health Service ambulance trusts are contained in the Department of Health Statistical Bulletin Ambulance Services, England 1998–99, copies of which are available in the Library.

Food Action Plans

Mr. Edwards: To ask the Secretary of State for Health what progress the Government have made in implementing the WHO (Europe) proposals for national and local food and nutrition action plans following the Malta 1999 consultation. [117527]

Ms Stuart: We recognise the importance of good nutrition throughout life for maintaining health. We are playing an active role in supporting the development of the World Health Organisation (WHO) Food and Nutrition Action Plan with a view to its adoption by the WHO's Regional Committee in September 2000. We agree that each member state should develop its own action plan in response, taking into account the remit of other key organisations, particularly the European Union. We have set out the role of diet in promoting health and preventing disease in "Saving Lives: Our Healthier Nation", particularly in the key priority areas of coronary heart disease, stroke and cancer. The National Service Framework for Coronary Heart Disease requires local players, co-ordinated by the local health authority, to develop and implement a comprehensive programme of effective policies including promoting healthy eating by April 2001.

Departmental Properties

Mr. Don Foster: To ask the Secretary of State for Health what *(a)* number and *(b)* percentage of properties in his charge are empty; and what steps are being taken by his Department to reduce the number of such properties. [116912]

Ms Stuart: The Department occupies administrative property (the civil estate). The Department has no empty properties.

My right hon. Friend the Secretary of State's retained estate comprises surplus or potentially surplus property not transferred to National Health Service trusts, and is managed by NHS Estates. There are about 85 properties that are empty, which is about 17 per cent. of the estate.

All of these sites are in the course of being sold on an accelerating basis. All surplus property is sold as soon as possible after they become vacant, but only when planning consent for alternative use has been obtained from the relevant local planning authority.

Prescription Charges

Mr. Harvey: To ask the Secretary of State for Health what assessment he has made of the total cost to the NHS of *(a)* instituting charges per script and *(b)* allowing prescription charges to be paid by instalments; and if he will make a statement. [116680]

Ms Stuart: Based on 1998–99 figures for charges collected by pharmacists and dispensing doctors in England, it is estimated that around £50 million in prescription charge revenue would have been lost if the prescription charge had been paid for each chargeable form rather than each item. It is likely that there would also be additional costs to the drugs bill arising from the prescribing of items which can be purchased from pharmacies for less than the prescription charge. The current process of paying prescription charges is widely understood by the public and simple to administer. Introducing payment by instalments is impractical as it would unnecessarily complicate the current arrangements and require additional bureaucracy to keep track of instalment payments for each charge payable.

Cleaning Staff

Mr. Harvey: To ask the Secretary of State for Health what was the spending on cleaning services and how many cleaning staff were employed in the NHS in the last year for which figures are available; and if he will make a statement. [116682]

Ms Stuart: The information is not available as requested. National figures are collected centrally on the number of support staff employed in National Health Service trusts; cleaning staff are included within this category. Similarly, national figures on expenditure are collected centrally on contract hotel services and laundry and cleaning equipment. Expenditure on cleaning staff is included within this category.

Hospital Infections

Mr. Harvey: To ask the Secretary of State for Health what assessment he has made of the cost to the NHS of hospital acquired infections in the last five years; what measures his Department is taking to tackle such infections and at what cost; and if he will make a statement. [116683]

Yvette Cooper: The recently quoted figure of £1 billion is an estimate derived from a Department commissioned study of one hospital. It is not possible to accurately estimate the cost to the whole National Health Service from these findings. Infection control is a "must do" in current NHS National Priorities Guidance. New standards on infection control were issued in November 1999 and an action plan setting out specific objectives and targets was issued to the NHS on 11 February 2000. Costs of activity to prevent hospital acquired infections are impossible to assess because much of this activity is a fundamental part of the work of all health care staff.

Nursing

Helen Jones: To ask the Secretary of State for Health how many health care assistants are seconded into nurse education. [117147]

Mr. Denham: Since the 1 April 1997, a total of 1,230 existing National Health Service employees have been seconded on to pre-registration nursing and midwifery diploma training courses. Data are not collected centrally on the proportion of these who are health care assistants seconded on to such courses.

Helen Jones: To ask the Secretary of State for Health how many trainee nurses are *(a)* seconded on salary, *(b)* receiving his Department's bursary and *(c)* in receipt of a student loan. [117146]

Mr. Denham: Since the 1 April 1997, a total of 1,230 existing National Health Service employees have been seconded on a salary to pre-registration nursing and midwifery diploma courses.

Information on the number of trainee nurses receiving NHS funded bursaries is not held centrally. Of the 17,451 student nurses currently paid an NHS bursary by the NHS Student Grants Unit (SGU), 14,156 are diploma level students who are not eligible for student loans. The remaining 3,295 are degree-level students who are eligible for student loans.

Student loans are a matter for the Department for Education and Employment.

Helen Jones: To ask the Secretary of State for Health what percentage of student nurses left training before completing their course in each year since 1996. [117148]

Ms Stuart: Information on the percentage of student nurses who left training before completing their course in each year since 1996 is shown in the table. We do not yet have the data to provide an attrition rate for the 1999–2000 student.

Year	*Percentage*
1995–96	17
1996–97	17
1997–98	15
1998–99	7

Note:
The data on attrition are based on a snapshot in time of a particular cohort(s). Since nursing and midwifery students can take up to five years to complete their three-year course, for each year there will be students who have yet to complete their training.

Age Discrimination

Mr. Paul Marsden: To ask the Secretary of State for Health what recent representations he has received from organisations on age discrimination against elderly patients in the NHS. [117294]

Mr. Hutton: We have received from Age Concern their thoughtful report "Turning your back on us—Older people and the NHS" which highlighted concern that older people experience ageism within the National Health Service. I met representatives from Age Concern on 6 March to discuss these concerns. Age Concern, Help the Aged and others involved in the care of older people have all contributed to the development of the National Service Framework for Older People which will set national standards for the care of older people. This work covers issues of greatest concern to older people such as promotion of health and well-being, and fair access to services. We hope to publish the NSF later this year.

Mr. Paul Marsden: To ask the Secretary of State for Health if he will initiate an inquiry into age discrimination against elderly patients in the NHS. [117293]

Mr. Hutton: Discrimination on the grounds of age within the National Health Service is completely unacceptable. Action is and will be taken to challenge and correct any such unfair practices. The task now is to get on with ensuring this delivers the improvements we intend, so that eliminating discrimination and promoting fair access are firmly embedded as mainstream business for the NHS.

The provision of first class care on the NHS is our priority and later this year we will be publishing the National Service Framework (NSF) for Older People. This, for the first time, will set national standards for the care of older people, driving up quality and reducing the variations. The NSF will include performance measures for monitoring progress. The development of the NSF has involved many groups, including service users and carers, and has included the issue of access to services.

We have no plans however to set up any inquiry. Equal opportunities and work against discrimination must be embedded in our total way of working, rather than being treated as a separate and one-off activity.

"Fit for the Future?"

Mr. Robertson: To ask the Secretary of State for Health how many copies of "Fit for the Future?" were *(a)* printed and *(b)* requested; if he will increase the number of copies available; and if he will make a statement. [117344]

Mr. Hutton: 10,000 copies of "Fit for the Future?" were printed and over 8,000 copies have been sent out in response to requests. We have no plans to print further copies. The document was also made immediately accessible on the Department's internet website, and as at 26 March the "Fit for the Future?" web had been accessed over 46,000 times.

The consultation period ended on 21 January. We are currently carefully considering the comments received on the proposals. "Fit for the Future?" identified over 260 possible standards. We believe that some of the proposals may have only a marginal impact on the quality of care and it is highly unlikely that this many standards will be needed. We intended to publish the final standards and a timetable for implementing them later this year.

Brittle Bone Disease

Mrs. Spelman: To ask the Secretary of State for Health if he will make funding available to health authorities to ensure that children with severe brittle bone disease will be able to receive bisphosphonate treatment. [117102]

Mr. Denham: The National Specialist Commissioning Advisory Group is considering the current and proposed service for children with brittle bones, including the use of bisphosphonate treatment, and will make recommendations on appropriate commissioning arrangements in the summer.

Parliamentary Questions

Mrs. Spelman: To ask the Secretary of State for Health when he will reply to the question tabled on 27 January (ref. 107991) by the hon. Member for Meriden concerning vaccinations. [117108]

Yvette Cooper: I replied to the hon. Member on 30 March.

Health Food Promotion

Mr. Edwards: To ask the Secretary of State for Health what plans he has to require local authorities to promote healthy food policies. [117526]

Ms Stuart: Although this Department cannot force local authorities to promote healthy food policies, there are a number of initiatives that we are undertaking with the co-operation of these agencies as part of our strategy for combating heart disease, stroke and cancer. For example, the Heartbeat Award Scheme, which promotes healthy eating in restaurants, cafés and other catering establishments, has been running for a decade with the support of local and health authorities. Furthermore, the recently published National Service Framework for Coronary Heart Disease set out several health milestones, one of which is the delivery by April 2001, of a wide-ranging healthy eating promotion in conjunction with local authorities. Co-operation also extends to local education authorities as part of the Department of Health and Department for Employment and Education-funded Healthy Schools Programme. This initiative requires schools to adopt consistent messages about healthy eating in order to meet the Healthy Schools Standard.

Primates

Mr. Baker: To ask the Secretary of State for Health how many diseases non-human primates are known to carry; how many of these are screened for when such animals are brought into the United Kingdom; and if he will make a statement. [115275]

Ms Quin: I have been asked to reply.

The diseases that non-human primates are known to carry are numerous and can be found in text books dealing with diseases of non-human primates. The hazards associated with simians are listed in the Advisory Committee on Dangerous Pathogens' publication "Working safely with simians: Management of infection risks". A copy has been placed in the Library of the House.

All simians that are imported into the UK are required to undergo six months' quarantine against rabies in premises authorised by the Department.

CULTURE, MEDIA AND SPORT

Millennium Dome

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport (1) what the maximum daily capacity of the Millennium Dome is between 21 March and 31 December; [115273]

(2) pursuant to his answer of 14 March 2000, *Official Report*, column 153W, on the Millennium Dome, for what reason the total number of available tickets varies on a daily basis. [115726]

Janet Anderson *[holding answer 21 March 2000]:* The licensed capacity of the Millennium Experience site, including the Dome, is 35,000 visitors at any one time during opening hours.

During the early weeks of operation, fewer tickets were released for sale than the optimum number allowed under the operating licence. This was to ensure a high-quality visitor experience while the inevitable teething problems were being addressed, at a time when many visitors were staying inside the Dome to shelter from poor weather conditions. The number of schools participating in free Education Tours during the morning and afternoon sessions also has some bearing on the quantity of tickets released for sale.

Parliamentary Questions

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport how many parliamentary questions asked in respect of the millennium dome since 1 January 1999 have received holding answers; what percentage of such questions this represents; and what has been the average time taken to answer written questions on the millennium dome during this period. [109913]

Janet Anderson *[holding answer 11 February 2000]:* Since 1 January 1999, 102 written parliamentary questions on the millennium dome have received holding answers. This represents 96 per cent. of the total number of Named Day questions tabled on this subject, 39 of which have been from the hon. Member. The average time taken to answer written questions on the millennium dome during this period is 20 days.

My Department makes every effort to answer questions on time, but the need to ensure that responses are completely accurate can make the issuing of a holding answer unavoidable. Holding answers are usually issued while relevant information is being obtained from the New Millennium Experience Company.

New Millennium Experience Company

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what percentage of the total *(a)* value and *(b)* number of contracts to provide services to the New Millennium Experience Company were awarded following an open competition tender process. [109723]

Janet Anderson *[holding answer 11 February 2000]:* 100 per cent. of key service contracts, i.e. electricity, security, waste disposal and cleaning, were awarded following open competition. The overall value of these key contracts is about £15.5 million.

Library Services

Mrs. Virginia Bottomley: To ask the Secretary of State for Culture, Media and Sport what action has taken place since the publication of the paper entitled, "Libraries for All: Social Inclusion in Public Libraries", to involve more volunteers in strengthening library services. [116446]

Mr. Alan Howarth: We are still evaluating the consultation responses to "Libraries for All: Social Inclusion in Public Libraries". We will then be undertaking a similar consultation on social inclusion in museums, galleries and archives. We expect to make an announcement on the way forward for both policies later in the year.

Pirate Ship (Kensington Palace Gardens)

Mr. Tyler: To ask the Secretary of State for Culture, Media and Sport for what reason the Royal Parks Agency did not invite open tenders for the pirate ship in Kensington Palace Gardens; and if he will make a statement. [116296]

Mr. Alan Howarth *[holding answer 27 March 2000]:* Responsibility for the subject of this question has been delegated to the Royal Parks Agency and I have asked them to arrange for a reply to be given.

Letter from Viviane Robertson to Mr. Paul Tyler, dated 3 April 2000:

Pending the appointment of a new Chief Executive, the Secretary of State for Culture, Media, and Sport has asked me to reply to your Parliamentary Question about the tender for the ship in Kensington Gardens, which is an operational matter for which the Agency is responsible.

In commissioning the design and construction of the play ship in the Diana, Princess of Wales playground in Kensington Gardens, the Agency followed the guidance in the "Guide to the Appointment of Consultants and Contractors" produced by Property Advisers to the Civil Estate. This guide promotes the procurement of services on the basis of best value for money. There is no requirement under this procedure to invite open tenders because the EC procurement rules do not apply in the case of this contract.

The Agency identified some 70 suppliers and from them drew up a list of 7 potential tenderers. This in turn was reduced to a short list of three by evaluating them against the original selection criteria. The three short-listed companies were interviewed and the contract was awarded to the company which, in the opinion of the Agency, met the selection criteria and offered the best value for money.

BBC News 24

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport when he plans to commence his Department's review of BBC News 24. [117241]

Mr. Chris Smith: I aim to announce my proposals for the reviews of the BBC's digital services in due course.

London Film Commission

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the future of the London Film Commission. [117571]

Mr. Chris Smith: My Department has been working closely with the London Film Commission and the Film Council to ensure that the valuable services provided by the Commission continue to be provided. I am very pleased that a solution has been found which will enable the Commission to focus on its main priorities while seeking to ensure that it has a sound financial basis for its future operation.

Departmental Properties

Mr. Don Foster: To ask the Secretary of State for Culture, Media and Sport what *(a)* number and *(b)* percentage of properties in his charge are empty; and what steps are being taken by his Department to reduce the number of such properties. [116920]

Mr. Chris Smith: My Department has the following properties unoccupied at present:

Address of property	*Wholly or partly unoccupied*	*Date vacated*
Core Department		
2nd Floor, 179a Tottenham Court Road, W1[1]	Partly	January 2000
Basement, 7 St. James's Square, SW1[2]	Partly	January 2000
Royal Parks Agency		
Brew House Bushey Park[3]	Wholly	© 1998
New Lodge Bushey Park[4]	Wholly	December 1999
White Lodge, Bushey Park[4]	Wholly	© 1980
Vanburgh Gate Lodge, Greenwich Park[4]	Wholly	January 2000

[1] Area became vacant following closure of Y2K contingency office. Temporarily occupied by the Film Council but being actively marketed.
[2] Area became vacant following Commission for Architecture and the Built Environment (CABE) reducing their occupation prior to finding alternative premises. Being actively marketed.
[3] Requires the completion of restoration before re-occupation.
[4] Expected that re-occupation by RPA staff will occur during 2000–01.

The Department's office premises that are partly vacant are being marketed with a view to occupation during the new financial year (2000–01), and the Royal Parks Agency expects at least three of the four properties listed above to be re-occupied by members of staff during 2000–01.

Parliament Square (Demonstrations)

Mr. Meale: To ask the Secretary of State for Culture, Media and Sport what his policy is on the use of Parliament Square by campaigning organisations for demonstrations. [116276]

Mr. Charles Clarke: I have been asked to reply.

The use of Parliament Square requires the permission of the Royal Parks Agency, which I understand was not given in the case of the current protest by pig farmers. Any action to remove demonstrators is an operational matter for that Agency.

CABINET OFFICE

Corporate IT Strategy

Mr. Coaker: To ask the Minister for the Cabinet Office what plans she has to publish the Government's corporate IT strategy. [117305]

Mr. Ian McCartney: I have today launched the re-titled 'e-Government Strategy' which meets this commitment.

I have placed copies of the e-Government Strategy in the Libraries of the House.

Civil Service College

Mr. Peter Bradley: To ask the Minister for the Cabinet Office if she will make a statement on the future arrangements for the Centre for Management and Policy Studies and the Civil Service College. [117612]

Mr. Ian McCartney: From 1 April 2000 the Civil Service College will be fully integrated into the Centre for Management and Policy Studies (CMPS) at the heart of government within the Cabinet Office. As a result, the College will no longer operate as an executive agency.

CMPS will enjoy extensive management delegations and will operate within the terms of a framework document. Copies will be placed in the Libraries of the House.

Civil Service Leavers

Mr. Pond: To ask the Minister for the Cabinet Office how many male ex-Government employees there are under the age of 65 years. [117127]

Mr. Stringer: The information is not held in the form requested and could only be provided at disproportionate cost. The number of male permanent staff who have left the Civil Service during the last 10 years who, if still alive, would have been under the age of 65 at 1st April 1999 was approximately 167,000.

GM Plants

Dr. Gibson: To ask the Minister for the Cabinet Office what plans she has to visit a research laboratory engaged in research into genetically modified plants. [116565]

Marjorie Mowlam: I have recently accepted an invitation to visit the John Innes Centre in order to learn more about the implications of GMO's for the environment and their potential applications in UK industry and agriculture. I meet a range of outside organisations as part of the Government's ongoing dialogue on biotechnology, including environmental groups, consumer bodies and industry representatives. The UK's commitment to a science based approach to biotechnology which protects public health and the environment is made clear in all such discussions.

US International Trade Commission

Mr. Fabricant: To ask the Minister for the Cabinet Office (1) for what reason, when her officials met analysts from the United States International Trade Commission during the last two weeks, they advised the analysts not to meet hon. Members; [116313]

(2) what representations her Department has made to visiting analysts from the United States International Trade Commission in respect of their inquiry on behalf of the United States Senate Finance Committee on the impact on the United States economy of including the United Kingdom in NAFTA. [116316]

Mr. Stringer: I refer to the answer given today by my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs, *Official Report*, column 285W.

Privy Council Judicial Committee

Ms Roseanna Cunningham: To ask the Minister for the Cabinet Office what plans there are for the Judicial Committee of the Privy Council to meet in Scotland when dealing with Scottish devolution or European Convention on Human Rights cases. [116518]

Mrs. Beckett: I have been asked to reply.

There are presently no plans for the Judicial Committee of the Privy Council to sit in Scotland.

Scottish Law Books

Ms Roseanna Cunningham: To ask the Minister for the Cabinet Office how many *(a)* Scottish legal texts, *(b)* Scottish session cases and *(c)* other Scots law books are held by the Privy Council; and if she will place a list of all such material in the Library. [116517]

Mrs. Beckett: I have been asked to reply.

As at 29 March 2000 there were 16 volumes of Scottish legal materials held in the library of the Judicial Committee of the Privy Council. Details are as follows:

Laws of Scotland 1828 (comprising Laws and Acts of Parliament)

Erskine's Institute of the Law of Scotland—(1871)

Stair's Institutions of the Law of Scotland—(1832)

Bell's Principles of the Laws of Scotland—(1899)

Bell's Commentaries on the Laws of Scotland—(1826) 5th and (1858) 6th

Bell's Dictionary Scotch Law A-E

Bell's Dictionary Scotch Law F-Z

Compendium of English & Scotch Law (Paterson)—(1865)

Session Cases (Cases decided in the Court of Session and also in the Court of Justiciary etc. and House of Lords)—(1998) and (1999)

Scots Law Times (Reports) (News. Sheriff. Lord)—(1998) and (1999)

The Scotland Act (Hinsworth & Munro)—(1998).

In addition the following are on order and due to be delivered shortly: a set of Sessions Cases from 1821; a set of Scots Law Times Reports from 1893; the Parliament House Book (five volumes); Current Law Statutes; together with updating material on the above as it is issued.

Ms Roseanna Cunningham: To ask the Minister for the Cabinet Office what resources are available to the Privy Council this year to purchase Scottish texts, Scottish sessions cases and Scots law books. [116519]

Mrs. Beckett: I have been asked to reply.

An additional sum of £20,000 has been allocated on the current year's allowance for the acquisition of textbooks and other reference material for use for the purposes of devolution appeals and references to the Judicial Committee of the Privy Council from Scotland, Wales and Northern Ireland.

LORD CHANCELLOR'S DEPARTMENT

Prescribed Drugs (Compensation)

Mr. Llew Smith: To ask the Parliamentary Secretary, Lord Chancellor's Department, what plans he has to introduce legislation to ensure higher levels of compensation from pharmaceutical companies to those suffering from the deleterious effects of the prescribed use of drugs. [116986]

Mr. Lock: The level of damages is a matter of common law for the courts to decide, in their own independent sphere. The Government have no plans to introduce legislation on levels of damages in the categories of cases specified.

Legal Aid

Dr. Starkey: To ask the Parliamentary Secretary, Lord Chancellor's Department, what was the annual cost of legal aid in spousal maintenance cases in each of the last five years. [116707]

Mr. Lock: The Legal Aid Board does not record separately expenditure on spousal maintenance cases. I am, however, able to provide information on expenditure in respect of all ancillary relief cases, which includes both child maintenance and spousal maintenance:

	£ million
1993–94	47.6
1994–95	45.9
1995–96	51.6
1996–97	54.9
1997–98	53.5

The figures provided are derived from closed cases. A case is regarded as closed when all outstanding matters relating to the certificate are completed. They may include payments made in more than one year. Due to changes in the Legal Aid Board's computer systems, we do not have as yet closed case data for 1998–99.

Magistrates Courts

Mr. Sheerman: To ask the Parliamentary Secretary, Lord Chancellor's Department, what steps he is taking to ensure that justices of the peace are properly valued in the criminal justice system. [R] [116971]

Jane Kennedy: More than 95 per cent. of criminal cases begin and end in the Magistrates courts. They also deal with many family, civil and licensing matters. Magistrates courts play a key role in our system of justice. I and my colleagues take every opportunity to make it clear publicly how much we value the work of Justices of the Peace. Their voluntary contribution to civic life is much appreciated by this Government. They put great time and effort into their judicial duties, in their own time and without any remuneration.

Mr. Sheerman: To ask the Parliamentary Secretary, Lord Chancellor's Department what recent research his Department has commissioned into the level of truthfulness and accuracy of financial statements of personal circumstances provided by those who have been found guilty in magistrates' courts. [116943]

Jane Kennedy: None.

Mr. Sheerman: To ask the Parliamentary Secretary, Lord Chancellor's Department what action his Department takes to ensure that magistrates' courts provide facilities for magistrates that are of a high standard. [R] [116942]

Jane Kennedy: The Lord Chancellor's Department has issued guidance to Magistrates Courts Committees and local authorities on the type of facilities it is expected should be provided in new or refurbished court buildings. Provision of such facilities is a matter for the Magistrates Courts Committee and local authority.

Mr. Sheerman: To ask the Parliamentary Secretary, Lord Chancellor's Department what steps he is taking to ensure that magistrates courts check the financial details provided by defendants. [116941]

Jane Kennedy: Magistrates Courts Sentencing Guidelines shortly to be produced by the Magistrates' Association, with the support of the Lord Chancellor, are expected to remind magistrates that section 18 of the Criminal Justice Act 1991 requires courts to look into the financial circumstances of the offender before fixing the amount of a fine. If magistrates are not satisfied with the information available, they are able to adjourn the case for further information to be given.

Departmental Properties

Mr. Don Foster: To ask the Parliamentary Secretary, Lord Chancellor's Department what *(a)* number and *(b)* percentage of properties in his charge are empty; and what steps are being taken by his Department to reduce the number of such properties. [116916]

Jane Kennedy: The Court Service currently has six vacant properties and holds vacant space in another six Government buildings. In total this represents 3.1 per cent. of the Court Service estate. Of the six vacant buildings, five are being actively marketed and the Court Service is actively trying to negotiate early surrender of the sixth. Of the space held in the six other Government buildings, the Court Service is about to serve notice to terminate occupation in two. Attempts are being made to sub-let or negotiate early surrender of the remainder.

The Northern Ireland Court Service currently has three properties vacant which represents 9 per cent. of its estate. These three properties are in the late stages of disposal.

HOME DEPARTMENT

Jury Trial

Mr. Lidington: To ask the Secretary of State for the Home Department, pursuant to his answer of 9 March 2000, *Official Report*, column 820W, on jury trial, for what reasons he has assumed that eight per cent. of formerly electing defendants would be committed for sentence to the Crown Court under the provisions of the Criminal Justice (Mode of Trial) (No. 2) Bill. [115060]

Mr. Charles Clarke *[holding answer 17 March 2000]:* Home Office Research suggests that the magistrates would be able to sentence in cases where the Crown Court currently imposes a custodial sentence of up to 15 months—since sentences are two and a half times longer for defendants who elect Crown Court trial than for equivalent cases sentenced in the magistrates courts. In 1996, 76 per cent. of defendants in either-way cases dealt with at the Crown Court fell into this category. However, only one third of these defendants would have elected jury trial, and since defendants who elect are four times less likely to receive such a sentence compared with directed defendants, this means that magistrates would be able to sentence 92 per cent. of such defendants. The remainder, eight per cent., would be committed for sentence.

Criminal Justice and Court Services Bill

Miss Widdecombe: To ask the Secretary of State for the Home Department what estimate he has made of the number of prisoners who will be returned to prison after breaching the *(a)* monitoring and *(b)* drug testing requirements of their release on licence under the provisions of Part III of the Criminal Justice and Court Services Bill; and if he will make a statement. [115821]

Mr. Boateng *[holding answer 22 March 2000]:* The use of the new licence conditions provided for under Part III of the Criminal Justice and Court Services Bill will be subject to piloting before any consideration is given to wider implementation.

For full national implementation, the estimated additional number of people who would be returned to prison every year is as follows:

between 200 and 600 people returned following breach of the electronic monitoring requirements of their licence, or following breach of other licence conditions identified through electronic monitoring; and

between 500 and 2,700 people returned for breach of the drug testing requirements of their licence, or as a result of drug use identified through testing.

The actual figures will depend on the extent to which the new licence conditions are used, and the breach rate.

Asylum Seekers

Mr. Cohen: To ask the Secretary of State for the Home Department what his policy is on housing asylum seekers on ships; and if he will make a statement. [116305]

Mrs. Roche: All offers of accommodation for asylum seekers under the national asylum support scheme are assessed with regard to the suitability of the accommodation offered, including its quality and whether it is in a location where the support needs of the asylum seekers are capable of being met. We would also assess its cost and whether any necessary planning permission has been issued. The National Asylum Support Service has also undertaken to consult with local authorities before any contract for accommodation is signed.

Any offer of accommodation that includes facilities to accommodate people on floating accommodation will be considered in the same way and in accordance with the same criteria as any other offer of accommodation.

Mr. Mitchell: To ask the Secretary of State for the Home Department how many people from each country which is a candidate for EU membership applied for refugee status in the United Kingdom in *(a)* 1999 and *(b)* 2000 to date; how many were accepted in each case; and what criteria each successful applicant and their family fulfilled. [116307]

Mrs. Roche: All asylum applications are considered against the criteria specified in the 1951 United Nations Convention relating to the Status of Refugees. In order to qualify for asylum, a person must be outside his/her country of nationality and have a well-founded fear of persecution for reasons of their race, religion, nationality, membership of a particular social group or political opinion. The spouse and minor children who accompany an asylum applicant to the United Kingdom will normally be recognised as refugees if the principal applicant's application is successful.

Asylum applications [1] received in the United Kingdom, excluding dependants, and initial decisions [2] on applications, 2000

Principal applicants

		Decisions					
	Total applications	*Total decisions*	*Grants of asylum*	*Grants of ELR*	*Total refusals*	*Grants of ELR underbacklog criteria*	*Non compliance refusals under backlog criteria*
Turkey	640	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—
Poland	275	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—
Lithuania	125	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—
Romania	585	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—

Asylum applications [1] received in the United Kingdom, excluding dependants, and initial decisions [2] on applications, 2000

Principal applicants

		Decisions					
	Total applications	*Total decisions*	*Grants of asylum*	*Grants of ELR*	*Total refusals*	*Grants of ELR underbacklog criteria*	*Non compliance refusals under backlog criteria*
Slovakia	[4]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—
Czech Republic	345	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—
Latvia	80	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—
Estonia	90	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—
Bulgaria	5	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—
Cyprus	10	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—
Slovenia	[4]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—
Hungary	—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—

[1] Figures rounded to nearest 5, with [4] = 1 or 2
[2] Information is of initial determination decisions, excluding the outcome of appeals or other subsequent decisions
[3] Not available
[4] = 1 or 2

Asylum applications [1] received in the United Kingdom, excluding dependants, 1999 and initial decisions [2,3] on applications, January to May 1999

Principal applicants

		Decisions					
	Total applications	*Total decisions*	*Grants of asylum*	*Grants of ELR*	*Total refusals*	*Grants of ELR under backlog criteria*	*Non compliance refusals under backlog criteria*
Turkey	2,870	625	15	[5]—	100	505	5
Poland	1,865	160	[4]—	—	160	[5]—	—
Lithuania	615	130	—	—	130	[5]—	—
Romania	1,990	65	—	—	60	5	—
Slovakia	75	90	—	—	90	—	—
Czech Republic	1,790	50	—	—	50	—	—
Latvia	520	15	—	—	15	—	—
Estonia	455	5	—	—	5	—	—
Bulgaria	85	40	—	—	10	30	—
Cyprus	25	75	[5]—	—	—	75	—
Slovenia	5	—	—	—	—	—	—
Hungary	15	[5]—	—	—	—	[5]—	—

[1] Figures rounded to nearest 5, with [5] = 1 or 2
[2] Information is of initial determination decisions, excluding the outcome of appeals or other subsequent decisions
[3] January to May only
[4] Not available
[5] = 1 or 2.

Deportations

Mr. Sanders: To ask the Secretary of State for the Home Department how many people have been deported from the UK in each of the last five years for which figures are available. [116485]

Mrs. Roche: The numbers of people removed or departing voluntarily from the United Kingdom under port, illegal entry or deportation procedures between 1995 and 1999 are shown in the table.

Passengers refused entry and removed and persons removed or departing voluntarily as a result of illegal entry or deportation action [1], 1995 to 1999

	1995	*[2]1996*	*1997*	*1998*	*[2,3]1999*
Passengers refused entry and removed	18,950	21,430	24,540	27,600	31,300
Removals and voluntary departures under illegal entry procedures[1]	3,160	3,460	4,540	5,580	5,220
Removals and voluntary departures under deportation procedures[1]	1,920	2,000	2,070	1,720	1,150
Total	24,030	26,880	31,140	34,900	37,660

[1] Includes only those voluntary departures taking place after the initiation of such action
[2] Data are revised
[3] 1999 data are provisional

Note:

Data are rounded to 10

Animal Experiments

Mr. Hancock: To ask the Secretary of State for the Home Department (1) what experiments took place under licence at Wickham Research Laboratories, Wickham, Hampshire, in each of the last two years; what animals were involved; and if he will make a statement; [116939]

(2) how many applications for licences for experiments in the Wickham Research Laboratories, Wickham, Hampshire have been made in each of the last five years; and how many applications were successful. [116940]

Mr. Mike O'Brien: Section 24 of the Animals (Scientific Procedures) Act 1986 prevents disclosure of detailed information about individual establishments licensed under the Act that has been given in confidence.

Wickham Laboratories Ltd. has agreed to release the following information about its work. Wickham Laboratories Ltd. has applied for three project licences under the Animals (Scientific Procedures) Act 1986 during the last five years and currently holds three licences under the 1986 Act. The establishment undertakes mandatory safety testing of pharmaceutical and medical products. The animals used are rabbits, guinea pigs and mice.

We are reviewing section 24 in the context of the Freedom of Information legislation.

Mr. Hancock: To ask the Secretary of State for the Home Department how many laboratory rodents were killed in each of the last four years as a result of scientific procedures; and if he will make a statement. [116715]

Mr. Mike O'Brien: Information on the number of rodents killed as a result of their use in scientific procedures is not collected centrally by the Home Office. The number of rodents used in scientific procedures is set out in Table 1a of the Statistics of Scientific Procedures on Living Animals Great Britain published annually. Figures for 1999 are being collected now and will be published in July. Figures for the four years up to 1998 are as follows:

	Number
1995	2,270,097
1996	2,304,483
1997	2,248,094
1998	2,243,377

These figures represent the number of rodents on which scientific procedures were started during the reporting year. Almost all of these animals would have been killed when the procedures were completed, but this would not necessarily have been in the same year.

Mr. Hancock: To ask the Secretary of State for the Home Department how many scientific procedures were started on laboratory animals in 1999–2000 and in each of the previous three years. [116718]

Mr. Mike O'Brien: The number of scientific procedures carried out by species of animal and primary purpose of procedure is set out in Table 1 of the Statistics of Scientific Procedures on Living Animals Great Britain published annually. Figures for 1999 are not yet available and will be published in July. Those for the previous three years are as follows:

	Number
1996	2,716,587
1997	2,635,969
1998	2,659,662

Prisons (Drug Free Units)

Mr. Cox: To ask the Secretary of State for the Home Department how many drug free units there were in *(a)* men's and *(b)* women's prisons, and how many (i) male and (ii) female inmates there were in such units, in England and Wales on 1 February. [116827]

Mr. Boateng: The table shows the latest available figures for voluntary testing units sub-divided by male/female prisons.

Voluntary testing units in prison establishments

	Prisons with unit	*Capacity*
Male	56	6,350
Female	5	223
Mixed—Male/Female	2	56
Total	63	6,629

Prisons (Segregation Units)

Mr. Cox: To ask the Secretary of State for the Home Department what his policy is on who should adjudicate on breaches of prison rules by inmates held in a segregation unit in a prison in England and Wales; and if he will make a statement. [116828]

Mr. Boateng: The Prison Rules and Young Offender Institution Rules give authority to conduct adjudications to the governor of the establishment, or the controller in the case of contracted out prisons. Any governor, or controller who conducts an adjudication must have been specifically trained for the purpose.

Speeding Fines

Mr. Gibb: To ask the Secretary of State for the Home Department what was the revenue from speeding fines (i) nationally and (ii) in each police area in *(a)* 1992–93, *(b)* 1993–94, *(c)* 1994–95, *(d)* 1995–96, *(e)* 1996–97, *(f)* 1997–98 and *(g)* 1998–99. [116947]

Mr. Charles Clarke: Information on the revenue raised from speeding fines is not available.

However, the table shows the total amount of fines ordered to be paid following conviction for speeding offences. As the majority of such offences are dealt with by the issue of a fixed penalty, the table also shows the total amount of fixed penalties ordered to be paid. The readily available information relates to the calendar years 1992 to 1997. Information for 1998 and 1999 is not yet available.

Not all fines and fixed penalties will have been paid.

Total amount of fines and fixed penalties ordered to be paid for speeding offences—England and Wales 1992 to 1997

£000

	1992	1993	1994	1995	1996	1997
Fines						
Avon and Somerset	532	408	376	621	479	798
Bedfordshire	139	89	75	89	73	177
Cambridgeshire	127	233	131	135	463	453
Cheshire	175	148	100	49	99	400
Cleveland	79	48	30	43	58	51
Cumbria	478	494	245	197	223	240
Derbyshire	251	226	226	241	317	318
Devon and Cornwall	343	258	399	395	377	496
Dorset	94	115	131	101	115	95
Durham	90	82	69	50	41	47
Essex	1,121	965	793	608	627	644
Gloucestershire	284	317	254	266	304	185
Greater Manchester	725	807	925	1,141	1,017	942
Hampshire	693	631	686	820	778	610
Hertfordshire	169	150	172	243	179	352
Humberside	117	135	82	105	129	122
Kent	239	444	491	296	233	255
Lancashire	476	269	234	268	395	438
Leicestershire	220	329	238	186	137	152
Lincolnshire	264	223	110	23	164	234
City of London	14	6	6	17	14	17
Merseyside	128	116	247	541	331	285
Metropolitan Police	1,053	1,319	1,254	1,261	1,310	1,403
Norfolk	308	191	113	100	137	193
Northamptonshire	146	138	85	64	22	19
Northumbria	322	282	275	254	151	216
North Yorkshire	197	135	127	137	170	313
Nottinghamshire	52	32	30	36	49	75
South Yorkshire	251	192	174	211	252	294
Staffordshire	206	195	161	233	174	387
Suffolk	198	216	154	168	133	178
Surrey	203	173	131	115	162	227
Sussex	299	282	333	281	338	477
Thames Valley	532	574	778	959	981	1,325
Warwickshire	214	230	127	201	200	198
West Mercia	304	453	347	334	337	382
West Midlands	366	413	407	651	586	580
West Yorkshire	455	422	451	416	418	499
Wiltshire	363	272	274	261	323	582
Dyfed-Powys	69	54	54	60	90	95
Gwent	108	175	148	120	258	372
North Wales	211	148	154	142	166	163
South Wales	81	84	79	71	95	233
Total	12,697	12,475	11,676	12,512	12,904	15,523
Fixed penalties						
Avon and Somerset	574	298	237	211	240	292
Bedfordshire	91	97	99	142	225	348
Cambridgeshire	422	324	221	293	255	593
Cheshire	541	255	132	165	333	431
Cleveland	286	118	105	181	158	130
Cumbria	282	287	203	226	185	195
Derbyshire	348	283	402	469	624	698
Devon and Cornwall	344	562	1,037	1,043	1,163	1,446
Dorset	378	416	497	546	399	447
Durham	196	156	171	167	125	129
Essex	850	623	911	1,227	902	1,925
Gloucestershire	263	162	224	191	182	250
Greater Manchester	1,051	1,200	1,261	2,224	1,947	2,188
Hampshire	632	795	1,254	1,196	1,085	1,098
Hertfordshire	162	188	404	452	474	704
Humberside	307	194	156	222	365	389
Kent	495	438	461	500	690	1,148
Lancashire	405	322	318	515	821	953
Leicestershire	226	262	210	165	184	224
Lincolnshire	372	307	183	295	278	264
City of London	24	6	25	17	15	21
Merseyside	398	345	735	748	692	472
Metropolitan Police	1,729	1,612	1,668	1,876	2,030	1,820

Total amount of fines and fixed penalties ordered to be paid for speeding offences—England and Wales 1992 to 1997

£000

	1992	1993	1994	1995	1996	1997
Norfolk	342	162	150	146	195	196
Northamptonshire	164	92	71	46	81	149
Northumbria	491	395	350	413	738	1,028
North Yorkshire	270	227	245	250	387	467
Nottinghamshire	51	35	58	70	159	185
South Yorkshire	692	558	649	745	896	1,562
Staffordshire	357	355	496	430	699	902
Suffolk	208	211	212	295	283	291
Surrey	344	245	136	266	520	214
Sussex	512	679	742	514	862	1,005
Thames Valley	551	860	2,055	2,003	1,988	2,131
Warwickshire	156	106	116	123	146	74
West Mercia	497	485	486	507	677	616
West Midlands	453	382	413	445	573	375
West Yorkshire	752	602	530	524	594	964
Wiltshire	465	388	524	529	434	453
Dyfed-Powys	200	187	211	233	227	268
Gwent	104	136	90	104	171	211
North Wales	290	252	262	326	353	366
South Wales	212	182	166	168	446	889
Total	17,485	15,790	18,899	21,207	23,802	28,510

Income-related Fines

Mr. Gibb: To ask the Secretary of State for the Home Department what assessment his Department has made of relevant overseas practice in relation to income-related fines. [116946]

Mr. Charles Clarke: No research has been conducted recently into use of income-related fines overseas.

EU Justice and Home Affairs Council

Mr. Hood: To ask the Secretary of State for the Home Department what was the outcome of the Justice and Home Affairs Council held in Brussels on 27 March; and if he will make a statement. [116833]

Mr. Straw: The Minister of State, my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche), represented the United Kingdom at the Council. The main matters dealt with were as follows:

'A points'

The list of 'A' points was agreed in full, including, among other things, the Europol Work Programme for 2000; the exchange of information in the evaluation of risks and control of new synthetic drugs; and the Council Decision concerning the better exchange of information in order to fight the use of counterfeit travel documents.

Open Debate on the protection of victims in the European Judicial Area

The priority being given to improving the position of victims in the European Union was welcomed wholeheartedly by the Council. The Commission's consultation paper was regarded as the basis for future work. All member states had domestic schemes to assist victims, but it was agreed that action was needed at Union level to ensure adequate protection for those who were victims abroad. The right to compensation was also discussed.

Adoption of the Agenda

In view of ongoing discussions between Spain and the United Kingdom, in consultation with the Government of Gibraltar, the Presidency dropped four items (Insolvency, Service of Documents, Eurodac Regulations, Mandate for a parallel Dublin Agreement with Norway and Iceland) from the meeting's agenda, since the outstanding issue on these dossiers was the question of application to Gibraltar.

Tampere Score-Board

There was a presentation by the Commission. The Council gave broad endorsement to the objectives, structure and deadlines set out in the Commission Score-Board, as a political, not legal, commitment. It was acknowledged that the document should be flexible, with deadlines and substance being kept under review. A revised version would be presented for review once per Presidency. Member states set out their priorities, with the next Presidency giving a detailed picture of its Presidency objectives.

Counterfeiting the euro

There was political agreement, subject to one member state's parliamentary scrutiny reserve. The Commission announced its intention to bring forward a supplementary instrument including provisions on co-operation, training and exchange of information.

Draft Mutual Legal Assistance Convention

Agreement was reached on outstanding issues except territorial scope and data protection. The draft Convention would be submitted for adoption at the May Council, following further consultation and consideration.

Framework Decision establishing Joint Teams to conduct criminal investigators in one or more member state

Member states remained divided as to the most appropriate means of implementing the paragraph of the Tampere conclusions calling for the establishment without delay of Joint Investigation Teams to conduct criminal investigations. The issue would be remitted back to the appropriate working group.

The prevention and control of organised crime: a European strategy for the beginning of the new Millennium

The text of the strategy was approved and would be published in the Official Journal in due course.

Collective Evaluation preliminary country reports on Czech Republic and Hungary

The Council noted the reports by the Collective Evaluation Working Group. The importance of Justice and Home Affairs matters in the enlargement exercise was stressed. Member states would assist applicant countries all they could, but it was considered important that pressure should continue to be placed on the applicant counties themselves. It was agreed that the Council Secretariat would prepare a document for the Enlargement Working Group setting out any areas of omission or weakness identified in the country reports.

Brussels II Regulation (proposal for a Council Regulation on jurisdiction and the recognition and enforcement of judgments in matrimonial matters and in matters of parental responsibility for joint children)

Substantial progress was made on this item, subject to the outstanding issue of territorial scope. The United Kingdom did not lift its parliamentary reserve and in that respect the reference in the press statement by the Council reporting on the outcome of the proceedings that "political agreement" has been reached on the draft instrument was incorrect.

Brussels I Regulation (proposal for a Council Regulation on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters)

The Presidency gave a 'state of play' report on discussion of the draft Regulation. It was noted that the European Parliament's opinion was awaited. The Commission announced its intention to propose an amendment to Article 15 of the Regulation to make clear that it applied to distance contract only.

Charter of Fundamental Rights

The Presidency gave a 'state of play' report on discussions. A final draft would be prepared by June and adopted by the end of October, for submission to the European Council. Major issues such as scope, legal status and relationship with the European Court of Human Rights would be considered once agreement had been reached on the body of the text. There was no discussion.

Commission's proposal for a European Refugee Fund

The Presidency gave the state of play, reporting on discussion in the Strategic Committee on Immigration, Frontiers and Asylum, noting the need for the proposal to be clearer on the aims and target of the fund, on future financing and on the allocation criteria. The Commission was invited to bring forward a proposal on temporary protection as soon as possible.

Following discussion, the Commission expressed the hope that the proposal could be adopted during the current Presidency.

Revision of the Dublin Convention

The Commission paper (analysing the current problems with the operation of the Dublin Convention and considering alternatives for a replacement Title IV measure) was generally welcomed. The Commission planned to consult widely. A proposal would then be made at the turn of the year.

High Level Working Group on Asylum and Migration

The Presidency noted that the Action Plan on Albania and the neighbouring region had now been agreed by the High Level Working Group and would go to the General Affairs Council for adoption in June. New working methods had been established to take forward the implementation of all the Action Plans.

United Kingdom Drugs Initiative

We provided information on the United Kingdom Initiative for European Union action to tackle drugs with the aim of achieving a drug-free enlarged Union. The Presidency asked the Committee of Permanent Representatives to remit this to the Article 36 committee to take forward.

German Initiative on Public Contract Law

Germany introduced its initiative for a Framework Decision to establish uniform minimum standards under criminal law for unlawful/uncompetitive behaviour in the award of public contracts.

Relations with Mediterranean countries

An Israeli request to increase the dialogue on judicial co-operation between the European Union and Mediterranean countries through the Barcelona process was noted by the Council.

Asylum conference

The Presidency confirmed that it would host a joint conference with the Commission in Portugal on 15–16 June, on asylum issues.

Recidivism (Canada)

Dr. Palmer: To ask the Secretary of State for the Home Department if he will study the reasons for the fall in recidivism in Canada; and if he will make a statement. [116745]

Mr. Charles Clarke: The Government are taking account of the work in North America, including Canada, in reducing recidivism when developing their own policies to reduce reconvictions of offenders. In particular, when developing the accredited offender programmes for offenders in the prison and probation services.

Evidence on what works in reducing offending is summarised in the Home Office Research Series Number 187, 'Reducing Offending', published in 1998, in particular Chapter 8, which deals with effective interventions with offenders and references many United States of America and Canadian reports. Close contact is maintained with those working in Canada, and a recent Home Office seminar was given by Dr. James Bonta from the Canadian Department of Corrections.

The Joint Accreditation Panel, set up in 1999 under the chairmanship of Sir Duncan Nichol to accredit offender programmes in the prison and probation services, includes several members from North America.

Postal Voters

Mr. Sanders: To ask the Secretary of State for the Home Department if he will list the parliamentary constituencies ranked from highest to lowest by *(a)* number of postal voters and *(b)* postal voters as a percentage of registered electors. [116723]

Mr. Mike O'Brien: The lists of parliamentary constituencies ranked by the number of postal voters at the 1997 general election and postal voters as a percentage of registered electors as at the 1997 general election have been placed in the Library.

Domestic Violence

Mr. Sheerman: To ask the Secretary of State for the Home Department what measures he plans to introduce to combat domestic violence against women. [116944]

Mr. Boateng: We are taking forward the agenda for action set out in "Living without Fear: an integrated approach to tackling violence against women" which the Home Office, in conjunction with the Women's Unit, published last year.

Most recently, in addition to the new multi-agency guidance for addressing domestic violence which we issued in early March, the Government have issued more detailed guidance specifically for Health Service professionals. Similar guidance for the police will be issued shortly. Projects on domestic violence within the violence against women initiative of the Crime Reduction Programme will be funded from June.

Police Numbers (Hampshire)

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what was the change in *(a)* total police strength, *(b)* the number of police constables and *(c)* the number of special constables in (i) Hampshire and (ii) each division within Hampshire, between (1) 1992 and 1997 and (2) 1997 and the latest date for which figures are available; and if he will make a statement. [117037]

Mr. Charles Clarke: The available information is set out in the table. I understand from the Chief Constable that as a consequence of boundary changes to the Division over the years specified and because of further boundary changes being implemented from 1 April, that will make the territorial divisions more co-terminous with local authority boundaries, it is not possible to provide information on police numbers on a divisional basis which would be comparable or helpful.

Hampshire constabulary—police numbers for 1992, 1997 and 1999

	31 March 1992[1]	*Increase*	*31 March 1997*	*Increase/Decrease*	*30 September 1999*
Police Officers	3,211	+241	3,452	−41	3,411
Constables	2,484	+214	2,698	−63	2,635
Special Constables	529[2]	+82	611	+109	720

[1] Figures for 1992 are a pure headcount of staff numbers. From 1995 information on police numbers was collected on a full-time equivalent basis following changes to police regulations to allow the employment of part-time police officers.
[2] Information on the numbers of special constables was collected only annually. This figure is therefore for 31 December 1991.

Oakington Detention Centre

Mr. Lidington: To ask the Secretary of State for the Home Department (1) how many asylum seekers and dependants are being held at Oakington Detention Centre; [117099]

(2) how many asylum seekers have been held at Oakington Detention Centre since it opened; and in how many of those cases the initial decision on an application was made during the asylum seeker's stay at Oakington. [117248]

Mrs. Roche: As of midnight on 30 March, 47 asylum applicants had been detained at Oakington Reception Centre since it opened. Of these, 21 have so far received a decision on their claim while at Oakington and the remainder are at various stages of consideration. 24 applicants, but no dependants, were detained at midnight on 30 March.

Mr. Lidington: To ask the Secretary of State for the Home Department what is his policy on allowing detainees at Oakington temporarily to leave the centre. [117100]

Mrs. Roche: The purpose of Oakington is to deal with straightforward asylum claims in about seven days. If a decision cannot be taken within this period, the applicant will either be transferred to an ordinary detention centre or given temporary admission. As the process for consideration of the asylum claim will be very intensive, applicants will not be allowed to leave the site unless absolutely necessary, for example to attend a hospital out patient appointment.

Mr. Lidington: To ask the Secretary of State for the Home Department how many detainees have been permitted temporarily to leave Oakington Detention Centre; how many have failed to return; and if he will make a statement. [117098]

Mrs. Roche: As of midnight on 30 March, no detainees had been released from the Oakington Reception Centre subject to a condition that they return there.

Mr. Lidington: To ask the Secretary of State for the Home Department how many asylum seekers have been dispersed from Oakington Detention Centre before a decision on their case has been made; where they have dispersed to; and if he will make a statement. [117249]

Mrs. Roche: As of midnight on 30 March, one detainee had been released from the Oakington Reception Centre before a decision on his case had been made. This applicant was granted temporary admission to reside with relatives and was not dispersed under the interim dispersal arrangements.

Global Cultural Diversity Congress

Mr. Lidington: To ask the Secretary of State for the Home Department when he expects to receive the report of the Liquidator of Global Cultural Diversity Congress Ltd; and when he expects that report to be available to members of the Commission for Racial Equality. [117250]

Mr. Mike O'Brien: The issue of reports produced as part of the liquidation process is a matter for the Liquidator.

Rachel Nickell Murder

Mr. Mackinlay: To ask the Secretary of State for the Home Department how many *(a)* serving and *(b)* retired police officers who took part in the Rachel Nickell murder inquiry (1) have had documents seized by the Metropolitan police; and if he will make a statement; [117107]

(2) have (i) been subject to disciplinary action and (ii) been interviewed by (A) CIB and (B) SO13. [116967]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis informs me that this information is not readily available. I will write to my hon. Friend as soon as I have received it.

Operation Nightshade

Mr. Mackinlay: To ask the Secretary of State for the Home Department, pursuant to his answer of 16 March 2000, *Official Report*, column 268W, what was the purpose and cost of Operation Nightshade; and when it was completed. [116965]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis informs me that Operation Nightshade was an investigation into the activities of criminals involved with importation of drugs, the supply of firearms and money laundering. It was completed in June 1994. He also informs me that information about the cost of the Operation is not available.

Keith Green

Mr. Mackinlay: To ask the Secretary of State for the Home Department, pursuant to his answer of 16 March 2000, *Official Report*, column 269W on Mr. Keith Green, if the officer who interviewed Mr. Keith Green in the hospital wing of Brixton Prison on 16 December 1997 was the officer referred to in his answer relating to the interview of 9 December 1997; and if he will make a statement. [117014]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis informs me that the answer is yes.

Mr. Mackinlay: To ask the Secretary of State for the Home Department when *(a)* the Commissioner of Police of the Metropolis and *(b)* the PCA received the report of the investigating officer into the complaint of Keith Green; and what has been the cause of delay in its completion. [117017]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis informs me that the investigating officer's report was received by the Complaints Investigation Branch on 23 June 1999 and not sent to the Police Complaints Authority (PCA). The Complaints Investigation Branch wrote to the PCA on the 10 December 1999 to inform them of the decision of the Crown Prosecution Service not to proceed further with the complaint. He also informs me there was no delay in the completion of the investigation.

Mr. Roger Crooks

Mr. Mackinlay: To ask the Secretary of State for the Home Department, pursuant to his answer of 16 March 2000, *Official Report*, column 268W, for what purpose Roger Crooks was interviewed by SO13 on 24 June 1994; and if he will make a statement. [116964]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis informs me that officers of SO13 interviewed Mr. Roger Crooks on 21 June 1994 about matters that involved the supply of firearms.

Mr. Mackinlay: To ask the Secretary of State for the Home Department, pursuant to his answer of 16 March 2000, *Official Report*, column 268W, on which occasions, subsequent to 24 June 1994, Roger Crooks has been interviewed by SO13; and if he will make a statement. [116963]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis tells me that there is no record that SO13 interviewed Roger Crooks after 21 June 1994.

Detective Keith Pedder

Mr. Mackinlay: To ask the Secretary of State for the Home Department under what powers manuscripts and other documents belonging to former detective Keith Pedder were *(a)* seized and *(b)* continue to be held; and if Keith Pedder is entitled to have access to them. [117016]

Mr. Charles Clarke: I refer to the reply I gave my hon. Friend on 16 March 2000, *Official Report*, column 268W. The Commissioner of Police of the Metropolis tells me that the documentation forms part of an ongoing investigation and that it would not be appropriate for him to comment further at this stage.

Mr. Mackinlay: To ask the Secretary of State for the Home Department if he will write to the hon. Member for Thurrock when the inquiry into the complaint of former detective Keith Pedder is completed. [117013]

Mr. Charles Clarke: Yes.

Police Complaints Process

Mr. Mackinlay: To ask the Secretary of State for the Home Department, pursuant to his answer of 16 March 2000, *Official Report*, column 267W, on the CIB/Kent police investigation, what was the purpose and cost of the CIB/Kent police investigation; and when it was completed. [116966]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis informs me that the purpose was to investigate the criminal activities of persons involved in the supply of drugs. The combined cost of the Criminal Investigation Bureau/Kent investigation was in the region of £417,000. It was completed in November 1999.

Operation Cornwall

Mr. Mackinlay: To ask the Secretary of State for the Home Department what is the estimated cost, to date, of Operation Cornwall. [117015]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis informs me that it would be inappropriate, for operational reasons, to provide details of the costs associated with this ongoing inquiry.

Prison Service

Mr. Pickthall: To ask the Secretary of State for the Home Department how many women are employed in the Prison Service; and what proportion this represents of the total work force. [116850]

Mr. Boateng: The total number of women employed in the Prison Service in England and Wales on 29 February 2000 was 11,639. This represents 26.7 per cent. of the total work force.

DNA Samples

Mr. Webb: To ask the Secretary of State for the Home Department what plans he has to legislate to allow DNA samples given voluntarily by members of the public in the course of a police investigation to be retained by the police provided consent has been given by the donor. [117283]

Mr. Charles Clarke: This proposal was included in the consultation exercise on "Proposals for Revising Legislative Measures on Fingerprints, Footprints and DNA Samples", launched on 30 July 1999. We are now considering the most appropriate way to take these proposals forward.

Metropolitan Police Vehicles

Mr. Coaker: To ask the Secretary of State for the Home Department (1) what assessment he has made of the effectiveness of the Metropolitan police PFI contract for vehicle supply and maintenance; [117333]

(2) what recent representations he has received from the Nottinghamshire police about the effectiveness of the Metropolitan police PFI contract for vehicle supply and maintenance. [117332]

Mr. Charles Clarke: The Chairman of the Nottinghamshire Police Authority wrote to my right hon. Friend the Home Secretary on 2 March seeking information about the Metropolitan Police Service contract for the repair and maintenance of its vehicle fleet. It is for the Metropolitan police to assess the effectiveness of the contract. I understand from the Commissioner of Police of the Metropolis that the monitoring of repairs has shown some work not up to the required standard and that the Metropolitan police is taking a rigorous approach with the contractor in addressing those concerns.

Firearms

Mr. Corbett: To ask the Secretary of State for the Home Department what is the average time taken for *(a)* issuing and *(b)* renewing firearm certificates and shotgun licences in (i) Devon and Cornwall, (ii) Avon and Somerset, (iii) South Wales, (iv) Northumberland, (v) West Midlands and (vi) Cambridgeshire; and what the figures were in each of the previous five years. [117525]

Mr. Charles Clarke: The information is not kept centrally, but I understand from the forces concerned that the average number of weeks taken for issuing and renewing firearm certificates and shotgun licences is given in the tables.

	Issue		*Renewal*	
	Firearms	*Shotguns*	*Firearms*	*Shotguns*
Devon and Cornwall	10–12	10–12	10–12	10–12
Avon and Somerset	6	6	8	8
South Wales	8–10	6–8	8–10	6–8
Northumbria	6–8	6–8	6–8	6–8
West Midlands	4	4	4	4
Cambridgeshire	5.2	4.2	4.6	4.1

	1995	*1996*	*1997*	*1998*	*1999*
Devon and Cornwall	[1]—	[1]—	[1]—	[1]—	[1]—
Avon and Somerset	[1]—	[1]—	[1]—	[1]—	[1]—
South Wales					
Firearms grant	6–8	6–8	6–8	6–8	6–8
Firearms renewal[2]	6–8	6–8	6–8	[1]—	[1]—
Shotgun grant	5–7	5–7	5–7	5–7	5–7
Shotgun renewal[2]	6–8	6–8	6–8	[1]—	[1]—
Northumbria					
Firearms grant	6–8	6–8	6–8	6–8	6–8
Firearms renewal[3]	.5	.5	.5	[1]—	[1]—
Shotgun grant	6–8	6–8	6–8	6–8	6–8
Shotgun renewal[3]	.5	.5	.5	[1]—	[1]—
West Midlands	[1]—	[1]—	[1]—	[1]—	[1]—
Cambridgeshire					
Firearms grant	4.4	5.4	4	3.8	4.3
Firearms renewal	3	5	3.1	[1]—	[1]—
Shotgun grant	3	4.7	4.6	3.4	3.6
Shotgun renewal	1.7	3.4	2.4	[1]—	[1]—

[1] Not applicable
[2] Renewals by post 1–3 weeks
[3] Postal
Note:
Not all forces were able to provide information for the previous 5 years. There were in any event no renewals in 1998 and 1999 due to the extended life of certificates from 3–5 years.

Mr. Corbett: To ask the Secretary of State for the Home Department how many *(a)* police officers and *(b)* civilians are involved in the administration of firearm and shotgun controls; and what the figures were in each of the previous five years in (i) Devon and Cornwall, (ii) Avon and Somerset, (iii) Northumberland, (iv) West Midlands and (v) Cambridgeshire. [117539]

Mr. Charles Clarke: The information is not held centrally, but the information, obtained from the forces concerned, is given in the table.

	Devon & Cornwall	*Avon & Somerset*	*Northumbria*	*West Midlands*	*Cambridgeshire*
Police Officers					
2000	[1]27	0	[3]150	2	0
1999	[2]22	0	25	3	0
1998	[2]22	0	25	7	0
1997	[2]22	0	25	11	0
1996	[2]22	0	25	12	0
1995	[2]22	[2]—	25	12	0

	Devon & Cornwall	Avon & Somerset	Northumbria	West Midlands	Cambridgeshire
Civilians					
2000	[1]47	22	8	17	9.5
1999	10	19	8	16	9.5
1998	10	19	8	13	9.5
1997	13	19	9	12	10.5
1996	13	19	9	8	10.5
1995	13	11	9	8	10.5

[1] Also deal with other non-firearms related inquiries as part of their duties.
[2] Supported by beat officers as needed.
[3] Specifically trained to carry out firearms inquiries as well as their other duties.

Casinos

Mr. Burgon: To ask the Secretary of State for the Home Department what responses he has received to his consultation letter regarding proposals to extend the opening hours of casinos in England and Wales; and if he will make a statement. [117693]

Mr. Mike O'Brien: I published this consultation paper on 11 November 1999 and the consultation period ended on 31 January 2000. The Home Office received 2,820 responses, mostly from casino staff. 2,809 of the responses opposed the proposals. Six were neutral and five expressed support.

Many casino staff were concerned about the impact which the proposal would have on them and their families, about the difficulties in travelling home especially for female staff in the early hours, and about more exposure to passive smoking. Some also said that management had not consulted them about the proposed change. They wanted us to regulate these employment issues by using the law rather than through employee/employer negotiations.

The unions opposed the change. They drew attention to the lack of recognition for collective bargaining purposes in casinos and to the timing of the implementation of the union recognition provisions of the Employment Relations Act 1999.

Some residents' associations were also worried about increased noise early in the morning and additional traffic.

Having considered the responses very carefully, I have nevertheless concluded that we should proceed with the proposal. The issue is not the number of responses, but the strength of the argument for restricting commercial freedom. Casinos will not be obliged to adopt longer opening hours, but they will have more flexibility to meet consumer demand and increase their competitiveness. The changes will not so significantly affect the running of casinos as to require deferment pending the outcome of the independent gambling review, which is to start after Easter. The Gaming Board for Great Britain has no objections.

The Government understand the concerns about the impact of additional operating hours on casino staff and their families or on local residents. But the Gaming Act 1968 provides a regulatory framework for gambling in the public interest and is not designed to regulate normal employer/employee relations, which is subject to employment laws and the new provisions of the Employment Relations Act 1999. We agree with the view expressed by the unions that any changes to casino hours should not be made before the union recognition provision of the Act is in force. The longer hours will not, therefore, be available until the end of July this year. In addition, it will continue to give to licensing authorities power to impose restrictions on casino hours where necessary to prevent disturbance or annoyance to the occupiers of other premises in the vicinity so that the concerns of residents can be considered.

The Scottish Executive has consulted on a similar exercise in respect of casinos in Scotland and will report the outcome separately.

We will place a revised Regulatory Impact Assessment in the Library when the Order is laid.

Written Answers to Questions

Tuesday 4 April 2000

CABINET OFFICE

Regulatory Reform

Mr. Quinn: To ask the Minister for the Cabinet Office if she will list the Ministers responsible for regulatory reform; and if she will make a statement. [117920]

Marjorie Mowlam: The Ministers for Regulatory Reform in the key regulatory Departments are:

HM Treasury—Paymaster General (Dawn Primarolo MP)

Department of Trade and Industry—Minister of State (Patricia Hewitt MP)

Department of the Environment, Transport and the Regions—Parliamentary Under-Secretary of State (Lord Whitty)

Department of Health—Parliamentary Under-Secretary of State (Lord Hunt)

Home Office—Parliamentary Under-Secretary (Mike O'Brien MP)

Ministry of Agriculture, Fisheries and Food—Minister of State (the right hon. Joyce Quin MP)

Department for Education and Employment—Parliamentary Under-Secretary of State (Margaret Hodge MP).

Ministers for Regulatory Reform in other regulatory Departments are:

Department for Culture, Media and Sport—Parliamentary Under-Secretary of State (Janet Anderson MP)

Department for Social Security—Parliamentary Under-Secretary of State (Hugh Bayley MP)

Ministry of Defence—Parliamentary Under-Secretary of State (Dr. Lewis Moonie MP)

Lord Chancellor's Department—Parliamentary Under-Secretary of State (Jane Kennedy MP).

The Ministers were appointed to drive forward the better regulation agenda throughout Government. They are charged with:

removing any regulations which are outdated or burdensome, and;

ensuring that any necessary new regulations are introduced at the least cost to business.

On 30 March the Prime Minister and I met Regulatory Reform Ministers at Downing Street to discuss progress.

Works of Art

Mr. Brake: To ask the Minister for the Cabinet Office how much has been spent on *(a)* the upkeep and *(b)* the purchase of works of art in her Department for each financial year since 1992. [117469]

Mr. Stringer: I refer the hon. Member to the answer given today by my hon. Friend the Minister for the Arts, *Official Report*, columns 392–93W.

Knowledge Network Computer System

Mr. Lansley: To ask the Minister for the Cabinet Office (1) who will have access to the full Knowledge Network Computer system; [117033]

(2) what information held on the Knowledge Network Computer system will not be placed on the internet; [117034]

(3) if information relating to opposition parties will be held on the Knowledge Network Computer System. [117097]

Marjorie Mowlam: Access to the full Knowledge Network will be restricted to Ministers and civil servants (including Special Advisers).

On the question of availability of information from the Knowledge Network, I refer the hon. Member to the reply given to him on 23 March 2000, *Official Report*, column 691W and to the letter sent on 24 March from the Secretary of the Cabinet and Head of the Home Civil Service to the Chairman of the Public Administration Select Committee, a copy of which I am placing in the Library of both Houses.

EDUCATION AND EMPLOYMENT

Footballers

Mr. Brady: To ask the Secretary of State for Education and Employment, pursuant to his answer of 27 March 2000, *Official Report*, column 42W, if it is the Government's policy to *(a)* support or *(b)* oppose the exemptions from EU employment law which are being sought by UEFA in its negotiations with the European Commission. [117625]

Ms Hodge: No specific proposals have yet emerged from the EC. The Government expect that all member states would have the opportunity to discuss any possible changes to EU employment law. Consultation with national sporting bodies and other interested parties would be an important element of this.

Disability Equipment and Services

Mr. Boswell: To ask the Secretary of State for Education and Employment what response he has made to the Audit Commission's report, "Fully Equipped", on the provision of disability equipment and services. [117367]

Ms Hodge: I welcome the contribution to improving services for disabled people of the Audit Commission's report "Fully Equipped", which was addressed to the Department of Health.

The hon. Gentleman may wish to refer to the response given by my right hon. Friend the Prime Minister to my hon. Friend the Member for Birmingham, Hall Green (Mr. McCabe) on 29 March 2000, *Official Report*, column 336, regarding the Government's intentions following publication of this report.

Regulatory Reform

Mr. Cotter: To ask the Secretary of State for Education and Employment which Minister in his Department has responsibility for regulatory reform; and if he will make a statement. [117421]

Ms Hodge: I refer the hon. Member to the reply given today to my hon. Friend the Member for Scarborough and Whitley (Mr. Quinn) by my right hon. Friend the Minister for the Cabinet Office.

Higher Education

Mr. Boswell: To ask the Secretary of State for Education and Employment what studies he has made of the relative attractiveness and cost of study at United Kingdom higher education institutions compared with those in *(a)* developed anglophone countries and *(b)* other members of the European Union, for overseas students (i) in receipt of and (ii) without bursaries from public funds. [117363]

Mr. Wicks: The Government commissioned the British Council last year, as part of the initiative to bring more international students to the UK, to research the relative attractiveness and the actual and perceived costs of studying in the UK compared with other developed anglophone countries. No distinction was made between students with or without bursaries. The summary of this research, the Brand Report, is available on the EducationUK website at www.educationuk.org. We have made no similar studies on other European Union member countries.

Young Children (Hearing Loss)

Mr. Boswell: To ask the Secretary of State for Education and Employment if he will make a statement about the current responsibilities of his Department towards supporting the language and educational development of children under two years of age with a recognised hearing loss. [117364]

Jacqui Smith: It is for local education authorities to make educational provision for children of statutory school age, and those over the age of two with a statement of special educational needs, including those with a hearing-impairment. Where appropriate, local education authorities may also make special educational provision for children under two years of age.

Teachers of the Deaf

Mr. Boswell: To ask the Secretary of State for Education and Employment (1) how many teachers enrolled on mandatory courses leading to a qualification as a teacher of the deaf in each of the last five years; [117365]

(2) how many teachers undertook a mandatory course to train as a teacher of the deaf on a self-funding basis in each of the past five years. [117366]

Jacqui Smith: The Department does not collect this information.

School Meals

Helen Jones: To ask the Secretary of State for Education and Employment (1) what estimate he has made of the cost of extending free school meals to *(a)* all families in receipt of working families tax credit and *(b)* families in receipt of working families tax credit with less than half the average family income; [117142]

(2) what estimate he has made of the cost of extending free school meals to families where a parent is in receipt of the disabled person's tax credit. [117143]

Jacqui Smith *[holding answer 3 April 2000]:* The Department does not collect information on the cost of providing free school meals. We estimate that the annual cost in England of extending free school meals to children in full-time education *(a)* whose families are in receipt of working families tax credit would be over £400 million; *(b)* whose families are in receipt of working families tax credit with less than half the average family income would be slightly lower than £400 million; and *(c)* from families where a parent is in receipt of disabled person's tax credit could be in the region of £0.5 million.

We have no current plans to extend eligibility for free school meals (which would require primary legislation), but we are working closely with the Child Poverty Action Group on ways of increasing take-up by entitled pupils.

Standard Assessment Testing

Mr. Blizzard: To ask the Secretary of State for Education and Employment if he will use the number of pupils eligible for free school meals as a criterion for determining in which group a school is placed for the purpose of evaluating SATs results. [117229]

Jacqui Smith: My officials already use eligibility for free school meals as a criterion in the presentation of the Autumn Package of pupil performance information to schools.

The Autumn Package, in conjunction with the Performance and Assessment (PANDA) Report for schools produced by the Office for Standards in Education (Ofsted), allows schools to compare their Key Stage 1, 2 and 3 SAT results with other schools with similar eligibility for free school meals.

Early Years Education

Mr. Oaten: To ask the Secretary of State for Education and Employment if he will list for *(a)* England and *(b)* each local education authority in Hampshire the number of additional free early years education places that would be required to meet the Government's target of free places being available for 66 per cent. of three-year-olds by 2002. [115965]

Ms Hodge *[holding answer 23 March 2000]:* We shall have created 190,000 new free early years education places for three-year-olds by March 2002, at a cost of £390 million over three years. This will meet the national target of providing 66 per cent. of all three-year-olds in England with a free place.

The following table shows the estimated number of new places required in the local education authorities in the county of Hampshire to take the number of free places available in their areas to the level of the national target.

The criteria for distributing places have not yet been decided for 2001–02. The distribution will take account of factors such as social need. As a result, individual authorities may have higher or lower proportions of free places than the national average.

	Number
Hampshire	9,174
Southampton	1,080
Portsmouth	828

PRIME MINISTER

Interception of Communications

Mr. Baker: To ask the Prime Minister if he will make a statement on his policy in relation to information derived from interception of communications of United Kingdom citizens where that has been undertaken by foreign powers, and where Her Majesty's Government's policy would not have allowed such an interception to have been initiated by any of the security and intelligence agencies. [116902]

The Prime Minister *[holding answer 30 March 2000]:* The Interception of Communications Acts make clear that the interception of communications on a public telecommunications network in the United Kingdom may not lawfully be carried out without a warrant signed by a Secretary of State. These arrangements will be enhanced by the provisions in the Regulation of Investigatory Powers Bill, now in Standing Committee.

It would be unacceptable for our Security and Intelligence Agencies to ask foreign agencies to undertake on their behalf interception which our agencies could not lawfully carry out themselves. They do not do this.

Paternity Leave

Mr. Paul Marsden: To ask the Prime Minister what considerations underlie his policy on paternity leave; and if he will make a statement. [117292]

The Prime Minister: The Maternity and Parental Leave Regulations 1999 give both employed parents of a child born or placed for adoption after 15 December 1999 a minimum entitlement of 13 weeks unpaid parental leave during the first five years of parenthood. These regulations implement the Parental Leave Directive and reflect the Government's wish to help the parents of young children strike a better balance between their work and family commitments. The Government encourage employers to improve on these minimum requirements where this accords with the needs of employees and is compatible with the efficient running of the business.

Council of Ministers

Mr. Sanders: To ask the Prime Minister if he will make it his policy to publish the agenda of the Council of Ministers and make a statement to the House in advance of Council summit meetings. [116722]

The Prime Minister: We give the House each month a forecast of EU business in the months ahead, including details of the agenda of Council of Ministers meetings when available. We will maintain established procedures for briefing Parliament before and after European Councils.

BNFL

Mr. Llew Smith: To ask the Prime Minister what assessment he has made of the comments concerning the future of BNFL posted on the Speakers' Corner section of the Downing street interactive website. [116998]

The Prime Minister: The comments have been noted.

Correspondence

Mr. Norman: To ask the Prime Minister when he will reply to the letter of 13 March from the hon. Member for Tunbridge Wells regarding the Deputy Prime Minister. [117789]

The Prime Minister: My office has passed the hon. Member's letter to the office of my right hon. Friend the Deputy Prime Minister for reply. My right hon. Friend has asked for advice from the Parliamentary Commissioner for Standards and will reply to the hon. Member when he has received that advice.

European Council (Lisbon)

Mr. Lansley: To ask the Prime Minister if he will list the personnel who attended the European Council in Lisbon on 23 to 24 March, indicating their functions in each case. [117115]

The Prime Minister *[holding answer 3 April 2000]:* The composition of the United Kingdom Delegation was as follows:

Myself

The Chancellor of the Exchequer

The Secretary of State for Foreign and Commonwealth Affairs

The Minister for Europe (Mr. Vaz).

In addition to HM Ambassador to Lisbon and the UK Permanent Representative to the European Union, the delegation comprised five No. 10 officials and one Special Adviser, six Foreign and Commonwealth Office officials, five HM Treasury officials and a single official from each of the Cabinet Office, the Department of Trade and Industry, the Department for Education and Employment and the Department of Social Security. An official from the Northern Ireland Office also travelled with the delegation for my bilateral meeting in the margins of the Council with the Taioseach. A further British official attended the European Council in his capacity as President of the Economic Policy Committee.

Staff from the British Embassy in Lisbon and UKREP Brussels provided further support to the Delegation. I, and my colleagues, were supported by the usual number of administrative, security and secure telecommunications staff associated with a visit abroad by the Prime Minister or a senior Cabinet Minister. This is in line with the practice adopted by previous Administrations.

Mr. Lansley: To ask the Prime Minister using what mode of travel, and when, *(a)* he, *(b)* the Chancellor of the Exchequer and *(c)* the Foreign Secretary returned to the UK from the European Council in Lisbon on 24 and 25 March. [117141]

The Prime Minister *[holding answer 3 April 2000]:* I returned to the UK by air on Friday 24 March 2000. My right hon. Friend the Chancellor of the Exchequer returned to the UK by air on Thursday 23 March. My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs accompanied his French counterpart on a French aircraft for a meeting in Paris on Friday 24 March and returned to London by air that evening.

All travel was undertaken fully in accordance with the rules set out in the "Ministerial Code" and "Travel by Ministers", copies of which are available in the Library.

CULTURE, MEDIA AND SPORT

Websites

Mr. Maclennan: To ask the Secretary of State for Culture, Media and Sport if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of websites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each website (i) the topics that have been covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each website for each of the next three years. [116202]

Mr. Chris Smith: The Department's new website *www.culture.gov.uk* was launched on 28 February.

It is designed to meet customer requirements—allowing new and regular visitors to discover more about the cultural assets of this country and the role of the Department within Government. It is a portal site which guides the browser through an array of governmental, public body and other cultural and sporting sites. The Department's news releases, publications, consultation papers and extensive contact information are all available on the site.

The site cost £80,000 to redevelop. This included costs for:

tendering the work;

site redesign and development;

the introduction of a text only version of the site to help users with visual disabilities;

the introduction of a search engine; and

the incorporation of a previously separate lottery site which allows browsers to have access to information about every lottery award made since the introduction of the National Lottery.

The cost of the site redevelopment was met from the Department's 1999–2000 publicity budget—which was within budget for the year.

The operation of the site was within the budgeted £40,000.

The new site averages 34,000 hits per day, or just under 1,000 visitors per day.

Expenditure in future years to maintain the site is as given above. There are no current plans for further redevelopment of the site.

Information on the costs of non-departmental public body sites could be provided only at disproportionate cost.

Regional Cultural Distinctions

Mr. Andrew George: To ask the Secretary of State for Culture, Media and Sport what plans he has to provide support for regional cultural distinctions. [116162]

Mr. Chris Smith: It is the policy of my Department to encourage greater devolution of responsibility and support to the regions. I therefore fully support, for example, the policy of the Arts Council for England to bring decisions on funding closer to those most affected by them by devolving many responsibilities to the regional arts boards. Furthermore, the Regional Cultural Consortiums have been given the task of producing regional cultural strategies which will set out how they can best support and promote each region's distinct cultural identity.

Regulatory Reform

Mr. Cotter: To ask the Secretary of State for Culture, Media and Sport which Minister in his Department has responsibility for regulatory reform; and if he will make a statement. [117420]

Janet Anderson: I refer the hon. Member to the written answer given today to my hon. Friend the Member for Scarborough and Whitby (Mr. Quinn) by my right hon. Friend the Minister for the Cabinet Office, listing the Ministers for Regulatory Reform in the key regulatory departments.

My Department is working with a wide range of other Government Departments to identify ways of easing regulatory burdens on industries and bodies which DCMS sponsors. My Department is also actively examining many of the regulations for which it is responsible. In particular, the independent Television Commission is currently conducting an audit of all its regulatory requirements with the aim of regulating with a lighter touch.

Works of Art

Mr. Brake: To ask the Secretary of State for Culture, Media and Sport how much has been spent on *(a)* the upkeep and *(b)* the purchase of works of art in his Department for each financial year since 1992. [117476]

Mr. Alan Howarth: The Government Art Collection (GAC), part of the Department for Culture, Media and Sport, acquires and displays works of art by British artists in major Government buildings in the UK and around the world. In so doing it plays a significant role in promoting British art and culture across diverse and international environments.

The cost of purchases, transport/installation and the conservation and framing of works of art in the Collection

are met from the GAC's Annual Programme Vote. Within this overall figure, the amounts spent on each of these elements varies from year to year:

£

Year	*Upkeep (Conservation and Framing)*	*Purchase*
1992–93	148,204	137,843
1993–94	141,022	122,542
1994–95	142,200	127,155
1995–96	158,177	82,471
1996–97	123,285	122,826
1997–98	104,100	137,000
1998–99	108,300	126,600
1999–2000	87,350	184,672

The GAC operates across Government, lending its works of art for display in a variety of Departments. Within any given year the number and disposition of its works of art within any given Department varies according to circumstances. It is therefore not possible to break down the figures for upkeep and purchase of works of art in the Collection in relation to the individual Departments in which they are displayed.

HEALTH

Unused Drugs

Mr. Gordon Prentice: To ask the Secretary of State for Health what was the quantity and value of unused drugs returned to pharmacists for disposal for each year since 1995; and if he will make a statement. [116365]

Mr. Denham: Information on the quantity and value of unused medicines is not collected centrally. It is important both that patients take the medicines they need, and that they are not prescribed more medicines than they need, since this wastes money which could otherwise be used to benefit other patients. We have put in place a number of initiatives to reduce the quantity of unused medicines, such as making regular review of patients' medication by general practitioners a condition for payment of the Sustained Quality Allowance and funding pilot schemes where pharmacists manage repeat prescriptions, including checking that patients are taking the medicines that they have been prescribed and actually need further supplies. We will consider extending this initiative if the results of the pilots show that this reduces waste.

Prescription Charges

Mr. Llwyd: To ask the Secretary of State for Health how much was collected from prescription charges in the last year for which figures are available. [116876]

Ms Stuart: In 1998–99 prescription charge revenue in England, including fees from the sale of pre-payment certificates, was £341 million.

Mr. Llwyd: To ask the Secretary of State for Health if he will list the income received from prescription charges by constituency in the last year for which figures are available. [116878]

Ms Stuart: Information about charge revenue is not collected in England in the form requested.

Mr. Llwyd: To ask the Secretary of State for Health what estimate he has made of the administrative cost of changing prescription charges by 10 pence. [116877]

Ms Stuart: These costs are not identified separately within the administrative costs of the Department and National Health Service bodies in England.

Pharmacy Strategy

Mr. Love: To ask the Secretary of State for Health what progress has been made in the preparation of the pharmacy strategy; and if he will make a statement. [116696]

Ms Stuart: We are considering how pharmacists can best contribute to our agenda for the modernisation of primary care, in the light of the National Priorities Guidance for the National Health Service we published last December and the key challenges set out by my right hon. Friend the Prime Minister in his statement on NHS modernisation on 22 March 2000, *Official Report*, columns 982–83W.

Antidepressant Drugs

Mr. Llew Smith: To ask the Secretary of State for Health what was the cost in the last year for which figures are available to the National Health Service of the prescribing of drugs to combat depression. [116977]

Ms Stuart: The net ingredient of prescription items dispensed in the community for antidepressant drugs in England in 1998 was £279 million. Information on antidepressant drugs dispensed in hospitals is not available.

The data are based on items and cover all prescriptions dispensed by community pharmacists, appliance contractors, dispensing doctors and prescriptions submitted by prescribing doctors for items personally administered. The data cover all prescriptions dispensed in England and exclude prescriptions written in England but dispensed outside England.

The net ingredient cost (NIC) is the basic cost of a drug and does not take account of discounts, dispensing costs, fees or prescription charges income.

Antidepressant drugs are contained in the British National Formulary section 4.3—antidepressant drugs.

The data do not include dispensing in hospital or private prescriptions.

Clinical Negligence

Mr. Edward Davey: To ask the Secretary of State for Health how many *(a)* clinical negligence cases and *(b)* clinical negligence cases related to radiotherapy treatment, have been settled out of court in the past two years by each health authority; what has been the cost to health authorities of settling (i) clinical negligence cases and (ii) clinical negligence cases related to radiotherapy treatment, out of court over the past two years; and if he will make a statement. [117269]

Ms Stuart: Historically, data on numbers of claims have not been collected centrally.

The total costs for all clinical negligence claims for the last available two years are:

1996–97: £235 million

1997–98: £144 million.

Figures for 1998–99 are not yet available. It should also be noted that, due to changes to accounting practice required by the National Audit Office, these figures are not directly comparable.

It is not possible to say what proportion of clinical negligence claims are settled out of court, or which relate to radiotherapy treatment.

Meningitis Vaccinations

Mr. Harvey: To ask the Secretary of State for Health what assessment he has made of *(a)* the cost to the NHS of providing a nationwide meningitis vaccination programme and *(b)* the total number of people for whom such a programme would be clinically appropriate; and if he will make a statement. [116681]

Yvette Cooper *[holding answer 3 April 2000]:* Meningococcal infection can affect anyone of any age. However, the greatest number of cases and deaths occur in the under 18s and hence the prioritisation within this age band. By the end of the year the new meningococcal Group C conjugate vaccine will have been offered to all under 18s. The cost of the programme will include vaccine purchase, distribution and local implementation through schools and primary care. We will not know the full costs until the programme is completed later in the year.

National ME Centre

Mr. Burstow: To ask the Secretary of State for Health (1) how many beds are currently available at the National ME Centre; [117515]

(2) how many people are currently waiting for a bed at the National ME Centre; and for what periods of time they have been waiting. [117516]

Ms Stuart: The information requested is not collected centrally. The National Myalgic Encephalomyelitis Centre and Centre for Fatigue syndromes is not a National Health Service organisation but a registered charity which is based at the Disablement Services Centre at Harold Wood Hospital.

DEFENCE

Defence Agencies

Mr. Ernie Ross: To ask the Secretary of State for Defence if he will make a statement about the Defence Agency status of Military Survey and the Joint Air Reconnaissance Intelligence Centre. [117834]

Mr. Spellar: On 10 May 1999 I announced that the Military Survey and Joint Air Reconnaissance Intelligence Centre (JARIC) Defence Agencies were to be merged into a single combined Agency, *Official Report*, columns 19–20W. The Defence Geographic and Imagery Intelligence Agency (DGIA) will be launched today.

DGIA will be based at four main UK sites: Feltham in West London, Brampton near Huntingdon, Tolworth in Surrey and Hermitage near Newbury. The Headquarters will be Feltham alongside its largest business unit, the Defence Geographic Centre. DGIA will have some 1,700 staff; over half will be civilians and all three Services will be represented.

The Agency will act as the Department's centre of excellence for the production of imagery intelligence and geographic information in support of current military operations, defence planning, general intelligence requirements and wider Government interests.

The Agency has the following Key Targets for the year 2000–01.

Key Target 1

To satisfy operational requirements for imagery intelligence and geographic support within timescales and to standards agreed between the Agency and its customers as follows:

(a) For imagery intelligence, providing at least 95 per cent. of requirements overall, while delivering not less than 98 per cent. of Priority 1 tasks.

(b) For geographic support, providing 100 per cent. of geographic products and services essential to support current operations, both from the Agency's UK based capabilities and its deployable units.

Key Target 2

To achieve the required level of operational readiness in line with Defence Planning Assumptions, while continuing to meet those deployable element outputs required under Key Target 1.

Key Target 3

To satisfy strategic and contingency requirements for imagery intelligence and geographic support within timescales and to standards agreed between the Agency and its customers as follows:

(a) For imagery intelligence providing at least 85 per cent. of requirements overall, while delivering not less than 92 per cent. of Priority 1 tasks.

(b) For geographic support, completing at least 90 per cent of a customer endorsed programme of work for geographic products and services.

Key Target 4

To demonstrate a 1 per cent. improvement in the coverage of geographic information holdings and to maintain their quality for Defence use in comparison with the baseline established in 1999.

Key Target 5

To achieve a 2.5 per cent. improvement in efficiency.

Copies of the DGIA Framework Document and the Agency's first Corporate Plan will be placed in the Library of the House.

Reservists

Mr. Ernie Ross: To ask the Secretary of State for Defence if reservists will continue to be called out to support military operations in the Balkans and the region of Iraq. [117835]

Mr. Spellar: A new call-out order has been made under section 54 of the Reserve Forces Act 1996 which allows the call out of members of the reserve forces to continue so that they may support operations in Yugoslavia and in the region of Iraq. The call-out order has effect until 31 March 2001. Since NATO operations commenced in the former Yugoslavia, the reserve forces have historically

provided some 10 per cent. of the total UK manpower in theatre. As in previous years, only volunteers for these duties will be called out.

Regulatory Reform

Mr. Cotter: To ask the Secretary of State for Defence which Minister in his Department has responsibility for regulatory reform; and if he will make a statement. [117413]

Dr. Moonie: I refer the hon. Member to the answer given to my hon. Friend the Member for Scarborough and Whitby (Mr. Quinn) by my right hon. Friend the Minister for the Cabinet Office and the Chancellor for the Duchy of Lancaster today.

Radiation (Chatham Dockyard)

Mr. Shaw: To ask the Secretary of State for Defence when he will provide the information promised in his answer to the hon. Member for Chatham and Aylesford of 27 July 1999, *Official Report*, column 205W, concerning the number of former Chatham Dockyard workers who have received compensation under the no-fault scheme. [117664]

Dr. Moonie: I have written to my hon. Friend today.

Israel (Training Exercises)

Mr. Duncan Smith: To ask the Secretary of State for Defence what plans has he to send British forces to Israel for joint training exercises. [117562]

Mr. Spellar *[holding answer 3 April 2000]:* There are no such plans at present.

Mr. Duncan Smith: To ask the Secretary of State for Defence what meetings have been held with Israeli Government officials and his Department in the United Kingdom in the last year. [117563]

Mr. Spellar *[holding answer 3 April 2000]:* During the past year there have been numerous meetings between MOD and Israeli officials in the UK and a wide range of issues were discussed. Similar meetings and contacts will continue this year.

AGM-154C Joint Stand-off Weapon

Mr. Hancock: To ask the Secretary of State for Defence what assessment he has made of the impact which a US decision to outfit its AGM-154C Joint Stand-off Weapon with BAe Systems' Bomb Royal Ordnance Augmented Charge would have on the UK defence industry; and if he will make a statement. [116937]

Dr. Moonie: Although no decision has yet been made by the US authorities, the selection of BROACH as the preferred warhead for its Navy's Joint Stand-Off Weapon would be an important success for the UK defence industry. If successful, there would be new jobs created in both the UK and the US.

DERA

Mr. Matthew Taylor: To ask the Secretary of State for Defence in which overseas countries the Defence Evaluation and Research Agency has offices; and what are their functions. [117080]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Matthew Taylor, dated 4 April 2000:

I am replying to your parliamentary question about overseas offices of the Defence Evaluation and Research Agency (DERA).

DERA has offices in Brussels and Moscow. The Brussels offices was established to develop DERA's commercial business and status in mainland Europe. This includes support to the European Commission and NATO. The Moscow office was set up as part of the DERA Programme for Partnership in Technology (PPT). The programme establishes and develops contacts between DERA scientists and those in the Russian Federation working in related fields. In some cases this has led to joint research projects being set up to the benefit of both partners. More information about both these offices may be found on the DERA website (www.dera.gov.uk/dera) under "Who we are" and then "Organisation".

I hope the above is helpful.

Israeli Ballistic Missile System

Mr. Duncan Smith: To ask the Secretary of State for Defence what discussions *(a)* he and *(b)* his officials have had in the last year with his Israeli counterpart on ballistic missile defence; and if he will make a statement. [117559]

Mr. Spellar *[holding answer 3 April 2000]:* Neither the Secretary of State nor officials have held discussions with the Israelis on ballistic missile defence within the last year.

Craigiehall

Miss McIntosh: To ask the Secretary of State for Defence (1) what the area is of office space in the Craigiehall building to be occupied by Command HQ civilian and service personnel; and if the trade unions have been given this information; [116054]

(2) if he will make a statement on the risk assessment relating to the Craigiehall building to be used for Army 2 Division Headquarters under Regulation 3 of the Management of Health and Safety at Work Regulations 1992; [116045]

(3) how many personnel and what volume of office equipment can be safely accommodated in the Craigiehall building; [116052]

(4) how many *(a)* civilian and *(b)* service personnel are planned to occupy the Craigiehall building following the transfer there of Army 2 Division Headquarters; and if this information has been disclosed to the relevant trade unions; [116037]

(5) if he will estimate the numbers of *(a)* civilian and *(b)* service personnel planned to occupy Craigiehall; [116051]

(6) what investigation has been carried out in the Craigiehall building, which is to house the Army Headquarters 2 Division, to establish the extent of the use of asbestos in its fabric and whether it is safely inert; what alterations to the interior of the Craigiehall building are planned that could disturb existing asbestos installation; at what cost; and what are the health and safety implications for his Department's personnel being accommodated there; [116036]

(7) what load-bearing tests have been carried out in the Craigiehall building to establish whether it can safely accommodate the personnel and equipment needed in the reorganised Army Headquarters 2 Division; when and by whom the tests were conducted; what the findings of the tests were; and whether the report of the tests was disclosed to the trade unions; [116039]

(8) what representations he has received concerning the proposed accommodation to be provided for Army 2 Division HQ at Craigiehall; [116053]

(9) what is the total office space in the Craigiehall building to be occupied by Army Command HQ civilian and service personnel; and when the trade unions were given this information. [116038]

Mr. Spellar: Following the move of the Headquarters 2 Division from York to Edinburgh, a total of up to some 262 staff posts are planned to be accommodated within Annandale Block, which is the Headquarters 2 Division HQ Building, Craigiehall. Of this total, some 204 are civilian and 58 military. Some 35 of the total number work for organisations other than Headquarters 2 Division. All these staff can be safely accommodated within the building.

The gross floor office space of the building, excluding corridors, is approximately 4,000 sq m, some 3,475 sq m of which will be utilised by Headquarters 2 Division staff. It is not possible to provide a meaningful figure of the maximum number of personnel and amount of office equipment that could be safely accommodated within the building, as the occupation of each room would be dependent on individual circumstances. Planning for reorganisation of accommodation within the building has been undertaken with due regard to The Workplace (Health, Safety and Welfare) Regulations and the Approved Code of Practice 1992, Regulation 10 (Room Dimension and Space).

The presence of asbestos as an insulator behind convected heating panels and in ceiling tiles of the building was identified in December 1997. Although it was judged to be safely inert, it was nevertheless recorded as a potential hazard and brought to the attention of all staff. In line with the requirements of the Management of Health and Safety at Work Regulations 1992, Regulation 3 (Risk Assessment), a reassessment was carried out on Annandale Block in early 1999, and the judgment was that it remains safely inert.

In addition, a Legionellosis Risk Assessment relating to the building was carried out in February this year. The assessment made a number of minor recommendations to comply with statutory obligations, and implementation of these recommendations is now in hand.

Currently, alterations relating to the reconfiguration of the reprographic room in Annandale Block are being carried out at an estimated cost of £3,400. Safe systems of work have been applied and all necessary precautions have been taken in accordance with the control of Asbestos at Work (Amendment) 1992. No further work is currently planned for the building.

An intrusive structural survey has been carried out in March this year by Posford Duvivier Scotland Ltd., Edinburgh on behalf of the Estate Adviser Scotland and this confirmed that the structural integrity of the building and, in particular, the steelwork remained sound. The survey made a number of recommendations about the positioning of heavy objects such as filing cabinets on the upper floors with which the Headquarters is complying.

The health and safety of personnel accommodated within the building, and indeed throughout the HQ 2 Division, Craigiehall remains a high priority. This will remain the case.

No formal representations have been made concerning accommodation at Craigiehall. Prior to the move of the Headquarters 2 Division from York to Edinburgh, a formal consultation document associated with the restructuring, which included cost data, was given to the national and local trade unions in October 1998. Local trade unions have been kept informed of office moves within the headquarters of HQ Scotland, Craigiehall, including internal moves within Annandale Block, on an informal basis.

National Missile Defence System

Dr. Starkey: To ask the Secretary of State for Defence what assessment his Department has made of the implications for United Kingdom defence of agreeing to the use of facilities in the United Kingdom as part of the proposed national missile defence system. [116748]

Mr. Spellar: We have not received a request from the US regarding the use of facilities in the UK as part of the proposed US National Missile Defence system, nor would we expect any until after a US decision on whether or not to proceed with deployment of such a system. We would consider such a request carefully, taking account of any implications for UK defence.

Dr. Starkey: To ask the Secretary of State for Defence if he will list the dates on which he has met representatives of the US Administration in connection with United States plans for their national missile defence system. [116862]

Mr. Spellar: My right hon. Friend the Secretary of State for Defence has discussed the issue with representatives of the US Administration on a number of occasions, including during recent talks with US Defense Secretary Cohen and others in Washington between 24 and 27 January 2000, and with US Deputy Defense Secretary Hamre in London on 21 March 2000.

Dr. Starkey: To ask the Secretary of State for Defence (1) what requests he has had from the US Government for the use of facilities in the United Kingdom as part of their proposed national missile defence system; [116747]

(2) if the US Government have requested the upgrading of facilities at *(a)* Fylingdales, *(b)* Menwith and *(c)* other sites in the United Kingdom as part of proposals for their national missile defence system. [116749]

Mr. Spellar: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Newport, West (Mr. Flynn) on 30 March 2000, *Official Report*, column 209W.

LORD CHANCELLOR'S DEPARTMENT

Regulatory Reform

Mr. Cotter: To ask the Parliamentary Secretary, Lord Chancellor's Department which Minister in his Department has responsibility for regulatory reform; and if he will make a statement. [117425]

Jane Kennedy: I am the Minister responsible for regulatory reform in the Lord Chancellor's Department. I refer the hon. Member to the written answer given to my hon. Friend the Member for Scarborough and Whitby (Mr. Quinn) today by my right hon. Friend the Minister for the Cabinet Office.

Walter Monckton Papers

Mr. Matthew Taylor: To ask the Parliamentary Secretary, Lord Chancellor's Department if the Public Record Office held discussions with Oxford University with regard to the opening of the papers of Walter Monckton at the Bodleian Library on 1 March. [117072]

Mr. Lock: The Public Record Office held no discussions with Oxford University with regard to the opening of these papers. One inquiry has been received from Oxford University about the extent to which papers relating to the abdication of Edward VIII held by the PRO were open to the public.

Appeals Tribunals

Mr. Cox: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the procedure for appointing members of an appeals tribunal for the hearing of applications on the granting of an incapacity benefit. [117095]

Mr. Lock: Vacancies are advertised in the national press and professional journals. Appointment is on the basis of interview and of consultation with the relevant professional community. The Lord Chancellor appoints the candidates who best demonstrate that they meet the appropriate published criteria.

Asylum Seekers

Dr. Harris: To ask the Parliamentary Secretary, Lord Chancellor's Department what estimate he has made of the cost of legal aid for asylum seekers and illegal immigrants in each of the last three years. [117048]

Mr. Lock: An estimate is not possible as the Legal Services Commission does not separately identify applications made for legal aid by asylum seekers and illegal immigrants. However, the amount paid out for Legal Advice and Assistance in respect of all Immigration and Nationality matters, over the last three years, was as follows:

	£ million
1998–99	48.8
1997–98	35.2
1996–97	26.1

SCOTLAND

Regulatory Reform

Mr. Cotter: To ask the Secretary of State for Scotland which Minister in his Department has responsibility for regulatory reform; and if he will make a statement. [117417]

Mr. Wilson: I am the Minister with responsibility for regulatory reform within the Scotland Office. I refer the hon. Member to the reply given today to my hon. Friend the Member for Scarborough and Whitby (Mr. Quinn) by my right hon. Friend the Minister for the Cabinet Office.

TRADE AND INDUSTRY

Gas and Electricity Supplies

Mr. Efford: To ask the Secretary of State for Trade and Industry if he will make a statement on the financial difficulties caused to public utility ETM customers when extra emergency credit is given to them without advanced notification; and what is being done to safeguard their interests in the future. [114627]

Mrs. Liddell *[holding answer 23 March 2000]:* At the end of 1999 the Office of Gas and Electricity Management (Ofgem) asked energy suppliers to increase temporarily the amount of emergency credit (where this was available) to people using electronic token prepayment meters, so as to ensure that vulnerable customers would be protected from loss of gas or electricity supplies over the long Christmas/Millennium holiday period. For example, the amount of emergency credit available on Centrica (British Gas) after prepaid supplies had been used up was increased from £2 to £10. Ofgem decided that it would be unwise to publicise this measure—which would in some cases effectively increase consumers' level of debt because they would consume extra energy which would need to be repaid—and so the advance publicity before the holiday period merely encouraged customers to ensure that they had sufficient prepaid credit to get through the holiday, and advised them of the availability of charging points over the period.

In the event, a relatively small number of customers used a significant amount of emergency credit, such that some of the money they spent after the holiday to recharge payment cards was taken up in repaying this emergency credit rather than providing new supply. This may have come as a surprise to some customers—although the information displays on the meters would have warned them of the increased emergency credit level; and they were not obliged to use it.

The need to ensure continuing energy supplies to vulnerable consumers over the long Christmas 1999/ Millennium holiday period was very much a "one-off" problem, and the extension of emergency credit was designed to resolve any potential difficulties arising from it. The level of emergency credit has now reverted to the pre-holiday norm. Ofgem will ensure that if such a measure should be needed again, there will be a more proactive campaign of informing customers of the change.

Insolvency

Mr. Kidney: To ask the Secretary of State for Trade and Industry what progress he has made in his review of the law and practice relating to insolvency. [116705]

Dr. Howells: A consultation document setting out proposals to reform the law relating to personal insolvency will be published shortly. A report on the work of the joint DTI/Treasury Review of Company Rescue Mechanisms will be submitted to Ministers in April and there will be a further consultation on the subject as soon as possible after that.

Ice Cream

Mr. Wigley: To ask the Secretary of State for Trade and Industry what discussions he has had with ice cream manufacturers, other than Birds Eye Walls, concerning the decision of his Department not to implement the Competition Commission's recommendations against direct distribution; and for what reasons he rejected this recommendation. [116829]

Dr. Howells: My right hon. Friend the Secretary of State for Trade and Industry announced on 28 January that it was a drastic step to prevent a company from distributing its own products and he was not convinced that the Commission's remedy was necessary. He has not had discussions with any ice cream manufacturers concerning this decision.

Mr. Wigley: To ask the Secretary of State for Trade and Industry if he will list the recommendations of the Competition Commission in relation to the Birds Eye Walls ice cream inquiry, which he *(a)* has rejected and *(b)* will only partially implement, indicating the reason in each case. [116755]

Dr. Howells: My right hon. Friend the Secretary of State for Trade and Industry has accepted undertakings from Birds Eye Walls in line with the interim measures recommended by the Competition Commission. No other final decisions have been taken with regard to the remedies recommended by the Competition Commission.

My right hon. Friend will announce his decisions as soon as possible.

Nuclear Installations (Safety)

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 24 March 2000, *Official Report*, column 720W, what information he has sought from the European Commission in respect of the prospective publication date of the report of the Commission's Euratom Safety team visit to Dounreay in March 1999. [116972]

Mrs. Liddell: The report of the Commission's verification visit in March last year to Caithness (Dounreay) is a matter for the Scottish Executive which has the lead for environmental matters in Scotland. I understand from the Scottish Executive that finalisation of this report might be expected within the next three months.

Atomic Energy Constabulary

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry on how many occasions the United Kingdom Atomic Energy Constabulary has conducted investigations into alleged criminal malpractice in each year since 1990. [116999]

Mrs. Liddell: The UKAEA Constabulary is responsible for the policing of the nuclear licensed sites operated by BNFL, UKAEA and Urenco, including the protection on site and in transport of nuclear material. They therefore are responsible for investigating all the normal range of criminal offences on those sites, e.g. theft (the vast majority) and car crime. The figures are published in the UKAEA Constabulary's Annual Reports, copies of which are available in the Library of the House. The total figures for 1999–2000 (to date), which are not yet published, are 206 offences of which some 155 are theft.

Mixed Oxide Fuel

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry if he will make it his policy to assess the merits of the report, Fundamental Deficiencies in the Quality Control of Mixed-Oxide Fuel, released by Green Peace International on 27 March. [116987]

Mrs. Liddell: I have not received a copy of the report. The Health and Safety Executive (HSE) has independently investigated and reported on the MOX fuel quality assurance data falsification issue on 18 February. A copy of this detailed report is available in the Library of the House. The Government consider that BNFL should respond to HSE's recommendations constructively, fully and by the 18 April deadline set by HSE.

BNFL

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry if he will meet a delegation from the Socialist Environment Resources Association to discuss the future of British Nuclear Fuels. [117000]

Mrs. Liddell: If I receive a request from the Socialist Environment and Resources Association for a meeting I will give it due consideration.

Car Pricing

Ms Perham: To ask the Secretary of State for Trade and Industry how many *(a)* e-mails, *(b)* letters and *(c)* other responses he has received on the issue of car pricing from members of the (i) public, (ii) consumer groups and (iii) industry since September 1999. [117713]

Dr. Howells: My right hon. Friend the Secretary of State has received a large number of representations on the issue of car pricing, primarily from members of the public, but also from car manufacturers, car dealers and consumer groups.

Retail Measures

Mr. Robertson: To ask the Secretary of State for Trade and Industry what plans he has to issue a statement informing retailers of the legal requirements regarding the sale of goods in imperial and metric measures; and if he will make a statement. [117660]

Dr. Howells: Under legislation made in 1994, goods sold loose by weight—mainly fresh foods—have been required to be priced and weighed in grams and kilograms from 1 January 2000.

The Government have publicised this in a number of ways:

(i) holding roadshows for local authority trading standards officers and providing stocks of DTI leaflets for use in the local authority education programme for retailers

(ii) a publicity campaign in the summer of 1999 consisting of the issue of free leaflets for traders and consumers and wall charts showing weight comparisons

(iii) the placing of advertisements in the trade press in the period just before Christmas 1999 aimed largely at small retailers

In total over 275,000 "selling metric" retailer leaflets (including over 6,000 in languages other than English), over 860,000 "shopping metric" consumer leaflets (including 30,000 in languages other than English) and over 140,000 wallcharts have been issued. In addition information is available in Braille and audio form.

Company Accounting

Mr. Godsiff: To ask the Secretary of State for Trade and Industry what action he plans to take in the light of the recent consultations on the statutory audit requirements for smaller companies and other simplifications of small company accounting requirements. [117867]

Mr. Byers: The consultation on the statutory audit showed wide support for a significant increase in the threshold below which companies were not required to have a full statutory audit of their accounts.

I intend to raise the audit exemption threshold to the maximum level allowed under EU law—£4.8 million turnover. This will be achieved in two stages.

I shall lay an Order before both Houses as soon as possible which would raise the threshold to £1 million this year. This will bring the benefits to the majority of small companies as soon as possible. It has the potential of relieving up to 150,000 small companies from the burden of the statutory audit. We estimate the potential savings as up to £180 million a year.

I intend at a later date to lay a further Order to raise the threshold to £4.8 million, in the light of the conclusions of the independent Company Law Review on small companies. The Review group is considering whether, for companies in the range of £1 million to £4.8 million turnover, the audit should be replaced by a lighter, less costly form of assurance. I shall take their final recommendations into account before proposing what, if any, statutory requirement should replace the full audit for companies in that size range.

In addition, I have decided to simplify and reform the law on dormant companies, following a separate consultation. These proposals will relieve the regulatory burdens placed upon dormant companies. The key changes are to:

remove the requirement for dormant companies to have to pass a special resolution not to appoint auditors;

require dormant companies which act as agents for other companies to disclose that fact in their annual accounts;

disregard the payment of certain statutory fees for the purposes of claiming dormancy.

I have also decided that the current thresholds in the Companies Act which define small and medium companies for accounting purposes should be changed to the maxima allowed under EU law. However, this change will be made as part of the implementation of wide-ranging proposals on small companies which we expect to emerge from the Company Law Review.

Sri Lanka

Mr. Gardiner: To ask the Secretary of State for Trade and Industry how much his Department has spent to promote British trade and investment in Sri Lanka annually since 1997. [117645]

Mr. Caborn: British Trade International (since 1999—previously the Department of Trade and Industry) has given financial support to British companies going on trade missions to Sri Lanka, as follows:

	Number of:		
Year	*Missions*	*Companies participating*	*Expenditure (£)*
1997	5	109	70,200
1998	2	42	27,600
1999	4	84	54,000

Other expenditure to encourage trade and investment in Sri Lanka is part of our regional programme for the markets of Southern Asia. The following indicates expenditure on promoting Sri Lanka as part of that programme:

£

Year	*Expenditure on Southern Asia*	*Of which expenditure on Sri Lanka*
1997–98	214,916	29,660
1998–99	177,086	50,413
1999–2000	160,639	39,017

Gas-fired Power Stations

Mr. Blizzard: To ask the Secretary of State for Trade and Industry when he will review the stricter consents policy on the construction of gas-fired power stations. [117227]

Mrs. Liddell: As the Government made clear in their October 1998 Energy Sources White Paper, the stricter consents policy is a temporary measure to protect diversity and security of supply while distortions in the electricity market are removed. The Director General of Electricity Supply is keeping my Department informed of progress in addressing the competition issues and the Government expect that the policy will be relaxed as soon as they conclude, on the basis of that advice, that the reform programme is under way and the distortions removed.

Oil Fabrication (Scotland)

Mr. David Stewart: To ask the Secretary of State for Trade and Industry what plans he has to meet the work force of the Barmac oil fabrication yards in the north of Scotland. [101437]

Mrs. Liddell *[holding answer 6 December 1999]:* My right hon. Friend the Secretary of State has no plans to do so at this time.

I, however, have met with interested constituency MPs and trade union representatives since the announcement of job losses by Barmac.

NORTHERN IRELAND

Regulatory Reform

Mr. Cotter: To ask the Secretary of State for Northern Ireland which Minister in his Department has responsibility for regulatory reform; and if he will make a statement. [117419]

Mr. Ingram: During suspension of the Northern Ireland Assembly and Executive, I am responsible for regulatory reform.

PRESIDENT OF THE COUNCIL

Appointments Commission

Mr. Gordon Prentice: To ask the President of the Council how many applicants were identified as being suitable for appointment as Chairman of the Appointments Commission; when the appointment will be made; and if she will make a statement. [116125]

Mrs. Beckett: A short list of applicants to be interviewed for the position of Chairman of the independent and non-statutory Appointments Commission has now been drawn up.

The plan is still that the appointment should be made around Easter although the priority will be to get the best person for the job.

FOREIGN AND COMMONWEALTH AFFAIRS

Grimsby (Employment)

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the Minister of State for Europe's letter of 21 March on the threat to employment in Grimsby, if he will list the industries and firms in which the threatened workers are employed, and how many such jobs will be lost. [116832]

Mr. Vaz: Britain in Europe's research was based on a national estimate of British jobs dependent on servicing EU export markets. The figures were broken down by constituency based on share of national employment within that constituency and its industrial breakdown. This methodology makes it impossible to predict precisely which jobs would be lost.

Britain in Europe

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will estimate the cost of his circulating hon. Members with material from Britain in Europe about the effect of withdrawal from the EU on jobs. [116728]

Mr. Vaz: It is standard parliamentary practice for Members of Parliament to circulate information in the House. There was no cost to the Foreign and Commonwealth Office.

EU Withdrawal

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures he took to assess the reliability of the study by Professor Iain Begg on jobs dependent on United Kingdom membership of the European Union, details of which he circulated to hon. Members. [116976]

Mr. Vaz: The European Institute of South Bank University is a highly respected academic institution. Professor Begg is a respected and well-known economist who has published widely on European economic issues. His methodology is described in the report, which is publicly available.

US National Missile Defence System

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultations his Department has had over the implications of the American proposals for a national missile defence system with the Governments of *(a)* Denmark, *(b)* Canada, *(c)* other EU member states, *(d)* Russia, *(e)* China and *(f)* other countries. [116727]

Mr. Vaz: We have discussed issues relating to the United States' proposals for National Missile Defence with a range of countries, including all those individually mentioned, in the course of regular consultations on security-related issues.

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the implications for Britain of agreeing to the use of facilities in the United Kingdom as part of the US national missile defence system. [116726]

Mr. Vaz: We have received no request to this effect, nor would we expect any until after a US decision on whether or not to proceed with deployment of such a system. If the US were to ask for our assistance we would examine any such request carefully, taking account of the implications for the UK.

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had, and when, with representatives of the US Government about American plans for a national missile defence system. [116724]

Mr. Vaz: We have discussed, and continue to discuss many aspects of National Missile Defence with the United States across a range of Government Departments, on many occasions. My right hon. Friend the Foreign Secretary discussed the issue with Mrs. Albright when he visited Washington in February.

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the implications for *(a)* arms control and *(b)* the forthcoming conference on review of the Non-Proliferation Treaty of the proposed US national missile defence system. [116725]

Mr. Vaz: The US made clear that the President will not decide on NMD deployment before the summer at the earliest, and that there is a range of complex issues, including the need to preserve strategic stability, that they need to consider beforehand.

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what meetings Ministers in his Department have held with members and officials of the United States Government to discuss the proposed US plan to deploy a national missile defence system since 1 January 1999; when each meeting took place; where each meeting took place; which Ministers were involved at each meeting; which members and officials of the United States Government attended each meeting; and from which United States Government Department they were drawn. [117061]

Mr. Vaz: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Milton Keynes, South-west (Dr. Starkey) today, *Official Report*, column 408W, in response to her question, ref. 116724.

Regulatory Reform

Mr. Cotter: To ask the Secretary of State for Foreign and Commonwealth Affairs which Minister in his Department has responsibility for regulatory reform; and if he will make a statement. [117423]

Mr. Robin Cook: I refer the hon. Member to the answer given today to my hon. Friend the Member for Scarborough and Whitby (Mr. Quinn) by my right hon. Friend the Minister for the Cabinet Office.

Ministerial Visit (Brazil)

Mr. Loughton: To ask the Secretary of State for Foreign and Commonwealth Affairs what the cost was to diplomatic posts in Brazil of the recent visit by the Secretary of State for Environment, Transport and the Regions. [117768]

Mr. Battle: My right hon. Friend the Deputy Prime Minister led a delegation of 13 business men representing a wide range of industry and sectors campaigning to increase the UK's market share in Brazil.

The cost to our Diplomatic Posts in Brazil was £10,746. This figure includes accommodation costs, official reception, and the travel costs of the Ambassador and Embassy staff supporting the Deputy Prime Minister and the accompanying business delegation.

Mr. Loughton: To ask the Secretary of State for Foreign and Commonwealth Affairs what modes of transport were used by the Secretary of State for Environment, Transport and the Regions during his recent visit to Brazil. [117770]

Mr. Battle: Commercial flights were used to travel to and from Brazil and between Rio de Janeiro, Brasilia and Sao Paulo; and cars, people-carriers and coaches were used by my right hon. Friend the Deputy Prime Minister and accompanying business delegation in the cities.

Mr. Loughton: To ask the Secretary of State for Foreign and Commonwealth Affairs what role was played by diplomatic posts in Brazil in the recent visit by the Secretary of State for Environment, Transport and the Regions. [117769]

Mr. Battle: The diplomatic posts in Brazil made the programme arrangements, and provided advice and administrative support.

Iraq

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the oral statement of the Minister of State of 24 March 2000, *Official Report*, column 1293 on Iraq, how many Iraqis visited the UK in *(a)* 1989 and *(b)* 1999. [116884]

Mrs. Roche: I have been asked to reply.

Total admissions of Iraqi visitors to the United Kingdom were 11,700 in 1989 and 2,900 (provisional) in 1999.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Parish and Town Councils

20. **Mr. Nicholas Winterton:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the future of parish and town councils. [116163]

Ms Beverley Hughes: Our policy on parish and town councils was set out in the White Paper "Modern Local Government: In Touch with the People". Parish councils are an essential part of the structure of local democracy in this country and they will continue to play a key role in many of our towns and villages.

Tramway and Light Railway Systems

21. **Mr. Bob Russell:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to fund new tramway and light railway systems. [116164]

Mr. Hill: We believe that light rail can have an important role to play in delivering integrated transport in major conurbations. Decisions on whether to provide Central Government support for light rail systems are taken on a case-by-case basis on the merits of the particular scheme. Where systems cannot be funded entirely from local sources or by the private sector, promoters must demonstrate that their scheme provides good value for money, forms an essential part of a local transport plan, and that the objectives of that plan cannot be met in better ways.

Second Home Ownership

22. **Mr. Tyler:** To ask the Secretary of State for the Environment, Transport and the Regions what steps he proposes to take to enable local authorities to mitigate the impact of second home ownership on the social, economic and environmental conditions of their areas. [116165]

Mr. Mullin: We are considering a number of proposals for tackling the problems raised by second homes in preparation for the forthcoming Rural White Paper.

Housing Demand

23. **Mr. Ruane:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on variations of regional demand for housing. [116167]

Mr. Raynsford: The latest, 1996-based, household projections projected a net increase of 3.8 million households (19 per cent.) in England over the 25-year period from 1996 to 2021. The projected percentage increases by Government Office Region ranged from 8 per cent. for the North East up to 26 per cent. for the South East.

Areas of Outstanding Natural Beauty

24. **Mr. Clifton-Brown:** To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has to increase the funding for Areas of Outstanding Natural Beauty. [116168]

Mr. Meacher: Funding for Areas of Outstanding Natural Beauty (AONBs) has already been increased. The Countryside Agency has an additional £2.5 million in the current financial year for their management and conservation, rising by a further £1 million in 2000–01, which will bring the Agency's budget for AONBs to almost £6 million.

Construction Industry

25. **Mr. Quinn:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his plans to improve quality standards in the construction industry. [116169]

Ms Beverley Hughes: I am pleased to announce that this week the first pilot of the quality mark scheme—in Birmingham—is being opened to builders who want to join. A list of approved builders will be available to consumers in the city later in the summer. The pilots in Birmingham and, later, Somerset are a key stage in testing and developing the scheme. Once we have extracted the lessons from them we will review the quality mark and then roll it out across the country.

Housing Development (North-west)

26. **Mr. Evans:** To ask the Secretary of State for the Environment, Transport and the Regions what encouragement he is giving for brownfield development in the north-west. [116170]

Ms Beverley Hughes: The North West Regional Assembly is looking at the scope for channelling future growth onto brownfield land in its review of Regional Planning Guidance. As part of this exercise, local planning authorities in the region have been asked to look at the potential of their built-up areas to accommodate additional households.

Additionally, land reclamation is an essential task for the North West Development Agency, which expects to spend £11.5 million through its Land Reclamation Programme in 2000–01.

Disabled Drivers (Seatbelts)

27. **Angela Smith:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received regarding exemption certificates for the wearing of seatbelts for drivers with disabilities. [116171]

Mr. Hill: The Department of the Environment, Transport and the Regions does receive inquiries from members of the public and refers them to their general practitioners who are responsible for issuing Certificates of Exemption from Compulsory Seat Belt Wearing. However, a disabled person in a wheelchair who is wearing a disabled person's belt is exempt from the requirement to wear adult belts.

Regional Development Agencies

28. **Mr. Healey:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the role of the Regional Development Agencies in England in regenerating the business base in areas with low GDP. [116172]

Ms Armstrong: The main aim of the Regional Development Agencies is to improve the competitiveness of the English Regions within a framework of sustainable development. Their Regional Strategies and Action Plans take a co-ordinated approach and contain high level objectives to increase GDP relative to other EU regions as well as, where appropriate, to other English regions. The RDAs' own spending programmes contribute to regenerating the business base; these include the single regeneration budget, physical regeneration, rural development, inward investment, skills development and competitiveness development.

Traffic Congestion

29. **Mr. Coaker:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact of local rail strategies on traffic congestion in cities. [116173]

Mr. Hill: Local authorities should take account of the contribution rail can make to an integrated transport strategy. This is one of the criteria by which we judge the quality of local transport plans (LTPs). We took the impact of LTPs into account when preparing "Tackling Congestion and Pollution", but did not separately assess the effects of local rail strategies.

Council Housing

31. **Ms Ward:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his Department's policy on investment in council housing. [116175]

Mr. Mullin: Our policies for housing are set out in the Housing Green Paper, "Quality and Choice—A Decent Home for All", which is being published today. Improving the quality of council housing is central to meeting our overarching housing objective of offering everyone the opportunity of a decent home and so promote social cohesion, well being and self-dependence. The Government are providing authorities with nearly £4.5 billion of extra resources for housing investment over the lifetime of this Parliament.

Standard Spending Assessments

32. **Mr. Watts:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his Department's review of the local government standard spending assessment system. [116176]

Ms Armstrong: Central and local Government officials have been discussing a wide range of options for improving the method of revenue grant distribution. Their joint report of the issues raised in the review has now been discussed at the Central Local Partnership and published on the internet. Copies of the report are also available in the House Library.

Decisions about the merits of the various options for reform will be made when we have responses to a consultation paper that we expect to publish in the summer.

Housing Development (Transport Infrastructure)

33. **Mr. St. Aubyn:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the extra congestion which will be created by greenfield development in areas without developed transport links in the next 10 years. [116177]

Ms Beverley Hughes: In drawing up their regional transport strategies and local transport plans, local authorities will wish to take full account of the distribution of housing development. Planning Policy Guidance note 3, "Housing", provides that local planning authorities should seek to exploit opportunities to locate larger housing developments around major nodes along good quality public transport corridors.

Authorities should also seek to ensure that all housing developments are accessible by a range of non-car modes, and draft PPG13, "Transport", proposes that all major development proposals should be supported by a transport assessment.

Standard Spending Assessment (Stockport)

34. **Mr. Day:** To ask the Secretary of State for the Environment, Transport and the Regions what recent representations he has received from Stockport metropolitan borough council concerning its standard spending assessment. [116178]

Ms Beverley Hughes: Stockport Metropolitan Borough Council wrote to the Department on 10 and 17 December with comments on the local government finance settlement 2000–01 during consultation on our proposals.

Knowledge-based Economy (Regions)

35. **Dr. Gibson:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to support the development of the knowledge-based economy in the English regions. [116179]

Ms Beverley Hughes: In the Budget, the Government announced a total of £210 million of new funding to encourage innovation, enterprise and the use of IT by businesses. This includes £50 million new funding over the next two financial years for the Regional Development Agencies to support their plans for developing clusters and business incubation. This is in addition to the £4 million RDAs will receive in 2000–01 from the Competitiveness Development Fund to spend on priorities they identify for increasing competitiveness in their regions.

The Chancellor also announced an extra £100 million of public funds, £83.7 million of which will go to the English regions, towards a £1 billion umbrella fund to give better access to venture capital for small, growth companies in the regions. An additional £60 million package will promote use of electronic commerce by small firms and a 100 per cent. tax allowance will be made available for small firms buying information and communications technology equipment. A new research and development tax credit will encourage R&D by small and medium sized companies.

Bus Travel (London Commuters)

Mr. Efford: To ask the Secretary of State for the Environment, Transport and the Regions what steps he will take to encourage more commuters to travel into London by bus. [116157]

Mr. Hill: The Government are firmly committed to improving the quality and reliability of bus services in London to make them a more attractive form of transport for commuter journeys.

Private Landlords

Mr. Hilary Benn: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on anti-social behaviour in properties owned by private landlords. [116140]

Mr. Mullin: We fully recognise the devastating effect anti-social behaviour can have on people's lives and on whole communities. It needs to be tackled across all housing tenures.

The Housing Green Paper, which my right hon. Friend the Deputy Prime Minister is publishing today, sets out our strategy for promoting a healthier private rented sector.

My right hon. Friend the Home Secretary published the report of Policy Action Team 8 on 30 March 2000, setting out recommendations on tackling anti-social behaviour as part of our National Strategy for Neighbourhood renewal. This is being taken forward by the Home Office, working closely with the Department of the Environment, Transport and the Regions.

New Houses (Surrey)

Mr. Blunt: To ask the Secretary of State for the Environment, Transport and the Regions what is his estimate of the number of new houses that can be accommodated on brownfield sites in Surrey. [116154]

Ms Beverley Hughes: I have made no estimate. I have asked the South East planning authorities—SERPLAN—to consider the distribution of additional housing within the region, taking full account of national planning policies which make development of brownfields the first priority.

Local Government Employees (Pension Rights)

Mr. Colman: To ask the Secretary of State for the Environment, Transport and the Regions what actions the Government are planning to take to protect the pension rights of employees who are transferred out of local government as a result of the termination of an agency

agreement, with particular reference to employees currently being transferred to Severn Trent plc; if the Government will ensure that employees are offered a bulk transfer of past service rights from the Local Government Pension Scheme to the new employer's pension scheme; and if it will amend the LGPS Regulations urgently to permit an agreement enabling staff to remain in the LGPS. [117601]

Ms Beverley Hughes: The Local Government Pension Scheme Regulations 1997 allow bulk transfers of pension rights to be negotiated between local authority employers and private sector employers following any transfer of an undertaking. Within these provisions, the onus to ensure fairness and the protection of employees' pension rights rests with the appropriate employers involved in any transfer.

The extent to which employees in local authorities work on the delivery of privatised water company services through agency agreements, and the availability of alternative broadly comparable pension arrangements to those employed under them, is being established with the co-operation of the Local Government Pension Committee of the Employers' Organisation. In the light of that survey, I will consider carefully the need for any amendments to the Scheme Regulations.

Regulatory Reform

Mr. Cotter: To ask the Secretary of State for the Environment, Transport and the Regions which Minister in his Department has responsibility for regulatory reform; and if he will make a statement. [117412]

Ms Beverley Hughes: I refer the hon. Member to the answer given today to my hon. Friend the Member for Scarborough and Whitby (Mr. Quinn) by my right hon. Friend the Minister for the Cabinet Office.

Websites

Mr. Maclennan: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of web sites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each website (i) the topics that have been covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each website for each of the next three years. [116200]

Ms Beverley Hughes: The following information covers the main DETR site, agency sites and major NDPB sites.

DETR central site (www.detr.gov.uk)

(a) £5,000

(b) direct expenditure on web site operation in 1999–2000 was £90,000 (excluding staff costs); expenditure on coding and document conversion by policy divisions amounted to some £200,000; expenditure on new hardware and software was £4,000.

(i) The core web site publishes information covering the full range of the Department's responsibilities—aviation, construction, drinking water, environmental protection, housing, local government, London, local transport, mobility, planning, railways, regeneration, roads, road safety, shipping, wildlife and the countryside. Recent additions to the DETR site include a schools sub-domain, press releases, searchable databases and webcasting of press conferences. The web site also includes the Air Accident Investigation Branch and the Marine Accidents Investigation Branch, as well as two related sites, one providing air quality information and one with information aimed at local government. In addition it hosts several NDPBs—the Advisory Committee on Releases to the Environment, the Expert Panel on Air Quality Standards and the Disabled Person's Transport Advisory Committee.

(ii) Average of c2million hits and 900,000 page impressions per month

(iii) DETR is currently carrying out a major review of its new media strategy. Budgets for the website will depend on the outcome of this and of bids for resources from HM Treasury to support the Modernising Government agenda.

DETR Executive Agencies

Highways Agency

(a) £32,370

(b) 1998–99 £26,000; 1999–2000 £33,000

(i) corporate information (e.g. Annual Report), information about individual schemes, planned road improvements, contacts, forward programme for contracts, press releases, links to other transport sites

(ii) Average of 90,000 hits and 10,000 unique visitors per month

(iii) Estimated expenditure for 2000–01 £80,000; subsequent years—not yet finalised

Driver and Vehicle Licensing Agency

DVLA Main site

(a) £1,600

(b) 1999–2000 £41,000 (including staff costs)

(i) information on vehicle registration, driving licences, contacts, contracts and tenders, Annual Report, current consultation papers, answers to frequently asked questions, links to other DVO sites

(ii) Average of 217,000 hits per month

(iii) Estimated expenditure for 2000–01 £45,000; 2001–02 £50,000; 2002–03 £55,000

DVLA Sales of Marks site

(a) £15,000

(b) 1999–2000 £48,000

(i) promotion of scheme for sale of personalised vehicle registration numbers; on-line search facility for checking availability and price of particular registrations

(ii) Average of 250,000 hits per month

(iii) Estimated expenditure for 2000–01 £48,000; 2001–02 £55,000; 2002–03 £50,000

Vehicle Inspectorate

(a) £200 (excluding staff costs)

(b) c£11,000 per annum (excluding staff costs)

(i) all aspects of VI work, educational and advisory road safety information, on-line access to publications

(ii) Average of 2,500 hits per month

(iii) Estimated expenditure for 2000–01 £11,000; 2001–02 £11,000; 2002–03 £11,000

Driving Standards Agency

(a) set-up costs in summer 1999 were nil (site set up under commercial partnership contract with private sector provider)

(b) £50,000 per annum

(i) work of DSA, its objectives and structure; information on contacts, driving tests (including guidance on the conduct of tests and the theory test), test centre locations and publications; answers to frequently asked questions, press releases, Annual Report.

(ii) 173,232 hits, 80,448 page visits and 13,584 unique visitors in February 2000

(iii) Estimated expenditure for 2000–01 £30,000; 2001–02 £30,000; 2002–03 £30,000

Vehicle Certification Agency

(a) £1,900

(b) £3,500 per annum

(i) information about VCA services to the automotive industry, contacts (for offices all over the world), VCA's role in DETR and DVO, publications, job vacancies

(ii) average of 1,000 hits per month

(iii) Estimated expenditure for 2000–01 £12,000; 2001–02 £10,000; 2002–03 £10,000

Maritime and Coastguard Agency

(a) £3,000

(b) £6,000 per annum

(i) information about MCA's work and objectives, monthly list of vessels detained in UK ports for safety reasons, press releases

(ii) average of 180,000 hits per month

(iii) Estimated expenditure for 2000–01 £6,000; 2001–02 £6,000; 2002–03 £6,000

QE II Conference Centre

(a) £11,000 (new site April 2000)

(b) £6,000 per annum (estimated for new site)

(i) information for meeting planners and delegates on facilities at QEIICC: promotional material; image gallery for downloading by designers, floor plans, location maps

(ii) new site to be launched in April 2000

(iii) Estimated expenditure for 2000–01 £6,000; 2001–02 £6,000; 2002–03 £6,000

Planning Inspectorate

(a) £1,300; new revised site to be launched April 2000 at cost of £35,000

(b) £1,500 per annum for old site; £10,500 for revised site

(i) Old site held information about PI's work and objectives, the work of a Planning Inspector and the Planning Inspectorate Journal. Revised site will also include Welsh language option, appeals guidance, performance information, Business and Corporate reports, forms, publications, information about working in PI, PI itself and its staff; feedback, help and search facilities; answers to frequently asked questions.

(ii) 1,600 hits per month for old site

(iii) Estimated expenditure for 2000–01 £10,500; 2001–02 £10,500; 2002–03 £10,500

Non-departmental public bodies

Countryside Agency

(a) £18,000 in April 1999 on merger of Rural Development Commission and Countryside Commission. Additional re-development cost of £75,000 to reduce running costs by enabling in-house management and development.

(b) 1999–2000 £60,000 (using external consultants)

(i) Information on organisational structure, contacts, agency's role, events, meetings, initiatives and reports, answers to frequently asked questions

(ii) Average of 500,000 hits and 24,000 unique visitors per month

(iii) Estimated expenditure for 2000–01 £60,000; 2001–02 £65,000; 2002–03 £70,000

Audit Commission

(a) £49,065

(b) 1999–2000 £115,000

(i) Corporate information (including Annual Report), press releases, information on publications (including subscription service for technical reviews) and on Audit appointments, information for local authorities (including performance indicators), search engine, job vacancies.

(ii) Average of 243,691 page impressions and 28,669 visitor sessions per month

(iii) Estimated expenditure for 2000–01 £200,000; 2001–02 £75,0000; 2002–03 £75,000

Health and Safety Executive

HSE Open Government Website (www.house.gov.uk)

(a) £10,000

(b) c£15,000 per annum

(i) Information about the work of HSC/E, including proceedings of HSC and its topic and advisory committees, contacts, press releases, statistics, information sheets, publications, research reports, progress and opportunities, on-line inquiry service.

(ii) Average of 666,000 page impressions and 55,000 unique visits per month

(iii) Estimated expenditure for 2000–01 £20,000; 2001–02 £25,000; 2002–03 £30,000

HSE e-commerce site (www.hsebooks.uk)

(a) £10,000

(b) £22,000 per annum

(i) searchable abstracts of publications, on-line ordering, downloading of some publications, catalogue of all free and priced publications

(ii) Average of 83,000 page impressions and 2,500 unique visits per month

(iii) Estimated expenditure for 2000–01 £80,000; 2001–02 £50,000; 2002–03 £50,000

Environment Agency

(a) £20,000

(b) 1999–2000 £250,000

(i) State of Environment Reports, guidance for business, information on flood defences, waste and water conservation, flood warnings, corporate information, educational resources, information on research and development programme, on-line data on pollution, bathing water, and river quality, information in Welsh.

(ii) 340,000 page impressions and over 25,000 users in February 2000

(iii) Estimated expenditure for 2000–01 £1 million; 2001–02 £1.5 million; 2002–03 £2 million

Housing Corporation

(a) £45,000

(b) 1999–2000 £4,500

(i) Information on organisational structure, contacts and accessing social housing; all Corporation's free publications, including annual reports and circulars.

(ii) Average of 10,000 hits per month

(iii) Estimated expenditure for 2000–01 £5,000; 2001–02 £7,500; 2002–03 £5,500

English Nature

(a) £8,366

(b) 1998–99 £34,691; 1999–2000 £49,966

(i) Corporate information (e.g. Charter, facts and figures, teams, position statements, council meetings, grant schemes, partner organisations), job vacancies, feedback, register, press releases, information about walks and events, on National Nature Reserves and Biodiversity Action Plan.

(ii) 463,639 hits, 93,076 page views and 19,404 user sessions in February 2000

(iii) Estimated expenditure for 2000–01 £58,000; 2001–02 £40,000; 2002–03 £45,000.

Radon

Mr. Pickthall: To ask the Secretary of State for the Environment, Transport and the Regions what guidance his Department gives to local authority environmental health officers about dealing with householders whose homes have high levels of radon. [117155]

Mr. Meacher: My Department is in regular contact with local authority environmental health officers (EHOs) in the areas most affected by radon. We advise that they should encourage householders with high levels of radon in their homes to carry out remedial measures to reduce the concentration of radon to which those householders are exposed.

In order to assist the EHOs and the householders, maps have been produced showing the areas most affected by radon. Three guidance booklets have been produced:

A Householder's Guide

A Guide to Reducing Levels in Your Home

A Guide for Homebuyers and Sellers.

These are provided free of charge for householders, and stocks are provided to local authorities for them to distribute. This guidance is supported by two telephone hotlines: one to the National Radiological Protection Board, who give advice on radon measurements and on the health effects of radon; and one to the Building Research Establishment, who give advice on radon remedial measures. These hotlines are provided for the benefit of EHOs as well as householders.

For over a year, my Department has been working in partnership with three local authorities that have been piloting a new approach to encourage householders to carry out remedial action. A Good Practice Guide is in preparation, and proposals on how we shall work with other local authorities in a similar way in the future are being developed. I hope to make an announcement on these shortly.

GM Crop Trials (Gloucestershire)

Mr. Robertson: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has *(a)* to hold a public meeting in Gloucestershire and *(b)* to inform the local parish council, about the GM crop trials being conducted in Laverton, Gloucestershire; and if he will make a statement about these trials. [117663]

Mr. Meacher: There will be a public meeting in Worcester on Thursday 13 April. Representatives of all parish councils, in which GM crop trials, are proposed, in Worcestershire and Gloucestershire have been invited and the meeting has been advertised locally.

The Government's Farm Scale Evaluations programme, which I announced on 17 March, is designed to allow independent researchers to see what effect the growing and management of certain herbicide tolerant GM crops might have on farmland wildlife, compared with equivalent non-GM crops. The programme this year will involve up to 80 field sites.

Up to 12 public meetings will be held in towns near the trial sites, at which officials from my Department and representatives from the independent researchers, the industry body, SCIMAC, and a representative from an environmental group, will give presentations about the Farm Scale Evaluations programme and answer questions.

Cowboy Builders

Mr. Pond: To ask the Secretary of State for the Environment, Transport and the Regions what provision he intends to make to improve protection of householders against incompetent and dishonest builders; and if he will make a statement. [116166]

Ms Beverley Hughes: I am pleased to announce that this week the first pilot of the quality mark scheme—in Birmingham—is being opened to builders who want to join. A list of approved builders will be available to consumers in the city later in the summer. The pilots in Birmingham and, later, Somerset are a key stage in testing and developing the scheme. Once we have extracted the lessons from them we will review the quality mark and then roll it out across the country.

Water Abstraction

Mr. Paul Clark: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made on the delegation of water abstraction appeal decisions to the Planning Inspectorate under the provisions of the Environment Act 1995. [117868]

Mr. Mullin: I have arranged for the Secretary of State's power to take decisions on water abstraction and impounding appeals, under section 43 of the Water Resources Act 1991, to be exercised by the Planning Inspectorate. This came into effect on 1 April 2000. All decisions will be taken by Inspectors on behalf of the Secretary of State, except in rare cases of major importance or difficulty where the Secretary of State may recover the case to determine himself. The Planning Inspectorate will shortly issue guidance for use by potential appellants.

London Bodies

Mr. Geraint Davies: To ask the Secretary of State for the Environment, Transport and the Regions what arrangements have been made for the transfer of the London Research Centre, the London Planning Advisory Committee and the London Ecology Committee to the Greater London Authority. [117919]

Mr. Hill: As part of the establishment of the Greater London Authority under the GLA Act 1999, the London Research Centre (LRC), the London Planning Advisory Committee (LPAC) and London Ecology Committee (LEC) were abolished on 1 April 2000. At the same time, the appropriate property, rights and liabilities of the three bodies were transferred by means of transfer schemes to the Secretary of State for the Environment, Transport and the Regions. The intention is that these will transfer to the Greater London Authority on 8 May 2000, with the exception of a small number of functions of the LRC which will transfer to Transport for London on 3 July 2000.

I would like to take this opportunity to pay tribute to the very valuable work which the LRC, LPAC and LEC have each undertaken on a wide range of cross-London subjects, since their establishment. I am confident that this tradition will be carried on by the Greater London Authority itself in the future.

Turtle Shells

Dr. Tonge: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received concerning the re-opening of trade in turtle shells. [116490]

Mr. Mullin: Cuba has submitted two proposals to the forthcoming Conference of Parties to the Convention on International Trade in Endangered Species (CITES). The first seeks to transfer the Cuban part of the Caribbean population of Hawksbill turtles from Appendix I to Appendix II in order to allow the export of existing shell stocks and a subsequent quota of up to 500 turtle shells per year. The second seeks agreement to allow a one-off shipment of existing stocks of shell with no subsequent annual quota.

Several organisations and scientific bodies have provided us with their views. Some believe that populations of Hawksbill turtles remain too vulnerable to allow any international trade. Others consider that carefully managed trade would contribute to species conservation. We have also received a large number of campaign postcards opposing the Cuban proposals.

The European Union looks set to oppose the first proposal but to keep an open position on the second pending further consideration at the Conference. The United Kingdom will continue to argue that international trade quotas should be contemplated only in the context of wider action to secure the future of marine turtles by countering threats from fisheries by-catch and the destruction of nesting and breeding sites.

Air Rage

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions how many planes flying into and out of the UK had to be diverted from their scheduled destination airport as a consequence of air rage in each year since 1995; and what was the estimated cost to the NATS in each case. [116880]

Mr. Mullin: While comprehensive data on "air rage" incidents are not available for the whole of that period, data collected by the Mandatory Occurrence Reporting scheme are given in the table. Mandatory Occurrence Reports are required for all incidents which affect or could affect the safety of a UK registered aircraft, but may not include diversions caused by incidents where safety was not at risk. There is no cost to NATS resulting from such diversions.

UK registered aircraft flying into and out of the UK diverted as a consequence of "air rage"

Year	*Number*
1995	2
1996	1
1997	4
1998	8
1999	6

Data in relation to non-UK registered aircraft are available only at disproportionate cost.

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many incidents of air rage were reported in the last five years which involved passengers travelling *(a)* first-class, *(b)* business class and *(c)* by Concorde; [116687]

(2) if he will list the airlines reporting cases classified as air rage in each year since 1995, indicating for each airline the number of incidents. [116685]

Mr. Mullin: Comprehensive data on disruptive incidents occurring on UK airlines have been collected only since April 1999. When initiating the reporting scheme my Department and the CAA undertook to respect the confidentiality of airlines submitting commercially sensitive information. The analysis published in February, therefore, does not include any data that could identify a specific carrier or aircraft type. The data collected show that, in the period April to October 1999, 47 incidents involved first or business class passengers.

Affordable Housing

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact of regeneration schemes on the numbers of new units of affordable housing provided since 1997. [116698]

Ms Beverley Hughes: During 1997–98 and 1998–99 an estimated 36,160 new dwellings and housing units were completed or facilitated with support from my Department's regeneration programmes. Figures for affordable housing are not recorded separately and the full impact of regeneration schemes on new housing is not available.

Early evaluation evidence suggests that, overall, the Single Regeneration Budget is cost effective, taking account of the severity of problems in partnership areas. Also an interim evaluation of English Partnerships acknowledged its significant achievements, often working closely with the Housing Corporation, in facilitating housing, predominantly on brownfield sites.

The recent revision of Planning Policy Guidance note 3 (PPG3) on housing reaffirms our policy that a community's need for a mix of housing types, including affordable housing, is a material planning consideration which local planning authorities should take into account.

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions if he will list by local authority area the numbers of new units of affordable housing that have been built in areas where housing stock has been transferred by local authorities to registered social landlords in England for each of the last five years. [116699]

Mr. Mullin: The information is in the table:

Housebuilding completions of social housing[1]
England

Authority	*1993–94*			*1994–95*			*1995–96*	
	Transfers made	*Dwellings RSL*	*Completed LAs*	*Transfers made*	*Dwellings RSL*	*Completed LAs*	*Transfers made*	*Dwellings RSL*	*Completed LAs*
Allerdale BC	—	22	0	—	161	0	—	58	0
Basildon DC	—	281	0	—	116	0	—	210	0
Basingstoke and Deane BC	—	123	0	[2]—	142	0	—	130	0
Bath and NE Somerset C	—	[3]—	[3]—	—	[3]—	[3]—	—	[3]—	[3]—
Cherwell DC	—	37	18	[2]—	50	0	—	0	0
Congleton BC	—	28	0	—	0	0	—	0	0
Cotswold DC	—	61	8	—	90	23	—	91	24
E Hampshire BC	—	18	0	—	23	0	[2]—	56	0
East Lindsey DC	—	115	2	—	20	0	—	82	0
Eden C	—	24	0	—	29	7	—	10	0
Epson and Ewell BC	[2]—	18	0	—	34	0	—	51	0
Hambleton DC	[2]—	28	16	—	41	0	—	21	0
Hart DC	[2]—	1	0	—	0	0	—	34	0
Hastings BC	—	139	0	—	32	0	[2]—	72	0
Havant BC	[2]—	83	0	—	99	0	—	84	0
Hertsmere CC	[2]—	33	0	—	45	0	—	66	0
Kennet DC	—	70	8	—	146	0	[2]—	51	12
Kerrier DC	—	4	0	—	4	0	—	0	0
Leominster C	[2]—	38	0	—	23	0	—	85	0
Litchfield DC	—	23	22	—	72	29	—	33	0
Liverpool CC	—	704	0	—	550	0	—	513	0
LB Bexley	—	138	0	—	173	0	—	74	0
LB Brent	—	149	0	—	132	0	—	51	0
LB Enfield	—	218	0	—	242	0	—	138	0
LB Greenwich	—	185	0	—	125	0	—	145	0
LB Hackney	—	342	0	—	203	80	—	529	0
LB Hammersmith and Fulham	—	73	0	—	22	0	—	19	0
LB Lambeth	—	220	0	—	279	0	—	380	0
LB Merton	—	278	0	—	108	0	—	358	0
LB Tower Hamlets	—	[3]—	[3]—	—	[3]—	[3]—	—	[3]—	[3]—
Maldon DC	—	18	0	[2]—	0	0	—	0	0
Malvern Hills DC	—	12	6	[2]—	0	14	—	0	0
Manchester CC	—	683	0	—	935	0	[2]—	1,202	0
Mid Bedfordshire	—	123	0	[2]—	61	0	—	111	0
N Dorset DC	—	68	0	[2]—	4	0	—	41	0
N Wiltshire DC	—	81	0	—	49	17	[2]—	25	12
Oldham BC	—	125	0	—	55	0	—	62	0
Penwith DC	—	18	1	[2]—	13	0	—	10	0
Preston BC	—	68	0	—	89	0	—	26	0
Rother DC	—	89	0	—	17	0	—	99	0
RB Windsor and Maidenhead	—	37	25	—	0	0	[2]—	0	0
Rushmoor BC	—	88	0	—	93	0	[2]—	38	0
South Hams DC	—	107	8	—	48	10	—	130	0
S Ribble	[2]—	0	0	—	0	0	—	46	0
S Shropshire DC	[2]—	27	9	—	48	6	—	42	0
S Somerset DC	—	127	0	—	56	0	—	71	0
S Staffs C	—	35	0	—	45	6	—	89	0
S Oxfordshire DC	—	198	0	—	64	0	—	86	0
Spelthorne BC	—	96	0	—	74	0	[2]—	59	0
Stoke-on-Trent CC	—	140	1	—	94	0	—	148	0
Stratford DC	—	16	3	—	45	6	—	55	0
Tameside	—	214	0	—	55	0	—	124	0
Telford and Wrekin C	—	[3]—	[3]—	—	[3]—	[3]—	—	[3]—	[3]—
Tewkesbury BC	—	5	0	—	41	0	—	0	0
Thanet DC	—	115	9	[2]—	98	0	—	70	0
Vale of Whitehorse DC	—	22	0	[2]—	0	0	—	0	9
Walsall MBC	—	201	34	—	210	0	[2]—	170	0
W Devon BC	—	0	0	—	8	0	—	36	4
W Dorset DC	[2]—	0	0	—	37	0	—	0	0
W Somerset DC	—	42	0	—	11	0	—	30	0
W Wiltshire DC	—	70	0	—	135	0	—	109	0
Wirral	—	143	0	—	187	0	—	134	0
Worthing	—	0	0	—	0	0	—	13	0
Wychavon DC	—	0	0	[2]—	24	0	—	16	0
Wyre BC	—	106	0	—	86	0	[2]—	38	0

[1] For those districts in which local authority dwelling stock has been transferred to registered social landlords.
[2] Indicates transfer was carried out in this year. Some authorities have made transfers in more than one year.
[3] Denotes incomplete data for this period or the district became part of a unitary authority.

Housebuilding completions of social housing[1]
England

Authority	1996–97 Transfers made	1996–97 Dwellings RSL	1996–97 Completed LAs	1997–98 Transfers made	1997–98 Dwellings RSL	1997–98 Completed LAs	1998–99 Transfers made	1998–99 Dwellings RSL	1998–99 Completed LAs
Allerdale BC	—	36	0	—	74	0	[2]—	113	0
Basildon DC	—	282	0	[2]—	172	0	—	333	0
Basingstoke and Deane BC	—	84	0	—	213	0	—	51	0
Bath and NE Somerset C	—	153	0	—	12	0	[2]—	0	0
Cherwell DC	—	36	0	—	7	0	—	26	0
Congleton BC	—	4	0	[2]—	0	0	—	0	0
Cotswold DC	[2]—	32	3	—	54	17	—	91	17
E Hampshire BC	—	49	0	—	[1]—	[1]—	—	[1]—	[1]—
East Lindsey DC	—	67	0	—	26	0	[2]—	19	0
Eden C	—	10	0	[2]—	8	0	—	0	0
Epson and Ewell BC	—	41	0	—	28	0	—	23	0
Hambleton DC	—	163	16	—	20	0	—	28	0
Hart DC	—	56	0	—	38	0	—	41	0
Hastings BC	—	71	0	—	31	0	—	0	0
Havant BC	—	132	0	—	89	0	—	20	0
Hertsmere CC	—	23	0	—	93	1	—	53	0
Kennet DC	—	83	0	—	125	0	—	26	0
Kerrier DC	—	63	0	[2]—	0	0	—	73	0
Leominster C	—	49	0	—	28	0	—	[1]—	[1]—
Litchfield DC	[2]—	0	0	—	14	0	—	9	0
Liverpool CC	—	61	0	[2]—	259	0	[2]—	390	0
LB Bexley	—	63	0	[2]—	48	0	—	19	0
LB Brent	—	0	0	[2]—	1	0	—	[1]—	[1]—
LB Enfield	—	258	0	—	51	0	[2]—	139	0
LB Greenwich	—	69	0	—	226	0	[2]—	133	0
LB Hackney	—	406	22	[2]—	[1]—	[1]—	[2]—	[1]—	[1]—
LB Hammersmith and Fulham	—	14	0	—	74	0	[2]—	22	0
LB Lambeth	—	144	0	[2]—	98	0	[2]—	117	0
LB Merton	—	133	0	[2]—	39	0	—	129	0
LB Tower Hamlets	—	[1]—	[1]—	[2]—	[1]—	[1]—	[2]—	[1]—	[1]—
Maldon DC	—	47	0	—	0	0	—	48	0
Malvern Hills DC	—	83	0	—	0	0	—	[1]—	[1]—
Manchester CC	—	413	0	—	689	0	[2]—	341	0
Mid Bedfordshire	—	37	0	—	217	0	—	133	0
N Dorset DC	—	56	0	—	17	0	—	50	0
N Wiltshire DC	—	23	0	—	97	0	—	8	0
Oldham BC	—	15	0	[2]—	114	0	—	29	0
Penwith DC	—	69	0	—	112	0	—	52	0
Preston BC	—	49	0	—	3	0	[2]—	109	0
Rother DC	—	48	0	—	32	0	[2]—	45	0
RB Windsor and Maidenhead	—	41	0	—	21	0	—	[1]—	[1]—
Rushmoor BC	—	35	0	—	99	0	—	18	0
South Hams DC	—	4	37	—	77	16	[1]—	9	0
S Ribble	—	138	0	—	32	0	—	102	0
S Shropshire DC	—	47	0	—	58	0	—	29	0
S Somerset DC	—	20	0	—	26	0	[2]—	90	0
S Staffs C	[2]—	60	0	—	44	0	—	41	0
S Oxfordshire DC	—	108	0	[2]—	105	0	—	56	0
Spelthorne BC	—	71	0	—	17	0	—	62	0
Stoke-on-Trent CC	—	244	0	[2]—	[1]—	[1]—	—	[1]—	[1]—
Stratford DC	[2]—	64	0	—	16	0	—	33	0
Tameside	—	52	0	—	47	0	[2]—	62	0
Telford and Wrekin C	—	[1]—	[1]—	—	[1]—	[1]—	[2]—	59	0
Tewkesbury BC	—	7	0	—	18	0	[2]—	0	0
Thanet DC	—	0	0	—	8	0	—	36	0
Vale of Whitehorse DC	—	66	0	—	41	0	—	49	0
Walsall MBC	—	154	0	—	109	0	—	103	0
W Devon BC	—	17	0	—	22	0	[2]—	0	0
W Dorset DC	—	31	0	—	0	0	—	0	0
W Somerset DC	—	2	0	[2]—	10	0	—	9	0
W Wiltshire DC	[2]—	61	0	—	69	0	—	63	0
Wirral	—	151	0	—	109	0	[2]—	199	0
Worthing	—	85	0	—	0	0	[2]—	107	0
Wychavon DC	—	36	0	—	13	0	—	74	0
Wyre BC	—	15	0	—	24	0	—	23	0

[1] For those districts in which local authority dwelling stock has been transferred to registered social landlords.
[2] Indicates transfer was carried out in this year. Some authorities have made transfers in more than one year.
[1] Denotes incomplete data for this period or the district became part of a unitary authority.

Lorry Weights

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions when EU legislation relating to the use of lorries weighing up to 44 tonnes came into force; and what studies have been undertaken by his Department into the effect of such legislation on the transport of freight by rail. [116860]

Mr. Hill: My right hon. and noble Friend the Minister for Transport recently announced the Government's decision to set a target date of 1 January 2001 for raising the maximum general lorry weight limit to 44 tonnes for lorries with six axles, a maximum drive axle weight of 10.5 tonnes and Euro II or better engines. This is not connected with EU legislation. The decision follows the publication of an interim report by the Commission for Integrated Transport (CfIT) on permitting the general use of 44 tonne lorries. CfIT commissioned independent work from Professor Alan McKinnon of Heriot-Watt University to assess the environmental effects including the possible effects on rail freight. This work showed a clear net environmental gain from allowing 44 tonne lorries.

The Integrated Transport White Paper set out our aim to establish an integrated, sustainable freight distribution system to support economic growth and to bring social and environmental benefits. To that end we are keen to support rail freight where it is practicable and good value for money. We are equally keen on improvements to efficiency in other modes, including road transport, where these meet the same ends.

The Government accept CfIT's view that allowing 44 tonne lorries for general use could have a negative effect upon rail freight traffic, both existing and predicted. The shadow SRA are considering proposals for rail freight and their strategy will include proposals to support rail freight.

The CfIT report is available on the Internet at *www.cfit.gov.uk*

Airport Slots

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the answer of 22 March 2000, *Official Report*, column 544W, concerning airport slots, on what date decisions on slot allocation became the sole responsibility of an independent co-ordinator; what is the name of the co-ordinator; where his office is located; what European legislation governs his independence other than EEC Regulation 95/93; and if his decisions on slots apply to internal and international aircraft movements. [116834]

Mr. Mullin: The UK Airports Slot Allocation Regulations 1993 came into force on 12 May 1993. Among other things, they provided for Airport Co-ordination Ltd. (ACL), which had been performing the co-ordination role at several airports including Heathrow on a non-statutory basis before that date, to be approved and appointed as co-ordinator in accordance with EC Regulation 95–93. The appointment was subsequently reaffirmed following consultation with air carriers and other interested parties, as required by Article 4(1) of EC 95/93. ACL's Managing Director is Peter Morrisroe OBE; its principal office is in Bath Road, near Heathrow. There is no relevant legislation other than EC 95/93 that relates to the independence of the co-ordinator. His decisions apply to both internal and international traffic.

Housing (South-east)

Laura Moffatt: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact on demand for housing as a result of the expected increase in the number of single parent families in the South-East; and what steps he is taking to help ensure this demand is met. [116752]

Mr. Mullin: The latest household projections indicate that around 2 per cent. of the net increase in the number of households likely to form in the South-East between 1996 and 2021 will be lone parent households. PPG3 encourages local authorities and housebuilders to ensure that the additional dwellings to be provided in the region offer greater choice and affordability for all households.

Laura Moffatt: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to ensure that sufficient affordable housing is available to meet the demand in the South East. [116753]

Mr. Mullin: Draft Regional Planning Guidance 9 (Proposed Changes) sets out a new approach to meeting housing needs in the South East. It emphasises the need for local authorities to undertake rigorous assessments of housing need to ensure that sufficient affordable homes are provided. Housing capital allocations to local authorities in the South East for 2000–01 total £187 million, over £50 million up on 1999–2000 and these increased resources will allow authorities to support the provision of more new affordable housing where this is a local priority. This is in addition to the resources for new affordable housing provided directly to registered social landlords by the Housing Corporation (£70 million in 2000–01).

Urban-rural Compact

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the report, entitled "An Urban-rural Compact", published by the Local Government Association. [116982]

Ms Beverley Hughes: The Government welcome the Local Government Association's case studies report on the Urban-rural Compacts initiative. This gives a useful example of how local authorities are working together, and with other partners, to respond to the links between town and country. In discussions with the Local Government Association on the preparation of our Urban and Rural White Papers we have encouraged the Association to develop their initiative and I look forward to seeing the results of the evaluation of the pilots.

Millennium Dome

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions if the land on which the Millennium Dome was built was decontaminated to a sufficient extent to allow houses with gardens to be built on the site. [116983]

Ms Beverley Hughes: The site of the Millennium Dome has been decontaminated for its current purpose. It is intended that the Dome remains and is not redeveloped for housing. However, while the standard of remediation would not necessarily be sufficient to allow houses with gardens to be built on the site, the exact nature of the remediation that would be necessary could be determined only once the exact details of any development were known. This has been the philosophy throughout the remediation of the whole of the Greenwich Peninsula.

Telecommunications Masts

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what representations his Department has received in the last year in respect of planning applications and permissions granted for the erection of telecommunications masts; and what is his policy on the erection of such masts. [116970]

Ms Beverley Hughes: My Department has received centrally in the last year some 350 letters about amenity and health aspects of planning applications and permissions granted for telecommunications masts.

The Government's general policy on telecommunications is to facilitate the growth of new and existing telecommunications systems while keeping environmental impact to a minimum. The planning system is the mechanism for achieving that balance. Government planning policy for telecommunications is set out in Planning Policy Guidance note 8: Telecommunications and the Department's Circular 4/99 "Planning for Telecommunications". The draft joint DETR/DH circular on "Land Use Planning and Electromagnetic Fields" will be finalised as soon as practicable after the Independent Expert Group on Mobile Phones has published its report in May.

Local Authorities (Freedom of Information)

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what assessments he has made of the implications for freedom of information of the establishment of cabinets in local authorities. [117001]

Ms Beverley Hughes: The arrangements that we are proposing under Part II of the Local Government Bill would ensure more transparent and inclusive decision-making. These new arrangements involve:

- an inclusive process of formulating a council's framework and budget, which will be responsibility of the full council in public;
- publicly known individuals—the executive—being personally responsible for implementing this framework and budget;
- accurate recording of decisions and their reasons, and timely publication of these and of the background and factual papers available to the decision-maker(s); and
- powerful overview and scrutiny committees, meeting in public:
  - to discuss and make recommendations on the development of policies; and
  - to hold each executive member to account for what he or she has done and is planning to do.

Call Centres

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to ensure proper working conditions in call centres. [117002]

Mr. Meacher: The responsibility for ensuring proper working conditions in call centres rests with local authorities who enforce the Health and Safety at Work, etc. Act 1974 and other relevant statutory provisions made under it in these premises.

Advantage West Midlands

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions what additional resources will be made available to Advantage West Midlands in 2000–01 as a result of his latest Budget. [116706]

Ms Beverley Hughes: In his Budget, the Chancellor announced a new £50 million fund to provide support for business clusters and incubation in the English regions. The £50 million will go to the Regional Development Agencies to invest over the next two financial years; £15 million will be available in 2000–01 and £35 million in 2001–02. Advantage West Midlands will receive an allocation from the new fund of £1.5 million for financial year 2000–01.

Legal Alcohol Limit

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions what are the alcohol limits for road vehicle drivers in each member state of the European Union; and what discussions he has had with the European Commission on the harmonisation of such limits across the EU. [116861]

Mr. Hill: The alcohol limit for drivers in each member state is shown in the table.

Member state	*Milligrammes of alcohol in 100 ml of blood*
Austria	[1]50
Belgium	50
Denmark	50
Finland	50
France	50
Germany	50
Greece	50
Ireland	80
Italy	80
Luxembourg	80
Netherlands	[2]50
Portugal	50
Spain	[3]50
Sweden	20
United Kingdom	80

[1] Austria: 10 mg/100 ml for Heavy Goods Vehicle (HGV) and Passenger Carrying Vehicle (PCV) drivers and learner drivers

[2] Netherlands: 20 mg/100 ml for learner drivers

[3] Spain: 30 mg/100 ml for HGV and PCV drivers and learner drivers

On 17 March the Commission issued a Communication to member states setting out priorities for road safety. This referred to the intention to bring forward a Recommendation on harmonisation of the drink-drive limit. The Council of Ministers had a brief preliminary discussion of the Communication on Tuesday 28 March and is due to discuss it again in June.

Aircraft Seats

Mr. Blizzard: To ask the Secretary of State for the Environment, Transport and the Regions what regulations govern the number of passenger seats that can be accommodated in a civil aircraft. [117228]

Mr. Mullin: The maximum seating capacity of any large passenger aircraft is determined by the aircraft certification standards. Annexe 8 to the Chicago Convention requires that an aircraft may be issued with a Certificate of Airworthiness only if it complies with a comprehensive and detailed airworthiness code established by the State of Registry. Within Europe, the Joint Aviation Authorities agree harmonised aviation safety standards, including airworthiness codes, for their 32 member states. The JAA airworthiness code for new types of large passenger aircraft is contained in Joint Airworthiness Requirement 25, which has also been adopted as the EC standard by Council Regulation 3922/92. JAR 25 requires that in an emergency an aircraft in maximum seating configuration must be capable of being evacuated within 90 seconds.

The Civil Aviation Authority (CAA) has also set minimum requirements relating to the spacing of passenger seats for aircraft on the UK register. This is because, in the event of an emergency, it is one of a number of factors which can have an effect upon the evacuation of an aircraft. The minimum requirements are contained in Airworthiness Notice 64.

MOT Test

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to extend the list of items inspected in the annual motor vehicle MOT test. [117136]

Mr. Hill: We have no plans at present to introduce any additional items for inspection into the annual roadworthiness test although the whole issue of MOT testing is kept under review.

Motor Vehicles

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions how many privately owned motor vehicles there were in the United Kingdom on 1 March. [117083]

Mr. Hill: At the end of June 1999, the latest date for which we have figures, there were 23.34 million motor vehicles registered to private individuals in Great Britain. Of these, 20.92 million were cars. Equivalent information for Northern Ireland is not readily available.

Light Pollution

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will bring forward legislation to classify excessive light as a pollutant; [117085]

(2) if he will give local authorities powers to curb excessive lighting. [117087]

Ms Beverley Hughes: There are already some planning controls over external lighting. Where development proposals require a planning application, the local planning authority can control the lighting installations by imposing conditions to prevent or minimise light pollution. However, the courts have ruled that light itself is not development as understood in planning law, so the creation or use of light in itself does not require planning permission. In 1997, we issued "Lighting in the Countryside: Towards Good Practice" which is also applicable in towns. In our view, such guidance represents the best way forward and we are not proposing to introduce further legislation in this area.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions if he will restrict the sale of domestic floodlight bulbs to a 150 watt maximum. [117088]

Ms Beverley Hughes: We have no plans to restrict the sale of such goods.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions in what circumstances poorly aimed and over-bright lighting is classified as a statutory nuisance. [117086]

Mr. Hill: Although light is not a specified statutory nuisance it may be considered as a nuisance in cases where intrusive lighting is so severe as to be prejudicial to health. It is for a local authority environmental health officer to decide whether there is a "statutory nuisance" occurring in a particular situation.

Thameslink 2000

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the conclusions of the report by Town and Country Strategies on the Thameslink 2000 project; and if he will place a copy of the report in the Library. [117217]

Mr. Hill: Town and Country Strategies have made representations to the Secretary of State on Railtrack's Thameslink 2000 project, in the form of a report which expresses concerns about some aspects of the proposals. They have asked for this report to be treated as their statement of case for the purposes of the public inquiry which will start on 27 June 2000. The Department has forwarded this report to the Inspector who will conduct the inquiry. It would not be appropriate for me to comment on the report at this stage. I have placed a copy of it in the Library.

M3 Accident

Mr. Hunter: To ask the Secretary of State for the Environment, Transport and the Regions what reports he has received from the Police and the Health and Safety Executive following their investigation into the accident

near Junction 7 on the M3 on 7 March involving a lorry carrying butane gas cylinders; and what implications they have for the amendment of safety regulations. [117223]

Mr. Hill: Investigations are still in progress.

Lorries (VED)

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will list the information he received concerning the effect on the environment of road haulage movements which gave rise to the increase in vehicle excise duty for 40-tonne trucks in the 1999 Budget; [116865]

(2) what assessment he has made of the impact on *(a)* the environment and *(b)* the number of road haulage movements of the decrease in vehicle excise duty rates announced in the Budget; [116837]

(3) if he will list the information he received between March 1999 and March 2000 concerning the effect on the environment of road haulage movements which gave rise to the decrease in vehicle excise duty by £1,800 for 40-tonne trucks in the Budget. [116866]

Mr. Hill *[holding answer 30 March 2000]:* Vehicle Excise Duty (VED) is a matter for the Chancellor of the Exchequer. In his 1999 Budget, the Chancellor made clear that a high VED rate had been set for the new 40-tonne, 5-axle vehicle first allowed in the UK from 1 January 1999 in order to discourage its use on UK roads. This was in view of the significant extra road damage caused by lorries running these new 11.5 tonne axle weights.

The Changes the Chancellor made to VED rates for goods vehicles in his recent Budget and the reasons for them are explained in paragraphs 6.69 to 6.72 of the Economic and Fiscal Strategy Report, published on 21 March 2000. The VED rate of £5,750 set for the new, road-damaging 40-tonne lorry on 5-axles in Budget 99 has successfully discouraged its use by domestic hauliers. However, now that domestic hauliers who need the highest weight limits have the option to use the less damaging 6-axle 44-tonne lorry within the UK, the only UK hauliers who still need to use the 40-tonne lorry are international operators using continental roads with 40-tonne lorry weight limits.

To boost the competitiveness of these international hauliers, the Government are cutting the VED rate for the 40-tonne lorry on 5-axles from £5,750 to £3,950. The rate for the less road-damaging 38-tonne lorry on 5-axles will be reduced by £500 to encourage its continued use, and there will also be a reduction of £500 for the lorry typically used to collect freight from UK ports to boost the competitiveness of hauliers in this sector.

The Government will continue to monitor trends in vehicle purchasing and plating decisions and in volumes of road haulage movements, while a sub-group of the Road Haulage Forum will continue to review the costs which different lorry types impose on the environment and the roads. This work will inform the Chancellor's future decisions on VED rates for goods vehicles.

Ballot Boxes (London)

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions (1) what assessment he has made of the robustness and security of the cardboard ballot boxes proposed for use with electronic vote counting in the forthcoming London elections; what assessment he has made of the risk of persons tampering with such ballot boxes; and if he will make a statement; [117239]

(2) what checks there will be on the number of ballot boxes used in connection with electronic vote counting in the forthcoming London elections. [117240]

Mr. Hill: These are matters for the Greater London Returning Officer.

Genetically Modified Crops

Mr. Paice: To ask the Secretary of State for the Environment, Transport and the Regions if he will describe the research being undertaken during farm-scale trials of genetically modified crops with particular respect to *(a)* potential cross-pollination with (i) other non-genetically modified crops and (ii) wild flora, *(b)* the viability of such cross-pollination, *(c)* the impact on insect life in areas adjacent to the trial, and *(d)* the duration of the study. [117301]

Mr. Meacher: Studies are being undertaken during farm-scale evaluations of the management associated with genetically modified crops to assess *(a)* potential cross-pollination between genetically modified crops with particular respect to (i) cross-pollination with other non-genetically modified crops and (ii) wild flora. In addition, studies are being undertaken during farm-scale trials to assess *(b)* the viability of such cross-pollination and *(c)* the impact on insect life in areas adjacent to the trial. Protocols are currently being finalised for these investigations with the contractors. These will be made public shortly and I will place a copy in the Library. *(d)* The study could last up to three years.

PPG17

Mr. Pearson: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to publish revisions to PPG17. [117346]

Ms Beverley Hughes: I refer to the answer given by my hon. Friend the Minister for Housing and Planning to my hon. Friend the Member for Denton and Reddish (Mr. Bennett) on 21 March 2000, *Official Report*, column 469W.

HOME DEPARTMENT

Travel Documents (Loss)

Mr. Lidington: To ask the Secretary of State for the Home Department what estimate he has made of the number of travel documents lost by the Immigration and Nationality Directorate in the last three years. [117653]

Mrs. Roche: The available information relates to the number of claims for compensation as a result of maladministration in the Immigration and Nationality Directorate, the majority of which are as a result of passports lost within the Directorate. The number of claims dealt with is as follows:

1997: 45

1998: 62

1999: 78.

In addition to the figures given for 1999, there are a number of claims submitted in 1999 still to be considered.

Freedom of Information Bill

Mr. Caplin: To ask the Secretary of State for the Home Department when he will publish the draft code of practice to be made under clause 44 of the Freedom of Information Bill. [117968]

Mr. Straw: I have today placed a copy of a working draft of the code of practice in the Library and it will also be placed on the Home Office website.

Clause 44 of the Freedom of Information Bill requires the Secretary of State to issue, and from time to time revise, a code of practice setting out practices which he considers public authorities should follow in the discharge of their duties in relation to Part I of the Bill. It specifies particular matters which must be included in the code such as the assistance that should be given to applicants and procedures for dealing with complaints.

The matters to be included in the code are administrative steps that are an important part of good practice. They form an important part of the overall scheme for dealing with requests for information.

Child Abuse

Mr. Baker: To ask the Secretary of State for the Home Department what research his Department has conducted into the possible link between animal abuse and child abuse; and if he will make a statement. [116933]

Mr. Charles Clarke: The Home Office is not currently conducting any research on the links between animal abuse and child abuse. However, we have recently become aware of some research in the United States of America on this subject and are considering that evidence with care.

Animal Experiments

Mr. Baker: To ask the Secretary of State for the Home Department, pursuant to his answer of 7 March 2000, *Official Report*, columns 566–68W, on animal experiments, how many of the nine project licences awarded in 1998 to allow procedures to be carried out on dogs were awarded in order to fulfil legislative requirements; and, for each project licence awarded for this reason, what was the legislative requirement in question. [116935]

Mr. Mike O'Brien: My reply to the hon. Member on 7 March 2000, *Official Report*, columns 566–68W, reported that the procedures recorded in Table 11 of the Statistics of Scientific Procedures Great Britain 1998 were carried out under 39 separate project licences.

Home Office records are not held in such a way to enable the specific legislative requirement that applied to each licence to be easily identified. My earlier reply provides examples of specific legislative requirements relevant to Table 11.

Mr. Baker: To ask the Secretary of State for the Home Department on how many occasions in *(a)* 1998 and *(b)* 1999 licences were awarded to allow procedures to be carried out on dogs to satisfy non-United Kingdom and non-European Union legislative requirements which required (i) more dogs to be used and (ii) dogs to be used in procedures involving more pain, suffering, distress or lasting harm, than the corresponding UK/EU legislative requirements, identifying in each case the (1) non-EU and (2) UK or EU legislative requirements. [116934]

Mr. Mike O'Brien: Comparing and contrasting the technical specifications of all of the possible test requirements will require a good deal of effort and it may not be possible to provide precise answers and would be very expensive.

To be of some assistance, I could provide information on the number of licences issued in 1998 and 1999 that might generate data for regulatory requirements using dogs and explain how these are used to satisfy a number of regulators. It will, however, take time to gather the information and I will write to the hon. Member within the next two weeks.

Mr. Baker: To ask the Secretary of State for the Home Department if wild-caught monkeys destined for use in experiments are tested for *(a)* Ebola, *(b)* SIV and *(c)* Hepatitis; and if he will make a statement. [117019]

Mr. Mike O'Brien: The Ministry of Agriculture, Fisheries and Food regulates the screening and quarantining of non-human primates entering the United Kingdom. All simians imported into the United Kingdom are required to undergo six months' quarantine against rabies in premises authorised by that Department.

There are no specific Home Office requirements over and above those set by the Ministry of Agriculture, Fisheries and Food.

Mr. Baker: To ask the Secretary of State for the Home Department (1) how many times Huntingdon Life Sciences has been inspected by his Department's inspectors in the last three years, broken down between *(a)* announced and *(b)* unannounced visits; and if he will make a statement; [117020]

(2) how many wild-caught baboons Huntingdon Life Sciences have used to date; and if he will make a statement; [117021]

(3) if he will list the establishments within the United Kingdom licensed to use wild-caught baboons since May 1 1997; and if he will make a statement. [117022]

Mr. Mike O'Brien: Section 24 of the Animals (Scientific Procedures) Act 1986 prevents disclosure of detailed information about individual establishments licensed under the Act.

We are taking further legal advice on this in respect of these matters and are reviewing section 24 in the light of Freedom of Information legislation.

I will write to the hon. Member.

Mr. Baker: To ask the Secretary of State for the Home Department how many animals and of what species are held at the Huntingdon Life Sciences sites at *(a)* Huntingdon and *(b)* Occold; and if he will make a statement. [117023]

Mr. Mike O'Brien: Home Office records identify the number of project licences currently in force at each licensed establishment and also show the species of animal and the maximum number of animals that can be used under each licence. Our records do not show how many animals and of what species are being held at an establishment at any one time.

Mr. Hancock: To ask the Secretary of State for the Home Department how many laboratory rodents have been killed *(a)* this year and *(b)* in each of the last three years because they were surplus to requirements; and if he will make a statement. [117090]

Mr. Mike O'Brien: The Home Office does not collect this information centrally. The Animal Procedures Committee has a working group on overbreeding which is considering how this issue can be taken forward.

Mr. Hancock: To ask the Secretary of State for the Home Department how many licences have been granted for LD50 tests since 21 October 1999. [117076]

Mr. Mike O'Brien: No new licences authorising the LD50 test (Organisation for Economic Co-Operation and Development Guideline 401) have been issued since 21 October 1999. One licence issued after 5 September 1998 was varied on 21 October 1999 to remove authority for the test. Subsequently, a review of all existing licences identified a further 13 currently containing authority for the test. Of these, 11 have now been varied to remove that authority. A final decision has not yet been made on the two remaining licences pending consideration of representations from the licensees under section 12 of the Animals (Scientific Procedures) Act 1986. We will no longer grant new licences for LD50.

Asylum Seekers

Mr. Gale: To ask the Secretary of State for the Home Department if he will list, for each month since January 1998, *(a)* the number of processed asylum applicants removed from the United Kingdom and *(b)* the number of processed asylum applicants whose claims have been rejected and who have not been traced. [117253]

Mrs. Roche: Provisional information, relating to removals and voluntary departures for January 1998 to February 2000 of persons who had applied for asylum at some stage, is given in the table.

Asylum seekers whose applications have been considered and refused are removed only once all their rights of appeal in the United Kingdom have been exhausted. It should be noted that the figures may include some persons who withdrew their asylum application or appeal before a decision or determination had been reached. Cases dealt with on a safe third-country basis are also included.

The latest figure for the number of known asylum absconders is 20,000. This is a snapshot, taken from the Immigration and Nationality Directorate port and enforcement databases at the end of November 1998, of those persons (excluding dependants) who had applied for asylum at some point and who had breached the conditions of their temporary admission, temporary release or restriction order, or were otherwise found to be out of contact with the Immigration and Nationality Directorate. It should be noted that a person may become an absconder at any stage of the asylum process and that some persons recorded as absconders may have left the United Kingdom without the knowledge of the Immigration and Nationality Directorate. Data recording problems mean that this figure cannot currently be updated.

Removals and voluntary departures of asylum applicants, excluding dependants, by month, January 1998 to February 2000

Month	*Removals and voluntary departures* [1,2]
January 1998	600
February 1998	525
March 1998	555
April 1998	465
May 1998	490
June 1998	485
July 1998	560
August 1998	610
September 1998	535
October 1998	670
November 1998	695
December 1998	720
January 1999	650
February 1999	585
March 1999	615
April 1999	600
May 1999	625
June 1999	610
July 1999	660
August 1999	625
September 1999	685
October 1999	710
November 1999	635
December 1999	645
January 2000	605
February 2000	680

[1] For port asylum applicants, the data include persons departing voluntarily up to and including the point of notification of the decision on the asylum application and those persons who have had their asylum application refused and leave the country before they have exhausted their rights of appeal. For in-country applicants, the data exclude persons departing voluntarily before the initiation of enforcement action.

[2] Figures are provisional, revised and rounded to the nearest five.

Mr. Lidington: To ask the Secretary of State for the Home Department how many asylum seekers had registered with each local authority in England and Wales at the most recent date for which figures are available. [117659]

Mrs. Roche: The information requested is not held centrally and could be obtained only at disproportionate cost.

Mr. Lidington: To ask the Secretary of State for the Home Department what plans he has to make regulations to specify that no further asylum seekers may be placed in particular local authority areas; which local authority areas he intends to specify; and if he will make a statement. [117656]

Mrs. Roche: At present, there are no plans to exercise the relevant powers to make regulations that would permit no further asylum seekers to be placed in particular local authority areas.

Mr. Lidington: To ask the Secretary of State for the Home Department how much accommodation each regional consortium has secured on behalf of the National Asylum Seekers Support Agency. [117654]

Mrs. Roche: We have been conducting extensive negotiations with the regional consortia and expect in the coming months to sign contracts with them.

Mr. Lidington: To ask the Secretary of State for the Home Department what plans he has to set maximum limits to the number of asylum seekers which any individual local authority should be expected to support. [117657]

Mrs. Roche: I have no present plans to do so.

Mr. Lidington: To ask the Secretary of State for the Home Department if it is his policy to deport from the United Kingdom asylum seekers who are convicted of aggressive begging; and if he will make a statement. [117655]

Mrs. Roche: I have made arrangements for details of foreign nationals arrested by the police for begging to be passed immediately to a central contact point in the Immigration and Nationality Directorate. The Immigration Service will establish the person's immigration status, and if they make an asylum application or have an application outstanding about which they have not yet been interviewed, will conduct an asylum interview. The application will be fast-tracked for decision, as will any appeal.

It is my policy to ensure that all asylum seekers, including those convicted of begging, whose applications are unfounded are removed from the United Kingdom as quickly as possible.

The hon. Member will be aware that important changes to speed up appeals and the removal of unsuccessful applicants are contained in the Immigration and Asylum Act 1999 and will come into force later this year.

Correspondence

Mr. Lidington: To ask the Secretary of State for the Home Department what target he has set for his Department to reply to letters from hon. Members about immigration, nationality and asylum cases; in how many cases his Department has met that target in the last year; and if he will make a statement. [117652]

Mrs. Roche: I refer the hon. Member to the reply I gave him on 25 October 1999, *Official Report*, column 687W and to the reply given to him by my hon. Friend, the Parliamentary Under-Secretary of State on 26 July 1999, *Official Report*, columns 63–64W.

The Immigration and Nationality Directorate (IND) has a target of 15 working days for replying to letters from hon. Members. This includes correspondence addressed to Ministers and to the Secretary to the IND Board. I regret that, due to current updating of the Information Technology used to record and track the correspondence addressed to the Secretary to the IND Board, I am unable to give a figure for the number of cases that met the target during last year. As soon as it becomes available I will ensure that it is passed to the hon. Member. For the period 1 April 1999 to 31 March 2000, replies to letters addressed to Ministers met the target in 9.7 per cent. of cases. Every effort is being made to improve on this figure.

Mr. Lidington: To ask the Secretary of State for the Home Department what is the earliest date of a letter from an hon. Member which has yet to be dealt with by the Immigration and Nationality Directorate's ministerial case-handling team. [117651]

Mrs. Roche: The Immigration and Nationality Directorate's Ministerial Correspondence Unit is currently dealing with letters from hon. Members received in December, the earliest being 17 December. We are aware, however, that there are some older cases within the system elsewhere in the Integrated Casework Directorate and our aim is to clear this backlog within the next few months.

Portland Young Offenders Institution

Mr. Robertson: To ask the Secretary of State for the Home Department what investigation he has carried out into allegations of abuse at Portland Young Offenders Institution; and if he will make a statement. [117661]

Mr. Boateng: The allegations of abuse raised by the Howard League for Penal Reform give no details as to time, date or place of alleged incidents of abuse and do not identify victims, witnesses or alleged assailants. The Director General of the Prison Service has made it clear that he regards the allegations as serious, and he has twice asked the Howard League to provide this information, without which no investigation is possible. No further details have been received.

Her Majesty's Chief Inspector of Prisons carried out a full inspection of Portland between 24 October and 3 November 1999. He was aware of the allegations before starting his inspection. He has raised a number of serious criticisms which are being addressed, but he did not report any evidence of the abuse of prisoners.

Visas

Mr. Godsiff: To ask the Secretary of State for the Home Department how many (1) nationals of *(a)* Bangladesh, *(b)* Belarus, *(c)* Benin, *(d)* Bhutan, *(e)* Bulgaria, *(f)* Burundi and *(g)* Cambodia applied for entry clearance to come to the United Kingdom for temporary purposes, including visitor and student applications, in (i) 1998 and (ii) 1999; how many visas were issued for temporary purposes; how many recipients of these visas returned to their country of nationality before their visa expired; and how many applied *(a)* to remain permanently in the United Kingdom and *(b)* for political asylum; [116996]

(2) nationals of *(a)* the Dominican Republic, *(b)* Ecuador, *(c)* Egypt, *(d)* Eritrea, *(e)* Fiji, *(f)* Gabon and *(g)* Gambia applied for entry clearance to come to the United Kingdom for temporary purposes, including visitor and student applications, in (i) 1998 and (ii) 1999; how many visas were issued for temporary purposes; how many recipients of these visas returned to their country of nationality before their visa expired; and how many applied *(a)* to remain permanently in the United Kingdom and *(b)* for political asylum; [116994]

(3) nationals of *(a)* Morocco, *(b)* Mozambique, *(c)* Nepal, *(d)* Pakistan, *(e)* Peru, *(f)* the Phillippines and *(g)* Romania applied for entry clearance to come to the United Kingdom for temporary purposes, including visitor and student applications, in (i) 1998 and (ii) 1999; how many visas were issued for temporary purposes; how many recipients of these visas returned to their country of nationality before their visa expired; and how many applied *(a)* to remain permanently in the United Kingdom and *(b)* for political asylum; [116991]

(4) nationals of *(a)* Cameroon, *(b)* the Central African Republic, *(c)* Chad, *(d)* China, *(e)* Colombia, *(f)* the Congo and *(g)* Djibouti applied for entry clearance to come to the United Kingdom for temporary purposes, including visitor and student applications, in (i) 1998 and (ii) 1999; how many visas were issued for temporary purposes; how many recipients of these visas returned to their country of nationality before their visa expired; and how many applied *(a)* to remain permanently in the United Kingdom and *(b)* for political asylum; [116995]

(5) nationals of *(a)* Afghanistan, *(b)* Albania, *(c)* Algeria, *(d)* Angola, *(e)* Armenia, *(f)* Azerbaijan and *(g)* Bahrain applied for entry clearance to come to the United Kingdom for temporary purposes, including visitor and student applications, in (i) 1998 and (ii) 1999; how many visas were issued for temporary purposes; how many recipients of these visas returned to their country of nationality before their visa expired; and how many applied *(a)* to remain permanently in the United Kingdom and *(b)* for political asylum; [116997]

(6) nationals of *(a)* Russia, *(b)* Rwanda, *(c)* Saudi Arabia, *(d)* Senegal, *(e)* Sierra Leone, *(f)* Somalia, and *(g)* Sri Lanka applied for entry clearance to come to the United Kingdom for temporary purposes, including visitor and student applications, in (i) 1998 and (ii) 1999; how many visas were issued for temporary purposes; how many recipients of these visas returned to their country of nationality before their visa expired; and how many applied *(a)* to remain permanently in the United Kingdom and *(b)* for political asylum; [116989]

(7) nationals of *(a)* Yugoslavia, *(b)* Ukraine, *(c)* Vietnam and *(d)* Yemen, applied for entry clearance to come to the United Kingdom for temporary purposes, including visitor and student applications, in (i) 1998 and (ii) 1999; how many visas were issued for temporary purposes; how many recipients of these visas returned to their country of nationality before their visa expired; and how many applied *(a)* to remain permanently in the United Kingdom and *(b)* for political asylum; [116980]

(8) nationals of *(a)* Liberia, *(b)* Libya, *(c)* Macedonia, *(d)* Madagascar, *(e)* the Maldives, *(f)* Moldova and *(g)* Mongolia applied for entry clearance to come to the United Kingdom for temporary purposes, including visitor and student applications, in (i) 1998 and (ii) 1999; how many visas were issued for temporary purposes; how many recipients of these visas returned to their country of nationality before their visa expired; and how many applied *(a)* to remain permanently in the United Kingdom and *(b)* for political asylum; [116990]

(9) nationals of *(a)* Georgia, *(b)* Ghana, *(c)* Guyana, *(d)* Haiti, *(e)* India, *(f)* Indonesia and *(g)* Iran applied for entry clearance to come to the United Kingdom for temporary purposes, including visitor and student applications, in (i) 1998 and (ii) 1999; how many visas were issued for temporary purposes; how many recipients of these visas returned to their country of nationality before their visa expired; and how many applied *(a)* to remain permanently in the United Kingdom and *(b)* for political asylum; [116993]

(10) Zambian nationals applied for entry clearance to come to the United Kingdom for temporary purposes, including visitor and student applications in (i) 1998 and (ii) 1999; how many visas were issued for temporary purposes; how many recipients of these visas returned to their country of nationality before their visa expired; and how many applied *(a)* to remain permanently in the United Kingdom and *(b)* for political asylum; [116981]

(11) nationals of *(a)* the Sudan, *(b)* Syria, *(c)* Taiwan, *(d)* Tanzania, *(e)* Thailand, *(f)* Tunisia and *(g)* Turkey applied for entry clearance to come to the United Kingdom for temporary purposes, including visitor and student applications, in (i) 1998 and (ii) 1999; how many visas were issued for temporary purposes; how many recipients of these visas returned to their country of nationality before their visa expired; and how many applied *(a)* to remain permanently in the United Kingdom and *(b)* for political asylum; [116979]

(12) nationals of *(a)* Iraq, *(b)* Ivory Coast, *(c)* Jordan, *(d)* Kenya, *(e)* Kuwait, *(f)* Laos and *(g)* Lebanon applied for entry clearance to come to the United Kingdom for temporary purposes, including visitor and student applications, in (i) 1998 and (ii) 1999; how many visas were issued for temporary purposes; how many recipients of these visas returned to their country of nationality before their visa expired; and how many applied *(a)* to remain permanently in the United Kingdom and *(b)* for political asylum. [116992]

Mrs. Roche: The available information is given in the tables.

Entry clearance data are available by country of application only, which is not necessarily the country of the applicant's nationality. There were no entry clearance issuing posts in Afghanistan, Benin, Bhutan, Burundi, Central African Republic, Chad, Congo, Djibouti, Eritrea, Gabon, Haiti, Iraq, Laos, Maldives, Moldova, Rwanda, Somalia and Sierra Leone in 1998 and 1999. Residents of these countries have to apply elsewhere. The entry clearance issuing post in Sudan was re-opened in 1999.

No data are available on the numbers of persons who return to their country of nationality before their leave to enter or remain in the United Kingdom expires.

Information is not available on the number of holders of visas for temporary purposes who apply for asylum or for settlement. The information given in Table 2 on grants of settlement includes persons who entered the United

Kingdom with an entry clearance leading to settlement; and the data on asylum applications and those who entered by clandestine means include persons who held no entry clearance.

Table 1: Applications for entry clearance for temporary purposes, and numbers issued 1998–99 [1]

Country of application	Applications received 1998	Applications received 1999	Entry clearances issued 1998	Entry clearances issued 1999
Albania	200	1,680	240	1,320
Algeria	3,500	3,370	3,500	3,370
Angola	1,600	1,740	1,570	1,440
Armenia	1,020	960	850	940
Azerbaijan	3,190	2,700	3,170	2,550
Bahrain	13,150	11,000	13,090	11,720
Bangladesh	12,820	14,980	9,820	11,140
Belarus	7,100	7,100	6,620	6,950
Bulgaria	17,130	21,000	15,790	19,390
Cameroon	2,050	2,020	1,540	1,600
China	38,900	47,230	[2]—	39,460
Colombia	20,550	16,930	19,470	15,640
Congo Democratic Republic[4]	650	[2]—	470	[2]—
Dominican Republic	1,110	1,370	1,010	1,310
Ecuador	3,000	1,980	2,800	1,710
Egypt	29,440	30,410	28,820	29,970
Ethiopia	3,740	3,730	3,100	2,890
Fiji	720	[2]—	700	[2]—
Gambia	2,980	3,630	2,340	2,680
Georgia	1,900	[2]—	1,880	[2]—
Ghana	22,160	27,460	16,130	20,980
Guyana	1,470	1,450	1,240	1,220
India	142,800	170,050	129,560	152,040
Indonesia	8,680	18,370	8,390	17,540
Iran	23,740	[2]—	21,970	[2]—
Ivory Coast	2,300	2,110	1,970	2,210
Jordan	8,900	8,450	8,920	8,240
Kenya	16,600	17,380	14,750	13,740
Kuwait	42,740	36,060	42,500	32,230
Lebanon	7,430	7,380	7,070	7,070
Libya	820	1,390	770	1,310
Macedonia	420	720	420	720
Madagascar	290	350	280	320
Mongolia	810	900	710	740
Morocco	7,260	6,870	6,380	6,160
Mozambique	790	700	750	570
Nepal	3,780	4,070	2,920	3,060
Pakistan	65,790	70,260	49,010	47,970
Peru	3,840	3,580	3,680	3,570
Philippines	17,010	19,060	14,540	17,750
Romania	23,030	21,860	20,680	19,840
Russia	94,180	69,460	89,630	66,500
Rwanda	100	110	100	110
Saudi Arabia	57,630	56,680	55,300	53,440
Senegal	1,200	1,380	1,030	1,130
Sri Lanka	14,000	17,770	12,710	15,220
Sudan	[3]—	1,470	[3]—	1,160
Syria	5,820	[2]—	5,320	[2]—
Taiwan	41,060	42,990	41,060	42,990
Tanzania	8,870	9,460	7,180	6,860
Thailand	20,830	28,090	18,460	25,650
Tunisia	7,250	7,070	5,880	5,990
Turkey	66,850	62,510	61,280	43,510
Ukraine	23,560	22,520	20,850	18,890
Vietnam	2,080	1,690	1,840	1,380
Yemen	3,720	3,780	3,300	3,360
Yugoslavia	14,690	2,660	14,130	2,540
Zambia	4,340	4,620	4,120	4,390

[1] 1999 data are provisional

[2] Not available

[3] Not applicable (no entry clearance facilities in that country)

[4] Formerly Zaire

Table 2: Grants of settlement and applications for asylum 1998–99 [5]

Nationality	Grants of settlement [1,2] 1998	Grants of settlement [1,2] 1999	Applications [4] for asylum 1998	Applications [4] for asylum 1999
Afghanistan	190	420	2,395	3,975
Albania	50	110	560	1,310
Algeria	700	990	1,260	1,385
Angola	70	450	150	545
Armenia	[3]—	30	60	95
Azerbaijan	[3]—	10	20	50
Bahrain	10	40	5	10
Bangladesh	3,580	3,240	460	530
Belarus	20	30	110	600
Benin	[3]—	10	5	5
Bhutan	[3]—	[3]—	45	60
Bulgaria	180	270	165	80
Burundi	30	60	215	780
Cambodia	[3]—	10	*	5
Cameroon	90	130	95	245
Central African Republic	0	0	*	*
Chad	0	[3]—	10	70
China	1,410	1,400	1,925	2,625
Colombia	330	530	425	1,000
Congo	10	40	150	450
Congo Democratic Republic[6]	110	2,010	660	1,240
Djibouti	[3]—	30	15	5
Dominican Republic	40	30	[2]—	[2]—
Ecuador	40	80	280	610
Egypt	360	380	45	55
Eritrea	30	170	345	565
Ethiopia	180	2,120	345	455
Fiji	30	20	*	0
Gabon	[3]—	[3]—	*	*
Gambia	140	140	45	30
Georgia	10	30	15	70
Ghana	1,420	3,280	225	195
Guyana	170	120	5	5
Haiti	10	[3]—	0	0
India	5,130	6,000	1,030	1,365
Indonesia	110	200	265	575
Iran	850	1,430	745	1,320
Iraq	1,490	1,970	1,295	1,800
Ivory Coast	80	290	95	190
Jordan	130	120	30	20
Kenya	450	580	885	485
Kuwait	60	50	20	25
Laos	[3]—	[3]—	0	0
Lebanon	590	740	155	240
Liberia	80	70	70	65
Libya	160	150	115	115
Macedonia	10	40	50	90
Madagascar	10	[3]—	*	*
Maldives	[3]—	[3]—	5	5
Moldova	[3]—	10	25	180
Mongolia	10	10	50	75
Morocco	420	420	25	20
Mozambique	10	20	5	0
Nepal	90	80	105	230
Pakistan	7,220	11,700	1,975	2,615
Peru	100	130	5	20
Philippines	890	1,140	35	10
Romania	240	280	1,015	1,985
Russia[7]	850	850	185	685
Rwanda	60	70	280	820
Saudi Arabia	50	50	5	10
Senegal	10	20	5	5
Sierra Leone	510	920	565	1,125
Somalia	2,740	3,030	4,685	7,495
Sri Lanka	1,960	5,100	3,505	5,130
Sudan	450	510	250	280
Syria	110	130	65	95
Taiwan	100	120	5	5
Tanzania	200	210	80	80
Thailand	500	800	20	15
Tunisia	110	150	20	20
Turkey	2,270	4,850	2,015	2,850
Ukraine	140	190	370	775
Vietnam	100	120	35	105

Table 2: Grants of settlement and applications for asylum 1998–99 [1]

Nationality	Grants of settlement [1,2] 1998	1999	Applications [4] for asylum 1998	1999
Yemen	190	230	35	90
Former Yugoslavia	850	4,050	7,980	14,180
Zambia	200	230	25	20

[1] Excluding persons given indefinite leave to enter
[2] All settlement data are rounded to three significant figures or to the nearest 10 if less than 1,000
[3] Russia includes holders of Soviet Union passports
[4] Figures are rounded to the nearest 5 with * = 1 or 2, and exclude dependants
[5] 1999 data are provisional
[6] Negligible (i.e. five or fewer)
[7] Not available
[8] Formerly Zaire

Police (Lancashire)

Mr. Jack: To ask the Secretary of State for the Home Department if he will publish the latest data available to his Department in relation to Lancashire police force on the numbers of police officers who are *(a)* on the establishment of the force, *(b)* on sick leave, *(c)* undertaking light duties and *(d)* representing a full complement of officers for the force. [116975]

Mr. Straw: Under the Police and Magistrates' Courts Act 1994, which was passed by the previous Government, it is for individual chief constables to determine the number of police officers in their force within the resources that are available. The Lancashire Constabulary does not have a target establishment. I understand from the Chief Constable that there were the full-time equivalent of 3,224 police officers available for ordinary duty in the Lancashire Constabulary on 31 March 2000.

She has also told me that as at 30 March 2000, 178 police officers were recorded by the Constabulary as absent from duty through sickness and 34 officers had formal restrictions placed upon the range of duties they are physically or psychologically able to perform. This latter figure does not include temporary arrangements made locally within the force as and when required.

Departmental Properties

Mr. Don Foster: To ask the Secretary of State for the Home Department what *(a)* number and *(b)* percentage of properties in his charge are empty; and what steps are being taken by his Department to reduce the number of such properties. [116915]

Mr. Straw *[holding answer 3 April 2000]:* There are currently empty properties at nine sites on the non-prison Home Office estate. Central records are not kept of the numbers of individual properties on large sites, but this comprises 3.4 per cent. of my Department's non-prisons Property Holdings (i.e. freehold buildings and sites, leaseholds, and occupations of other Departments' properties). Further detail on these and the action being taken to reduce the number were given in the reply I gave to the hon. Member for Lewes (Mr. Baker) on 19 January 2000, *Official Report,* columns 468–72W.

My previous reply accurately reflects the current status of prison land, but the figures for Prison Service's residential properties are more volatile. The position as at 30 March is that the Service owns some 983 residential properties of which 160 (16.3 per cent.) are vacant. Of these, 78 are retained on security/operational grounds, for occupation by future chaplains or for future development. The remaining 82 are being (49) or will be (33) offered for sale.

Tagging

Mr. Steinberg: To ask the Secretary of State for the Home Department how many prisoners have been released on the tagging system since it was introduced; how many have reoffended while being tagged; and if he will list the crimes that they have committed. [117699]

Mr. Boateng: As of 29 March 2000, 18,938 offenders have been placed on the Home Detention Curfew scheme. The Prison Service has been notified of 190 offenders who have been charged with an offence committed while subject to the scheme. A breakdown of the types of offences committed is shown in the table. This breakdown has been prepared from information supplied by police forces and drawn from the police national computer. Further analysis of re-offending by those subject to the Home Detention Curfew scheme, including procedures for notification of further charges to the Prison Service by the police, is currently under way as part of a long-term evaluation of the scheme.

Offence type	Number
Burglary, theft and theft from shops (including taking without consent/taking and driving away)	67
Assault	31
Driving and Traffic Offences	19
Drug Offences	16
Breach of the peace (including Drunk and Disorderly)	14
Handling Stolen Goods/Deception	10
Criminal Damage	12
Threatening Behaviour	8
Possession of an offensive weapon	3
Breach of court injunction or Restraining Order	3
Rape	2
Harassment	1
Going Equipped	1
False Imprisonment	1
Arson	1
Indecent Exposure	1
Total	190

SOCIAL SECURITY

Under-occupied Properties

Mr. Coaker: To ask the Secretary of State for Social Security what plans he has to address the problem of under-occupied properties in the social rented sector. [117974]

Angela Eagle: We have introduced a three-year pilot scheme in the London Boroughs of Croydon, Newham and Haringey. Its aim is to test whether financial incentives can encourage Housing Benefit recipients living in under-occupied social housing to move to smaller and cheaper accommodation.

Under the scheme tenants who move will be entitled to a lump sum payment of about half of the Housing Benefit savings that would be expected over three years from the lower rent. This gives them a financial interest in their rents, and an incentive to move somewhere cheaper. The scheme is entirely voluntary.

Benefit Overpayments

Mr. Burstow: To ask the Secretary of State for Social Security, pursuant to his answer of 31 January 2000, *Official Report*, column 471W, on benefit overpayments, if he will estimate, in relation to the overpayments which took place on 17 and 18 January, *(a)* the total value of the benefit overpayments considered too small to recover, *(b)* the total value of the benefits recovered so far and *(c)* the total number of customers who have repaid the overpayment in full. [116134]

Angela Eagle *[holding answer 27 March 2000]:* Administration of benefits and recovery of overpayments is a matter for the Chief Executive of the Benefits Agency, Peter Mathison. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Paul Burstow, dated 3 April 2000:

The Secretary of State has asked me to respond to your recent question asking what estimate he has made, in relation to the ACT overpayments (which occurred on 17 and 18 January), of (a) the total value of the benefit overpayments considered too small to be recovered, (b) the total value of the benefit recovered so far and (c) the total number of customers who have repaid the overpayment in full.

Repayment was not requested where the overpaid amount was less than £5. Overpayments falling into this category totalled £8,500.

The benefit recovered to date is over £6.8m and approximately 68,000 customers have repaid their overpayments in full. In addition, it has been agreed with some customers that they can repay in instalments.

I hope this is helpful.

Minimum Income Guarantee

Mr. Ennis: To ask the Secretary of State for Social Security how many pensioners will benefit from the minimum income guarantee in *(a)* Barnsley and *(b)* Doncaster. [116080]

Mr. Darling: There are around 8,000 pensioners in Barnsley and 9,000 in Doncaster, receiving their minimum income guarantee (MIG) which is paid through Income Support.

I have written to right hon. and hon. Members today advising them of our plans for a take-up campaign, to encourage pensioners to claim their entitlement to the MIG.

Starting in the spring, the campaign will see intense activity on a number of fronts. This will include television advertising, writing to around two million pensioners who our records suggest are likely to have an underlying entitlement, and the introduction of a tele-claims centre with special trained operators who can advise on entitlement and help complete the paperwork to claim the MIG.

Today we are also publishing a paper which shows what has happened to pensioner incomes over the past 40 years. It shows that average pensioner incomes as a whole are rising faster than average earnings and that some have done very well. But it also shows that a significant minority of pensioners have missed out. We are helping all pensioners, but the paper shows why we should focus particular help on those who need help most.

The paper has been placed in the Library and copies are available from the Vote Office.

Mrs. Curtis-Thomas: To ask the Secretary of State for Social Security how many people over 65 years of age are receiving the minimum income guarantee in *(a)* the Crosby parliamentary constituency and *(b)* each constituency in the City of Liverpool. [116673]

Mr. Bayley: The administration of the minimum income guarantee is a matter for Peter Mathison the Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mrs. Claire Curtis-Thomas, dated 3 April 2000:

The Secretary of State has asked me to reply to your recent Parliamentary Question about how many people over 65 years of age are receiving the minimum income guarantee in (a) the Crosby parliamentary constituency and (b) each constituency in the City of Liverpool.

The table below lists the number of people aged 65 and over receiving minimum income guarantee by constituency:

Thousand

Constituency	*Claimants aged 65 and over*
Crosby	1.9
Liverpool, Garston	3.0
Liverpool, Riverside	4.4
Liverpool, Walton	3.2
Liverpool, Wavertree	3.3
Liverpool, West Derby	3.7

These figures are from the Income Support Quarterly Statistical Enquiry of November 1999. Please note the sample size is 5% and therefore, subject to sampling error. They have been rounded to the nearest hundred.

I hope this reply is helpful.

Mr. Webb: To ask the Secretary of State for Social Security if hon. Members will receive details of his take-up campaign for the minimum income guarantee in addition to that contained in press releases. [117603]

Mr. Bayley: My right hon. Friend the Secretary of State wrote to right hon. and hon. Members on 29 March, advising them of our plans for a take-up campaign, to encourage pensioners to claim their entitlement to the Minimum Income Guarantee (MIG).

Starting in the Spring, the campaign will see intense activity on a number of fronts. This will include television advertising, writing to around two million pensioners who our records suggest are likely to have an underlying entitlement, and the introduction of a tele-claims centre with special trained operators who can advise on entitlement and help complete the paperwork to claim the MIG.

BEST CO

Child Support

Mr. David Stewart: To ask the Secretary of State for Social Security (1) what is the estimated number of parents with care who have Child Support Agency assessments who are in receipt of working families tax credit, housing benefit and council tax benefit; [117402]

(2) what is the estimated number of parents with care with Child Support Agency assessments who are in receipt of both working families tax credit and housing benefit. [117403]

Angela Eagle: The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to my hon. Friend.

Letter from Faith Boardman to Mr. David Stewart, dated 3 April 2000:

I am replying to your Parliamentary Questions to the Secretary of State for Social Security about the Child Support Agency.

Some of the information requested is not available, but such information as is available is given below.

As at November 1999 the latest statistics available are that there were 922,400 live cases where a full child maintenance assessment had been made. Of these 96,600 (10.5%) were in receipt of working family tax credit.

Unfortunately, similar information relating to Housing Benefit and Council Tax Benefit cannot be obtained.

The Department's Analytical Services Division produces a CSA Quarterly Summary of Statistics that is available in the House of Commons Library and you may find the information it contains of further interest.

I am sorry to be only able to give you a partial answer, but I hope the information provided is helpful.

Disability Living Allowance

Mr. Wood: To ask the Secretary of State for Social Security how many recipients of disability living allowance have had their benefit increased on review since April 1999. [116714]

Mr. Bayley: From April to December 1999 (the latest month for which figures are available) 46,899 Disability Living Allowance recipients had their benefit increased on review.

Income Statistics

Mr. Oaten: To ask the Secretary of State for Social Security if he will list for *(a)* England and *(b)* each English region, the number of children in households with income below half of the national average in (i) 1979, (ii) 1990 and (iii) each year from 1992 to 1998. [117237]

Mr. Bayley: We have pledged to halve the number of children living in poverty in 10 years and eradicate child poverty in 20 years and we have already made significant progress. The measures we have announced in successive Budgets will lift 1.2 million children out of poverty by the end of this Parliament.

Estimates of the number of children living in households below half average income for England and for English regions are presented in the following tables. Regional figures are available only from 1994–95.

Number of children living in households below half UK average income for England

Million

	Before housing costs (BHC)	*After housing costs (AHC)*
1979	1.0	1.1
1990–91	2.5	3.0
1992–93	2.8	3.6
1993–94	2.7	3.5

Number of children living in households below half GB average income for England

Million

	Before housing costs (BHC)	*After housing costs (AHC)*
1994–5	2.5	3.5
1995–96	2.3	3.5
1996–97	2.8	3.9
1997–98	2.8	3.8

Number of children living in households below half average income for English regions

Million

	1994–95	*1995–96*	*1996–97*	*1997–98*
BHC				
North East	0.20	0.15	0.20	0.20
North West and Merseyside	0.45	0.40	0.50	0.45
Yorkshire and the Humber	0.35	0.30	0.35	0.35
East Midlands	0.20	0.20	0.20	0.25
West Midlands	0.25	0.30	0.40	0.40
Eastern	0.25	0.20	0.25	0.25
London	0.40	0.25	0.45	0.45
South East	0.20	0.25	0.30	0.30
South West	0.20	0.20	0.25	0.25
AHC				
North East	0.20	0.20	0.25	0.25
North West and Merseyside	0.55	0.55	0.60	0.60
Yorkshire and the Humber	0.40	0.35	0.40	0.35
East Midlands	0.30	0.30	0.30	0.25
West Midlands	0.35	0.40	0.45	0.45
Eastern	0.40	0.30	0.35	0.35
London	0.60	0.65	0.70	0.75
South East	0.40	0.45	0.50	0.40
South West	0.30	0.30	0.35	0.30

Notes:

1. The source is Households Below Average Income (HBAI). Estimates for 1979 to 1993–94 are derived from the Family Expenditure Survey and these estimates, including the value of half average income, relate to the United Kingdom. Results for 1990–91, 1992–93 and 1993–94 are for two years combined. Estimates for 1994–95 to 1997–98 are taken from the Family Resources Survey (FRS) and the estimates, including the value of half average income, relate to Great Britain. FRS-based estimates use a slightly different definition of income; results are therefore not precisely comparable with those for years before 1994–95, but the results presented here are broadly comparable.

2. All estimates are subject to sampling error and response biases, and small changes apparent in these tables may be influenced by these. Results for individual years may be sensitive to the precise way in which household incomes are adjusted for household size and composition; the picture of changes over time is generally not sensitive to this.

3. Estimates are presented on household income both Before Housing Costs (BHC) and After Housing Costs (AHC) in line with HBAI conventions.

4. Results in the tables 1 and 2 are rounded to the nearest 100,000. Results in the table are rounded to the nearest 50,000.

Y AVAILABLE

Mobility Scooters

Mr. Cox: To ask the Secretary of State for Social Security how many requests for funding for mobility scooters were made in England and Wales during 1999. [117084]

Mr. Bayley: Information about the number of requests for scooters, as distinct from other Motability vehicles, is not held separately. However, during 1999 Motability supplied its UK customers with 3,641 powered wheelchairs and pavement scooters through its Hire Purchase Scheme, which is funded through the use of the customer's Higher Rate Mobility Component of Disability Living Allowance or War Pensioners' Mobility Supplement.

Motability run a UK wide powered wheelchair and scooter scheme and figures recorded are combined to include both powered wheelchairs and scooters, on a UK basis. Separate figures for England and Wales are therefore not available.

Pensioner Incomes

Mr. Oaten: To ask the Secretary of State for Social Security if he will list for *(a)* England and *(b)* each English region the number of pensioners in households with income below half of the national average in (i) 1979, (ii) 1990 and (iii) each year from 1992 to 1998. [117238]

Mr. Rooker: Estimates of the number of pensioners living in households below half average income for England and for English regions are presented in the following tables. Regional figures are available only from 1994–95.

Number of pensioners living in households below half UK average income for England

Million

	Before housing costs (BHC)	*After housing costs (AHC)*
1979	1.2	1.2
1990–91	2.7	2.9
1992–93	2.0	2.4
1993–94	1.8	2.3

Number of pensioners living in households below half GB average income for England

Million

	Before housing costs (BHC)	*After housing costs (AHC)*
1994–95	1.7	2.2
1995–96	1.8	2.2
1996–97	1.7	2.3
1997–98	1.9	2.4

Number of pensioners living in households below half average income for English regions, BHC

Million

	1994–95	*1995–96*	*1996–97*	*1997–98*
North East	0.10	0.10	0.10	0.10
North West and Merseyside	0.25	0.25	0.25	0.25
Yorkshire and the Humber	0.20	0.20	0.20	0.20
East Midlands	0.15	0.15	0.15	0.20
West Midlands	0.20	0.20	0.20	0.20
Eastern	0.20	0.20	0.20	0.20
London	0.20	0.20	0.20	0.20
South East	0.25	0.25	0.25	0.25
South West	0.15	0.20	0.20	0.25

Number of pensioners living in households below half average income for English regions, AHC

Million

	1994–95	*1995–96*	*1996–97*	*1997–98*
North East	0.15	0.15	0.15	0.15
North West and Merseyside	0.30	0.30	0.30	0.30
Yorkshire and the Humber	0.25	0.25	0.25	0.25
East Midlands	0.15	0.20	0.20	0.20
West Midlands	0.25	0.25	0.25	0.25
Eastern	0.25	0.25	0.25	0.25
London	0.30	0.30	0.30	0.30
South East	0.35	0.35	0.30	0.30
South West	0.20	0.25	0.25	0.30

Notes:

1. The source is Households Below Average Income (HBAI). Estimates for 1979 to 1993–94 are derived from the Family Expenditure Survey and these estimates, including the value of half average income, relate to the United Kingdom. Results for 1990–91, 1992–93 and 1993–94 are for two years combined. Estimates for 1994–95 to 1997–98 are taken from the Family Resources Survey and the estimates, including the value of half average income, relate to Great Britain. FRS-based estimates use a slightly different definition of income; results are therefore not precisely comparable with those for years before 1994–95, but the results presented here are broadly comparable.
2. All estimates are subject to sampling error and response biases, and small changes apparent in these tables may be influenced by these. Results for individual years are sensitive to the precise way in which household incomes are adjusted for household size and composition; the picture of changes over time is generally not sensitive to this.
3. Estimates are presented on household income both Before Housing Costs (BHC) and After Housing Costs (AHC) in line with HBAI conventions.
4. Results in tables 1 and 2 are rounded to the nearest 100,000. Results in table 2 and 3 are rounded to the nearest 50,000.

Past changes in pensioner incomes reflect the fact that many pensioners have simply lost out on the opportunity to invest in a second pension. Our strategy for tomorrow's pensioners will provide the opportunity for all people of working age to build a second pension. We are also determined to provide security for all of today's pensioners. The minimum income guarantee provides that security for pensioners with low incomes and our national take-up programme will encourage those entitled to claim.

Asylum Seekers

Dr. Harris: To ask the Secretary of State for Social Security what estimate he has made of the cost of welfare benefits for asylum seekers who do not have permission to work in each of the last three years. [117052]

Mr. Bayley: I refer the hon. Member to the oral answer I gave the hon. Member for Ribble Valley (Mr. Evans) on 3 April 2000, *Official Report*, columns 612–13.

War Pensions

Mr. Dismore: To ask the Secretary of State for Social Security what plans he has to extend the disregard of War Disablement and War Widows' Pensions for income related benefits; and if he will make a statement. [117209]

Mr. Bayley: Mandatory disregards for War Disablement and War Widow's Pensions already exist in income related benefits. The disregards strike the right balance between acknowledging the special reasons for these pensions and prudent use of public funds. We have no plans to extend the disregard of War Disablement and War Widows' Pension.

Mr. Dismore: To ask the Secretary of State for Social Security if he will list the local authorities which do not operate a total disregard of War Disablement and War Widows' Pensions, in relation to *(a)* housing and *(b)* council tax benefit. [117226]

Mr. Bayley: The information requested is not available and can be obtained only at disproportionate cost.

Mr. Dismore: To ask the Secretary of State for Social Security what is *(a)* the cost of the current mandatory disregards, *(b)* the additional cost of a total disregard and *(c)* the overall cost if there were a total disregard, of the disregard of War Disablement and War Widows' Pensions in respect of income-related benefits. [117219]

Mr. Bayley: The cost to central Government of the current mandatory disregards of War Disablement and War Widow's Pensions is estimated to be £20 million a year. The extra cost to central Government if applying a total disregard would be around £140 million per year, giving the overall cost of £160 million a year.

Income Support

Mr. Burstow: To ask the Secretary of State for Social Security how the £145 million for uprating lower and upper capital limits for income support is calculated; and if it includes any revision of the tariff income. [117518]

Mr. Bayley: We estimate that the cost for uprating lower and upper capital limits for benefits would be £140 million. This can be broken down as follows:

£ million

	Income Support	*Housing Benefit*	*Council Tax Benefit*	*Total*
Expenditure on people newly entitled to benefit	35	[1]—	[1]—	35
Expenditure on people who see benefit income increased (gainers)	25	50	30	105
Total	60	50	30	140

[1] Negligible costs

Notes:

1. Income Support gainers are all those with capital between £3,000 and £8,000. Housing Benefit and Council Tax Benefit gainers are all those with capital between £3,000 and £16,000.
2. Tariff income is calculated in the same way as before, but starting from the £6,000 capital limit.
3. Costs are given for benefits in 2001–02, and are rounded to the nearest £5 million.
4. The £140 million cost relates to Great Britain only.

Mr. Burstow: To ask the Secretary of State for Social Security what estimate he has made of the number of beneficiaries of the uprating of the lower and upper capital limits for income support; and on what assumptions. [117519]

Mr. Bayley: We expect around 500,000 pensioners to gain from increasing the lower and upper capital limits for Income Support.

This estimate is based on figures obtained from the Policy Simulation Model (PSM) for Income Related benefits, based on 1997–98 Family Resources Survey data. This is uprated to reflect 2000–01 prices and benefit levels.

Regulatory Reform

Mr. Cotter: To ask the Secretary of State for Social Security which Minister in his Department has responsibility for regulatory reform; and if he will make a statement. [117414]

Mr. Rooker: I refer the hon. Member to the written answer given today to my hon. Friend the Member for Scarborough and Whitby (Mr. Quinn) by my hon. Friend the Minister for the Cabinet Office.

Automated Credit Transfer

Mr. Willetts: To ask the Secretary of State for Social Security what recent discussions he has had with the banking industry concerning the automated credit transfer of benefits. [116854]

Mr. Rooker: We have decided to move to automated credit transfer (ACT) from 2003 as a modern, more secure and efficient method of paying benefits.

We have already begun discussions with the banking industry on issues surrounding benefit recipients, charges and other matters. Most of the discussions have been at official level—these will continue.

Mortgage Payments

Mr. Field: To ask the Secretary of State for Social Security what plans he has to vary the rate of support for mortgage payments for income support claimants. [117602]

Mr. Bayley: The standard interest rate for Income Support claimants has risen from 6.66 per cent. to 6.92 per cent. and the regulations come into force on 16 April 2000.

AGRICULTURE, FISHERIES AND FOOD

Cap Afrique

Mr. Prosser: To ask the Minister of Agriculture, Fisheries and Food if his staff at the port of Dover initiated discussions about the weather conditions with the Master of the Cap Afrique on the evening of 2 March; and what the wind force was at Port Control when the Cap Afrique sailed on 3 March. [116643]

Mr. Morley: The Department's inspection staff did not initiate discussions with the master of the Cap Afrique on 2 March and I refer my hon. Friend to the reply given to the hon. Member for Lewes (Mr. Baker) on 22 March 2000, *Official Report*, column 589W. This was a failure in internal procedures and action has been taken to rectify this.

Dover Port Control logged the wind speed on 3 March at 04.04 as 40–50 knots (force 8–10) and at 06.54 as 35–44 knots (force 8–9). The Cap Afrique sailed at 05.30 hours.

Dolphins

Ms Atherton: To ask the Minister of Agriculture, Fisheries and Food (1) what assessment he has made of recent reports of large numbers of dolphins caught in pelagic fishing nets off the coast of Devon and Cornwall; [116662]

(2) what estimate he has made of the number of dolphins caught in pelagic fishing nets off the coast of Devon and Cornwall in the last 12 months; [116663]

(3) what plans he has to investigate the reported deaths of dolphins off the coast of Devon and Cornwall due to the use of pelagic fishing nets; [116664]

(4) what recent research his Ministry has *(a)* commissioned and *(b)* evaluated into the effect of pelagic nets on dolphins; and what plans he has to monitor the use of such nets by trawlers in this area. [116665]

Mr. Morley: I was concerned to learn of the recent spate of dolphins washed up on south western coasts. It is important to establish which fishery is responsible for the problem and what is going wrong in that fishery. Once that is known my Department will then work with the industry and, if appropriate, with the European Commission to find practical remedial solutions. I have already met Brixham Seawatch to hear their views on the situation. They have estimated that 28 animals have been washed ashore in Cornwall and 14 in Devon since 1 January. I am also seeking information from others.

The Sea Mammal Research Unit did some preliminary monitoring work in the pelagic trawl fishery in the last year. No cetacean bycatch was recorded. We have agreed to fund a new three-year programme with SMRU beginning in July 2000 which will include additional monitoring of the pelagic fisheries when they re-start in the Autumn.

Treaty of Corfu

Mr. Mitchell: To ask the Minister of Agriculture, Fisheries and Food (1) what legislation of the European Commission *(a)* has been tabled, *(b)* has been agreed and *(c)* is due to come into force before 2003 in respect of the fishing permit system referred to in Articles 89 and 116 of the Treaty of Corfu, Cm 2606 of 1974; [116729]

(2) what *(a)* discussions have been held and *(b)* provisional agreements have been entered into by Ministers concerning the implementation of Articles 89 and 116 of the Treaty of Corfu in any sea area since its ratification. [116730]

Mr. Morley: Council Regulation 779/97 established arrangements for the management of fishing effort in the Baltic Sea from 1 January 1998, based on the issue of special fishing permits by members states under the provisions of Council Regulation 1627/94 which lays down rules concerning special fishing permits. Similar arrangements for the management of fishing effort in Western waters have applied since 1 January 1996, in accordance with Council Regulations 685/95 and 2027/95. Extension of such arrangements to other areas of Community waters would require a specific proposal from the Commission and its adoption by the Council on the basis of a qualified majority. None has been made.

Organic Conversion

Mr. Edwards: To ask the Minister of Agriculture, Fisheries and Food how many farmers have *(a)* applied for and *(b)* been awarded financial support for organic conversion in each year since such support began. [117120]

Mr. Morley: The details are as follows:

	Applications	*Approvals*
1994–95	72	37
1995–96	64	64
1996–97	117	57
1997–98	216	133
1998–99	222	118
1999–2000	1,274	1,021

Mr. Edwards: To ask the Minister of Agriculture, Fisheries and Food what is the level of resources allocated to organic conversion in *(a)* the current and *(b)* the next three financial years. [117119]

Mr. Morley: Support for organic conversion aid payments to farmers in England will be £11.35 million for 1999–2000 and £12 million, £18 million and £20 million respectively for the next three years.

Websites

Mr. Maclennan: To ask the Minister of Agriculture, Fisheries and Food if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of websites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each website (i) the topics which have been covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each website for each of the next three years. [115392]

Mr. Morley: The information requested could be provided only at disproportionate cost.

GM Foods

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food what reports he has received regarding commercial cultivation of Novartis genetically modified Bt maize in Germany; and if he will make a statement. [113618]

Ms Quin *[holding answer 9 March 2000]:* I refer my hon. Friend to the reply given by the Minister for the Environment on 9 March 2000, *Official Report*, column 779W.

Further to this reply, Ministers at MAFF received a press release issued by Novartis in Germany regarding the decision of the German Federal Ministries of Health, Agriculture and Environment to suspend approval of Novartis' genetically modified Bt maize. Novartis believes this decision is not supported by the scientific data. The Government will follow developments on this issue closely, but this does not affect the position stated by my colleague the Minister for the Environment, as there are no plans to cultivate this crop commercially in the UK for at least the next few years.

Cross-compliance

Mr. Keetch: To ask the Minister of Agriculture, Fisheries and Food what plans the Government have to use the provision under the EU Rural Development Regulations to introduce cross-compliance, where direct payments in support of agricultural production are conditional on the carrying out of measures to protect wildlife, in cases where cross-compliance may have a detrimental effect on competitiveness. [117594]

Mr. Morley: I refer the hon. Member to the reply given to him on 30 March 2000, *Official Report*, column 252W.

Organic Farming

Mr. Ruane: To ask the Minister of Agriculture, Fisheries and Food what proportion of United Kingdom demand for organic food was met by domestic production in each of the past 10 years. [117543]

Mr. Morley *[holding answer 3 March 2000]:* Estimates of the volume of imported organic food since 1997 are between 60 and 70 per cent. per annum. We do not have statistics for the years preceding 1997.

EU Rural Development Regulation

Mr. Keetch: To ask the Minister of Agriculture, Fisheries and Food what plans he has to make use of the provision under Article 13(b) of the EU Rural Development Regulation to introduce schemes of management for areas where environmental restrictions apply; and if he will make a statement. [116314]

Mr. Morley: The Government's proposed use of measures available under the EU Rural Development Regulation (EC) No. 1257/1999 is set out in the rural development plans for England, Wales, Scotland and Northern Ireland which have been submitted to the European Commission for approval. Those plans do not include use of Article 13(b) compensation payments for observing European Community environmental restrictions because the Government's policy is to encourage a positive approach to environmental management through agri-environment measures under Article 22. In England, these include the Countryside Stewardship and Environmentally Sensitive Areas Schemes.

WALES

Regulatory Reform

Mr. Cotter: To ask the Secretary of State for Wales which Minister in his Department has responsibility for regulatory reform; and if he will make a statement. [117416]

Mr. Paul Murphy: I refer the hon. Member to the answer given today to my hon. Friend the Member for Scarborough and Whitby (Mr. Quinn) by the Minister for the Cabinet Office.

The executive functions of the Secretary of State for Wales transferred to the National Assembly for Wales on 1 July 1999. Section 65 of the Government of Wales Act 1998 requires the Assembly to make provision within its subordinate legislation procedures for regulatory appraisals before a draft of the relevant statutory instrument is laid before the Assembly.

However, I also retain an interest in how UK Government regulatory reform affects Wales.

TREASURY

City Centre Migration

Mr. Brady: To ask the Chancellor of the Exchequer what estimates his Department has made of net migration of inhabitants from city centres in each of the last five years. [116146]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Graham Brady, dated 4 April 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent question on estimated net migration from city centres.

The information that you require is not available. At present it is not possible to produce annual migration estimates for small geographical areas such as city centres. Migration estimates are only available for former Family Health Service Authority areas. These are broadly consistent with shire counties, metropolitan districts and groups of London boroughs. This is because estimates of internal migration within the United Kingdom are based on the movement of NHS doctor's patients between the former Family Health Service Authorities.

ONS have recently investigated the feasibility of using the postcoded information held on patient registers to better estimate migration at local level. It is possible that in the future we will be able to provide migration estimates for different geographies such as city centres.

Moves for former Family Health Service Authority areas and between the individual Government Office Regions (GORs) and the rest of the United Kingdom are published in Key Population and Vital Statistics, which is available in the House of Commons Library.

Valuation Office Agency

Mr. Russell Brown: To ask the Chancellor of the Exchequer what targets will be set for the Valuation Office Agency for the year 2000–01. [117918]

Dawn Primarolo: I have set the following key targets for the Valuation Office Agency (VOA) in 2000–01:

Operational

to clear 80 per cent. of 1995 List rating appeals outstanding as at 31 March 2000 by 31 December 2000

to publish by 31 October 2000 the first rolling two year forward programmes for clearance of 2000 list rating appeals

to clear by 31 March 2001 council tax appeals equal to the number received in the 12 months to 30 September 2000, within a maximum of 52,000 appeals in England and 3,700 in Wales

Customer service and quality

to secure Charter Mark awards for 25 per cent. of the VOA's Groups by 31 March 2001

to achieve specified standards for:

(a) valuation accuracy and

(b) timeliness

in 90 per cent. of cases

Finance and cost efficiency

to break even after charging for the full cost of chargeable services including notional interest of 6 per cent. on the average working capital—measurement will be within a tolerance of the greater of 2 per cent. of relevant turnover or £1 million

to achieve an increase in the VOA's efficiency index to 1.13 (1998–99 = 1.00).

Further details are contained in the Valuation Office's Forward Plan, copies of which will be placed in the Library of the House on publication.

Individual Savings Accounts

Mr. Maclean: To ask the Chancellor of the Exchequer what is the total number and volume of investments held in *(a)* Maxi ISA accounts and *(b)* Mini ISA accounts. [117236]

Miss Melanie Johnson: The information requested can be found in Inland Revenue press release REV7.

Aviation Fuel Tax

Mr. Nicholls: To ask the Chancellor of the Exchequer if a decision on the aviation fuel tax proposed by the European Commission will be made under qualified majority voting or unanimity procedure. [117299]

Mr. Timms: The Commission proposal for a Council Directive restructuring the Community framework for the taxation of energy products, which was made in March 1997, is subject to unanimity.

Mr. Nicholls: To ask the Chancellor of the Exchequer what is his assessment of the cost implications for the United Kingdom aviation industry of the aviation fuel tax proposed by the European Commission. [117300]

Mr. Timms: I have made no such assessment.

Mr. Nicholls: To ask the Chancellor of the Exchequer what is the Government's policy in respect of the European Commission's proposed aviation fuel tax; and if he will make a statement. [117298]

Mr. Timms: The Government have no plans to take advantage of the Commission's proposal to allow member states to opt to tax aviation fuel used on domestic flights, and on flights within the EU by bilateral agreement. The Government support the removal of the international ban on the taxation of aviation fuel and will continue to pursue this in the forum of the International Civil Aviation Organisation.

Small Businesses

Mr. Sayeed: To ask the Chancellor of the Exchequer what further plans he has to introduce measures to assist small businesses. [117311]

Mr. Timms: We are seeking to make Britain the best competitive environment for business in the world. Budget 2000 sets out a substantial package of tax and spending measures that build on existing measures to help small businesses move up the ladder of opportunity. These measures are set out in more detail in Chapter 3 "Meeting the Productivity Challenge" of the EFSR.

Haulage Industry

Mr. Sayeed: To ask the Chancellor of the Exchequer what measures he plans to introduce to assist the haulage industry. [117315]

Mr. Timms: In his recent Budget Statement, the Chancellor of the Exchequer announced a package of measures that will further boost the competitiveness of the UK haulage industry: the introduction of 44 tonne lorries for general use on UK roads from a target date of 1 January 2001; £45 million of cuts to Vehicle Excise Duty, targeted particularly at those parts of the haulage industry facing competitive pressure; and tougher enforcement to tackle illegally-operating hauliers and protect the competitiveness of legitimate operators. These measures are set out in detail in paragraphs 6.68–6.74 of the Economic and Fiscal Strategy Report, published on 21 March 2000.

Third-world Debt

Mr. Wigley: To ask the Chancellor of the Exchequer what progress the Government have made to date with regard to relieving Third-World debt; and what further initiatives the UK plans to take to help tackle the remaining significant debt problem. [117685]

Miss Melanie Johnson: The Government are providing 100 per cent. relief on the debts of those countries (Bolivia, Mauritania and Uganda) that have already reached decision point under the Heavily Indebted Poor Countries (HIPC) initiative. Mozambique is also receiving 100 per cent. relief on the debts it owes to ECGD, in advance of its reaching decision point under the HIPC initiative. This is to aid the country in its reconstruction efforts after the disastrous effects of the floods.

The UK is pressing for swift and successful implementation of the existing debt relief package, which will reduce the debts of the poorest countries by $100 billion.

Underweight Babies

Mr. Field: To ask the Chancellor of the Exchequer, pursuant to his answer to the hon. Member for Stockton, South (Ms Taylor) of 22 February 2000, *Official Report*, column 975W, if the figures for the number of low-birthweight babies in England and Wales born between 1990 and 1998 are derived from a consistent method of measurement. [117068]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Frank Field, dated 4 April 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent question asking if the figures for the number of low birthweight babies between 1990 to 1998 are from a consistent method of measurement.

The figures provided in the Answer to the honourable Member of Stockton South in 22nd February Official Report, column 975W were all based on a definition of low birthweight as a birth where the baby was stated to have weighed less than 2,500 grams. The figures were provided for health authorities between 1990 and 1998. These were subject to a number of boundary changes. For consistency the figures provided for all of these years related to boundaries as at 1st April 1999.

Regulatory Reform

Mr. Cotter: To ask the Chancellor of the Exchequer which Minister in his Department has responsibility for regulatory reform; and if he will make a statement. [117422]

Dawn Primarolo: I refer the hon. Member to the answer given today to my hon. Friend the Member for Scarborough and Whitby (Mr. Quinn) by my right hon. Friend the Minister for the Cabinet Office.

Tax Rates

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer how many people in employment face a marginal income tax rate of 10 per cent; how many of those are *(a)* in part-time employment and *(b)* women; and if he will make a statement. [117411]

Dawn Primarolo: In 2000–01, there are estimated to be around 1.6 million employees who have a marginal income tax rate of 10 per cent. Of those, 1.4 million people are in part-time employment. 1.1 million women in employment have a 10 per cent. marginal rate of income tax (around 70 per cent. of the women will also be included in the part-time figure).

These estimates are based on the Survey of Personal Incomes and Family Expenditure Survey and consistent with the March 2000 Budget.

Public Sector Finances

Mr. Willetts: To ask the Chancellor of the Exchequer if he will list the figures for the *(a)* total assets, *(b)* total liabilities, and *(c)* net worth of the public sector, referred to in paragraph 2.70 of the Red Book, HC 346, for each year from 1990–91 to 2004–05. [116851]

Dawn Primarolo: Outturn figures for total assets, total liabilities and net worth for the public sector at end-December of each year are available from the Office for National Statistics. Outturns and forecasts of net worth as a per cent. of GDP were published in Tables C1 and C22 of the March 2000 Financial Statement and Budget Report.

Tobacco Smuggling

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer what *(a)* remuneration, *(b)* fee and *(c)* expenses were paid out of public funds to Mr. Martin Taylor for his report on the Government's strategy to combat tobacco smuggling. [117649]

Dawn Primarolo: Martin Taylor received no remuneration or fees for his work. No out-of-pocket expenses were paid directly to Martin Taylor. The cost of train tickets for travel to and from meetings outside London were met by Customs and Excise.

Mrs. Lait: To ask the Chancellor of the Exchequer if Martin Taylor received remuneration, a fee or out-of-pocket expenses paid out of public funds for his report on the Government's strategy to combat tobacco smuggling; and who owns the copyright of his report. [117504]

Dawn Primarolo: Martin Taylor received no remuneration or fees for his work. No out-of-pocket expenses were paid directly to Martin Taylor. The cost of train tickets for travel to and from meetings outside London were met by Customs and Excise.

As Martin Taylor provided personal advice to the Chancellor there is no question of copyright.

Mrs. Lait: To ask the Chancellor of the Exchequer what the report by Martin Taylor on the Government's strategy to combat tobacco smuggling concluded about *(a)* the significance of the difference in the levels of tobacco taxation between the United Kingdom and other nations and *(b)* the likelihood, without a closer alignment of national tobacco tax levels, of other measures to combat smuggling having a substantial effect. [117505]

Dawn Primarolo: Martin Taylor's advice to the Chancellor was personal and confidential. It would therefore not be appropriate to disclose his advice.

The Government paper "Tackling Tobacco Smuggling" dated March 2000, sets out details of recommendations made by Martin Taylor on how to tackle tobacco smuggling. A copy of the paper has been placed in the Library. In this paper it was noted that a very substantial proportion of cigarettes smuggled into the UK come from places outside the EU where duty is negligible. Bringing cigarette duty rates closer to those of other EU member states would be unlikely to deter this smuggling.

Alcohol Smuggling

Mr. Sayeed: To ask the Chancellor of the Exchequer what plans he has to combat the rise in smuggling of alcohol. [117348]

Dawn Primarolo: Following the March Budget, I announced a further £209 million for Customs to clamp down on excise smuggling. This will enable them to employ nearly 1,000 extra Customs officers, working at ports and inland, including additional special investigators and intelligence staff.

Within this figure an amount of £23 million will be allocated for Customs to fund a national network of x-ray scanners designed to detect smuggling in freight.

Imported Motor Vehicles

Mr. John Smith: To ask the Chancellor of the Exchequer if he will instruct HM Customs and Excise to provide the same information on the relevant background of imported motor vehicles to independent importers as it does to major car manufacturers and suppliers. [117568]

Dawn Primarolo: I can confirm that Customs do already provide the same information on importation procedures to both independent importers and major car manufacturers and suppliers alike. Full details are contained in their public notices and integrated Tariff. UK and EC law however precludes Customs from disclosing to third parties any confidential information which they hold in relation to a trader's business.

Written Answers to Questions

Wednesday 5 April 2000

FOREIGN AND COMMONWEALTH AFFAIRS

Burma

Mr. Hilary Benn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will take steps to ban investment in Burma by United Kingdom-owned companies; and if he will make a statement. [117508]

Mr. Battle: We do not encourage trade with our investment in Burma and tell business enquirers so; we have also suspended all financial support for trade mission to Burma and for trade promotional activities there as was made plain in June 1997.

Sri Lanka

Mr. Gardiner: To ask the Secretary of State for Foreign and Commonwealth Affairs what contribution Britain is making to support initiatives for peace in Sri Lanka. [117642]

Mr. Hain: We take every opportunity at bilateral meetings to stress the need for a political settlement to end the conflict in Sri Lanka. We have made it clear that we stand ready to help if both sides ask us to play a role. We welcome the Norwegian Government's efforts to bring the Sri Lankan Government and the Liberation Tigers of Tamil Eelam together for peace talks.

Lisbon Summit

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the *(a)* total cost and *(b)* cost per passenger of the jets used to fly Ministers and officials to the Lisbon Summit; and if he will break down the cost by Government department. [117042]

Mr. Robin Cook *[holding answer 3 April 2000]:* I refer the hon. Member to the answer given to the hon. Member for South Cambridgeshire (Mr. Lansley) by my right hon. Friend the Prime Minister on 30 March 2000, *Official Report*, column 248W.

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs who took the decision that three separate jets would be used to fly Ministers and officials to the Lisbon Summit. [117040]

Mr. Robin Cook *[holding answer 3 April 2000]:* This was a collective decision, in the light of operational requirements. All travel was undertaken fully in accordance with the rules set out in the Ministerial Code and Travel by Ministers, copies of which are available in the Library.

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs how many *(a)* officials and *(b)* political advisers accompanied Ministers to the Lisbon Summit. [117041]

Mr. Robin Cook *[holding answer 3 April 2000]:* I refer the hon. Member to the answer given by my right hon. Friend the Prime Minister to the hon. Member for South Cambridgeshire (Mr. Lansley) on 4 April 2000, *Official Report*, column 390W.

Geneva Summit

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to involve non-Governmental organisations in consultation as part of the preparation of the Government's position for the Social Summit in Geneva in June. [117326]

Mr. Hain: The Foreign and Commonwealth Office has provided £25,000 to help the United Nations Environment and Development UK Committee (UNED-UK) co-ordinate UK civil society's input to the Special Session. We have financed an internet website, the creation of a key stakeholders' group, and a conference for non-governmental organisations. The Department for International Development has provided £270,000 for the International Council for Social Welfare to help it enhance the role of civil society groups worldwide (and especially those from developing countries) at the Special Session.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs which department is the lead department for preparing for the Social Summit in Geneva in June; and which other departments are involved in the preparation. [117325]

Mr. Hain: The Foreign and Commonwealth Office is the lead Department for preparations for the General Assembly Special Session on follow-up to the World Summit for Social Development. All other Whitehall Departments with responsibility for social development issues, both nationally and internationally, are fully involved in the preparatory process.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs who will represent Her Majesty's Government at the United Nations Social Summit in Geneva in June. [117324]

Mr. Hain: The full composition of the UK delegation is still being considered. The Minister for Employment, Welfare to Work and Equal Opportunities, has plans to attend for some of the discussions.

Middle East

Mr. Wyatt: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress of recent negotiations between Israel and Syria. [117598]

Mr. Hain: The meeting between President Clinton and President Asad in Geneva on 26 March was a demonstration of the efforts being undertaken to achieve the resumption of negotiations between Israel and Syria and progress towards agreement. The Government support these efforts and believe that a settlement remains possible. Time is, however, short. The Government will spare no effort, in co-operation with the United States and our European partners, to help the parties reach agreement.

St. Helena

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs what effect the creation of the St. Helena Business Forum has had on unemployment levels. [117797]

Mr. Battle: The St. Helena Business Forum was formed in 1997 at the instigation of the Foreign and Commonwealth Office. In 1998 it became the St. Helena Focus Group and is now run by the private sector. It is a voluntary organisation that was established to promote St. Helena to the private sector in the UK. One of its members has been appointed as a part-time Commercial Representative to the St. Helena Government. The Commercial Representative and Focus Group have greatly improved the service to potential inward investors and have taken a proactive role in inward investment promotion activities. In 1997 unemployment was 20 per cent., at the end of 1999 it was 15 per cent.

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans has he to develop employment opportunities on St. Helena in non-governmental areas. [117799]

Mr. Battle: The St. Helena Government in its Strategic Review 2000–2010 and Country Policy Plan 2000–01, 2002–03 clearly sets out its commitment to promote employment opportunities. These include increasing contracting out of government services; the promotion of tourism and inward investment; and increased export promotion. Many of these activities are undertaken in conjunction with the St. Helena Development Agency (SHDA) which has been instrumental in creating or sustaining well over 120 jobs in 1998 in the private sector. The Department for International Development has funded a £1.386 million project to provide working capital for the SHDA. The SHDA provides grants and loans particularly for small and medium-scale enterprises as well as training and advice.

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs how many St. Helenians are serving in the Armed Forces; and what percentage of the population that represents. [117801]

Mr. Battle: Thirty six St. Helenians have joined the UK Armed Forces since November 1997 which represents roughly 0.72 per cent. of the population. Several have returned to St. Helena since recruitment because they have either not completed basic training or for other, personal, reasons. Currently 29 are in the services.

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans has he to assist St. Helena in developing the fishing industry. [117798]

Mr. Battle: Since 1996, the St. Helena Government (SHG) has been engaged in the establishment of a joint venture with Argos Ltd. On 29 February 2000 Argos Atlantic Cold Store was officially opened at Ruperts Bay in St. Helena. This increases fish freezing and cold storage capacity to 800 tonnes. Quotas placed on the local fishermen during times of high catches will now be eliminated. I understand Argos intend to take immediate steps to increase the volume of fish caught by importing bait and improving fishing expertise.

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to assist St. Helena in diversifying its economy. [117800]

Mr. Battle: The St. Helena Government set out their vision for the future and long-term development strategy in their Strategic Review 2000–10 and Country Policy Plan 2000–01 to 2002–03. This is clearly based on the need to continue to develop the island's private sector and attract inward investment. The St. Helena and British Governments agreed during this January's discussions on a new three-year aid agreement that progress towards a more sustainable economy will remain difficult until access to the island is radically improved. The outcome of the Department for International Development's proposed comparative costs study of future air access versus sea access will be relevant to future tourism development.

SOLICITOR-GENERAL

NHS Computer Fraud

Mr. Campbell-Savours: To ask the Solicitor-General how many persons were prosecuted for involvement in fraud over the procurement of computer equipment in the NHS in each of the last six years. [116858]

The Solicitor-General: The Crown Prosecution Service holds no central records in respect of the number of persons prosecuted for involvement in fraud over the procurement of computer equipment in the NHS in each of the last six years. The information requested could be obtained only by examining each relevant file in every CPS office, at disproportionate cost. The Serious Fraud Office has not prosecuted any persons for involvement in fraud over the procurement of computer equipment in the NHS in each of the last six years.

R. *v.* Doran

Mr. Singh: To ask the Solicitor-General when the report of the inquiry into the circumstances surrounding the collapse of the case, R. *v.* Doran & Others, is due to be handed to the Attorney-General; and if the report will be published. [117318]

The Solicitor-General: I have been informed by His Honour Gerald Butler QC that his report is close to completion, but I am not in a position to provide a specific date by which the finished report will be provided to the Attorney-General. The question of publication is a matter for the Attorney-General and the Chairman of HM Customs and Excise. As the previous Attorney-General, my right hon. and learned Friend the Member for Aberavon (Sir J. Morris) stated in his parliamentary answer of 22 July 1999, *Official Report*, column 607W, a summary of the report and its recommendations will be made available to the House.

Mr. Singh: To ask the Solicitor-General what factors led to the delay in the reporting of the inquiry into the circumstances surrounding the case, R. *v.* Doran & Others. [117319]

The Solicitor-General: I have been informed by His Honour Gerald Butler QC that the inquiry took longer than anticipated for three reasons: (1) there were delays in providing the inquiry with all the relevant

documentation; (2) the documentation was substantially more voluminous than anticipated when the inquiry was established; (3) there were far more witnesses to be interviewed than was thought to be the case at the outset. The inquiry has received evidence from, and interviewed, 37 witnesses.

CULTURE, MEDIA AND SPORT

World Class Performance Programme

Mr. Fearn: To ask the Secretary of State for Culture, Media and Sport when his Department will provide the projected funding figures for the World Class Performance Programme for 2000–01 in *(a)* England, *(b)* Scotland and *(c)* Northern Ireland. [115329]

Kate Hoey: The World Class Performance Programme (WCPP) is administered by UK Sport for UK governing bodies and includes athletes from all parts of the United Kingdom. Sport England is responsible for the administration of the WCPP for English governing bodies and for the World Class Potential and World Class Start Programmes for English athletes. In addition, Scotland, Wales and Northern Ireland administer their own elite programmes for their national athletes below the level of World Class Performance.

The Sport England projected budget for 2000–01 will be submitted to its Council for approval on 3 April and is not yet available. The projected funding figures for 2000–01 for the elite programmes for Scotland and Northern Ireland are as follows:

	£
Sport Scotland—Talented Athlete Programme	2,000,000
Sport Scotland—Scotland Junior Groups Programme	750,000
Sports Council for Northern Ireland—Development of Talented Individuals Programme	530,000

Mr. Fearn: To ask the Secretary of State for Culture, Media and Sport if he will list the individual awards for the World Class Performance Programme specifying the sports to date. [115328]

Kate Hoey: The World Class Performance Programme (WCPP) is administered by UK Sport for UK governing bodies and by Sport England for English governing bodies. The awards made by UK Sport and accepted by governing bodies since the Council became a lottery distributor on 1 July 1999 are given in the table. Sport England is currently upgrading its grant management system and information prior to 1 July 1999 and on the Sport England WCPP. I will write to the hon. Member with this information shortly and place a copy in the Library of the House.

Sport	£ *Award* [1,2]
Athletics	3,045,839
Athletics (Disabled)	2,315,009
British Paralympic Association Games	61,002
Bobsleigh	316,687
Cycling	444,267
Diving[3]	395,522
Equestrian	728,200
Goalball (Disability Sport)	110,220
Gymnastics	1,773,806
Ice Skating	94,252
Judo	425,636
Modern Pentathlon	100,000
Orienteering	449,743
Powerlifting (Disabled)	112,566
Rowing	2,754,621
Sailing	1,744,320
Shooting (Paraplegic)	65,000
Swimming[3]	2,522,836
Swimming (Disabled)[3]	1,356,912
Table Tennis (Disabled)	11,820
Trampoline	188,203
Triathlon	34,290
Water Skiing	31,300
Wheelchair Rugby	149,476

[1] The list comprises only those awards that have been accepted by the Governing Body and are hard commitments.
[2] The total awards committed may not necessarily equate to exact outturn expenditure. Athlete subsistence costs are a best estimate and may not be taken up in full. Performance costs are normally taken up in full but where an underspend does arise lottery funding may be recouped or withheld.
[3] Diving, Swimming and Disability Swimming include awards that have been backdated to cover extensions to earlier awards.

Mr. Fearn: To ask the Secretary of State for Culture, Media and Sport for what reason there has been a reduction in funding of the World Class Performance Programme from 1998–99 to 1999–2000. [115330]

Kate Hoey: There has been no reduction in funding of the World Class Performance Programme. The information included in my reply to my hon. Friend the Member for Loughborough (Mr. Reed) of 22 February 2000, *Official Report*, columns 849–51W, provided details of the funding to elite sport by each of the Sports Councils and related to expenditure for the first 10 months of 1999–2000, not to the total value of awards.

The expenditure figures for the financial year 1999–2000 remain incomplete since payments for March have still to be made. The expected outturn for 1999–2000 will be broadly in line with that for 1998–99. I will write to the hon. Member as soon as the full year figures are available.

Lottery Funding

Miss Geraldine Smith: To ask the Secretary of State for Culture, Media and Sport how much National Lottery funding projects in Morecambe and Lunesdale constituency have received since the National Lottery began. [117313]

Kate Hoey: The total value of National Lottery awards to projects in the constituency of Morecambe and Lunesdale since the lottery began is £5,374,323. The data are taken from the National Lottery Awards database which uses information supplied by the distributing bodies.

Historic Engineering Projects

Mr. Keetch: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on National Lottery funding for historic engineering projects. [117595]

Mr. Alan Howarth: The Heritage Lottery Fund can support a wide variety of projects involving the acquisition, repair, conservation and restoration of buildings, sites and collections relating to industrial and technological history, which will include historic engineering projects. To date the Heritage Lottery Fund has committed over £104 million to projects in the industrial, maritime and transport sector, and expects to continue to allocate 9 per cent. of its income annually to this area within the period of the current Strategic Plan.

Charleroi Stadium

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with *(a)* the Football Association, *(b)* UEFA, *(c)* the Official England Supporters Club and *(d)* the Belgian Police Federation regarding the suitability of the Charleroi Stadium for holding major international football matches; and if he will make a statement. [117243]

Mr. Chris Smith *[holding answer 3 April 2000]:* My right hon. Friend the Home Secretary has raised concerns about the suitability of Charleroi as a venue for the England v. Germany match with the Belgian Government, who have provided assurances that the stadium complies with UEFA and Belgian safety standards. The Home Office is overseeing preparations for Euro 2000 and there is extensive liaison with the host countries and with UK agencies involved in the tournament.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what recent discussions he has had concerning safety issues at Charleroi Stadium. [117275]

Kate Hoey *[holding answer 3 April 2000]:* I recently discussed this matter with the Chief Executive of the Football Licensing Authority.

PRIME MINISTER

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Wednesday, 5 April. [117370]

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House I will have further such meetings later today.

INTERNATIONAL DEVELOPMENT

Burmese Refugees

Mrs. Fyfe: To ask the Secretary of State for International Development what provision her Department has made for assistance to members of Burmese ethnic minorities held in Thai refugee camps. [117288]

Clare Short: My Department provides assistance to Burmese refugees in Thailand through a grouping of NGOs called the Burma Border Consortium. This Consortium supports around 106,000 Burmese refugees from the Karen and Karenni ethnic minorities in Thailand. Over the last two years, DFID has provided the Burma Border Consortium with £537,500 for its work.

Debt Cancellation

Mr. John M. Taylor: To ask the Secretary of State for International Development what is her policy in relation to cancellation of third world debt on discrimination in favour of aid recipients which have exercised good stewardship of aid received. [117405]

Clare Short: The purpose of giving debt relief is to benefit the poor. I welcome the international agreement that this should be the main criterion for debt relief. Under the enhanced Heavily Indebted Poor Countries (HIPC) initiative, countries will produce poverty reduction strategies which set out policies and programmes to tackle poverty. The strategy will then provide a framework for all poverty reduction resources available to the country—Government revenue, debt relief savings and international development assistance.

I welcome the IMF and the World bank commitments to use the Poverty Reduction Strategy Papers (PRSPs) as a basis for their programmes of support. In countries committed to poverty reduction, our bilateral country strategies will take their lead from the PRSP, and I encourage other bilateral donors to do likewise.

LORD CHANCELLOR'S DEPARTMENT

Works of Art

Mr. Brake: To ask the Parliamentary Secretary, Lord Chancellor's Department how much has been spent on *(a)* the upkeep and *(b)* the purchase of works of art in the Lord Chancellor's Department for each financial year since 1992. [117480]

Mr. Lock: Current financial systems cannot provide a figure for expenditure on works of art without recourse to disproportionate time and expense. All major paintings in court buildings are either part of the Government Art Collection or are on loan from private museums or collections. I refer the hon. Member to the answer given to him by my hon. Friend the Minister for the Arts, 4 April 2000, *Official Report*, columns 392–93W.

WALES

Press Officers

Mr. Evans: To ask the Secretary of State for Wales how many press officers are employed by the Office of the Secretary of State for Wales. [116323]

Mr. Paul Murphy: The Office of the Secretary of State for Wales employs one press officer with an assistant. I am also advised on media matters by my Director of Information and Communications.

Special Advisers

Mr. Evans: To ask the Secretary of State for Wales how many special advisers are employed by the Office of the Secretary of State for Wales. [116332]

Mr. Paul Murphy: The Wales Office employs two special advisers.

SOCIAL SECURITY

Minimum Income Guarantee

Angela Smith: To ask the Secretary of State for Social Security how many pensioners in *(a)* the Basildon parliamentary constituency, *(b)* Basildon and *(c)* Thurrock are in receipt of the minimum income guarantee. [117054]

Mr. Bayley: The administration of benefits is a matter for Peter Mathison the Chief Executive of the Benefits Agency to answer. He will write to my hon. Friend.

Letter from Peter Mathison to Angela Smith, dated 4 April 2000:

The Secretary of State for Social Security has asked me to respond to your recent Parliamentary Question asking how many pensioners in (a) the Basildon parliamentary constituency, (b) Basildon and (c) Thurrock are in receipt of the minimum income guarantee.

The minimum income guarantee relates to Income Support pensioners aged 60 and over. The figures provided in reply to parts b and c of your question relate to Local Authority areas. The figures provided are shown in the table attached.

I hope this is helpful.

Income Support pensioners, by parliamentary constituency and local authority area

Thousand

Area	*Pensioners on Income Support*
Basildon parliamentary constituency	2.7
Basildon local authority area	4.4
Thurrock local authority area	2.8

Notes:
1. Sample size 5 per cent., therefore subject to sampling error.
2. Pensioners are defined as benefit units where either the claimant and/or their partner are aged 60 years or over, (including those in residential care and nursing homes).
3. Figures have been rounded to the nearest hundred and quoted in thousands.
4. Data taken in November 1999.

Source:
Income Support Quarterly Statistical Enquiry, November 1999.

Mortgage Arrears

Mr. Hunter: To ask the Secretary of State for Social Security if he will introduce legislation to ensure that a separated or divorced husband or wife is not liable for mortgage arrears on his or her former marital home which accrue after he or she has left that property. [117121]

Angela Eagle: This Department has no plans to introduce such legislation. This is a matter for those concerned to resolve.

Family Credit

Angela Smith: To ask the Secretary of State for Social Security how many people in the parliamentary constituency of Basildon were in receipt of *(a)* Family Credit and *(b)* Child Care Allowance in each of the last five years. [117056]

Angela Eagle: The information is not available in the format requested. Such information as is available is in the tables.

Numbers of Family Credit recipients in Basildon parliamentary constituency—August 1995–99

Thousand

	Number of Family Credit recipients
August	
1995	0.6
1996	0.9
1997	0.8
1998	0.9
1999	1.1

Notes:
1. Caseload figures are taken at a point in time for which the month is August.
2. Sample size is 5 per cent. As the numbers are based on a relatively small number of sample cases the estimates are subject to a high degree of sampling error, i.e. for an estimate of 1 thousand the true value will lie somewhere in the range 700 to 1,300.
3. Family Credit was replaced by Working Families Tax Credit in October 1999.
4. Cases are allocated to each parliamentary constituency by matching the postcode against the 1999 version 2 of the postcode directory, and as such represent constituency boundaries as at May 1997.
5. Numbers are rounded to the nearest hundred and expressed in thousands.
6. Due to the relatively small numbers, it is not possible to provide a reliable estimate of the number of cases with allowed help with child care costs by parliamentary constituency.

Source:
Family Credit 5 per cent. sample of awards

Family Credit recipients benefiting from the Child Care Disregard, East Government Office Region—August 1995–99

Thousand

	Number of recipients
August	
1995	1.3
1996	1.8
1997	2.0
1998	2.4
1999	3.1

Notes:
1. Caseload figures are taken at a point in time for which the month is August.
2. Numbers are based on a 5 per cent. sample and are therefore subject to a degree of sampling error.
3. Family Credit was replaced by Working Families Tax Credit in October 1999.
4. Numbers are rounded to the nearest hundred and expressed in thousands.

Angela Smith: To ask the Secretary of State for Social Security how many people in *(a)* Basildon and *(b)* Thurrock were in receipt of (i) Family Credit and (ii) child care allowance in each of the last five years. [117055]

Angela Eagle: The information is not available in the format requested. Such information as is available is in the tables.

Numbers of Family Credit recipients in Basildon and Thurrock local authorities, August 1995–99

Thousand

	Basildon LA	*Thurrock LA*
August 1995	1.3	0.9
August 1996	1.5	1.1
August 1997	1.4	1.1
August 1998	1.7	0.9
August 1999	1.8	0.8

Notes:
1. Caseload figures are taken at a point in time for which the month is August.
2. Sample size is 5 per cent. As the numbers are based on a relatively small number of sample cases the estimates are subject to a high degree of sampling error ie for an estimate of 2,000 the true value will lie somewhere in the range 1,628 to 2,382.
3. Family Credit was replaced by Working Families Tax Credit in October 1999.
4. Local Authorities are assigned by matching the postcode against the 1999 version 1 of the postcode directory.
5. Numbers are rounded to the nearest hundred and expressed in thousands.
6. Due to the relatively small numbers, it is not possible to provide a reliable estimate of the number of cases with allowed help with child care costs by local authority or parliamentary constituency.

Source:
Family Credit 5 per cent. sample of awards.

Family Credit recipients benefiting from the child care disregard, East Government Office Region August 1995–99

Thousand

	Number of recipients
August 1995	1.3
August 1996	1.8
August 1997	2.0
August 1998	2.4
August 1999	3.1

Notes:
1. Caseload figures are taken at a point in time for which the month is August.
2. Numbers are based on a 5 per cent. sample and are therefore subject to a degree of sampling error.
3. Family Credit was replaced by Working Families Tax Credit in October 1999.

Stakeholder Pensions

Mr. Webb: To ask the Secretary of State for Social Security if he intends, under the draft stakeholder pension regulations, the no penalty requirement (exemptions from employer access, Part IV) to relate to the contributions made on behalf of the member by the employer; and if he will make a statement. [117599]

Mr. Rooker: The draft regulation seeks to ensure that a personal pension which is to provide exemption from the employer access requirement does not impose additional penalties on members because they transfer out of the scheme or stop paying into it. It will relate to the total amount in the fund at the time of transfer or cessation.

Computers

Mr. Ian Bruce: To ask the Secretary of State for Social Security what effect 3COM's announcement that they are to quit the high-end networking market will have on his Department's existing and planned computer systems. [R] [117622]

Angela Eagle *[holding answer 4 April 2000]:* This Department has purchased 3COM products through a procurement channel and uses major Service Providers for their day by day support. The Department has been advised that existing products will have at least two years' ongoing support and 3COM are looking to other third parties to supply for a further three years. The Department will work with existing and future direct service providers to manage this and to plan for alternative supply through initiatives already under way.

Pension Sharing

Laura Moffatt: To ask the Secretary of State for Social Security when he will introduce pension sharing. [118217]

Mr. Rooker: We have decided that pension sharing will be available in respect of divorce and nullity proceedings that begin on or after 1 December 2000. The necessary regulations will be laid before Parliament shortly.

TRADE AND INDUSTRY

Fujitsu Plant

Miss Kirkbride: To ask the Secretary of State for Trade and Industry how much Government aid was given to the north-east to deal with the effects of job cuts at the Fujitsu plant; and how much this was per worker facing redundancy. [116285]

Mr. Caborn: £415,000 was made available through the rapid response fund to help those facing redundancy from Fujitsu quickly to take up new jobs or training, where no alternative provision is already available.

The allocation of £415,000 was not on a per head basis but resulted from a bid by the Fujitsu Response Group to provide job search and training beyond that available through the Employment Service and Durham Training and Enterprise Council.

The number of employees made redundant was 576.

MOX Fuel Data Report

Mr. Chaytor: To ask the Secretary of State for Trade and Industry if he has received a copy of the Kansai Electric Interim report on the MOX fuel data published on 1 March; and if he has ordered a translation of the report. [116442]

Mrs. Liddell: Kansai Electric's interim report on its investigation into the falsification of quality assurance data for MOX manufactured by BNFL was made publicly available in Japan on 1 March 2000. The report is in Japanese. A formal English translation has not been produced by Kansai. For their own internal use, BNFL arranged for an unofficial English translation of the report. A copy of that English language text has been passed to officials in my Department.

ECGD (Turkey)

Dr. Cable: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 28 February 2000, *Official Report*, column 49W, what types of goods are

covered, broken down by category of equipment, by the ECGD guarantees issued in respect of contracts with Turkey in 1999–2000. [117073]

Mr. Caborn: The ECGD cover for defence business with Turkey in 1999–2000 relates to the supply of air defence missiles.

Atomic Energy Authority

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry on what basis he set the target for an increase in favourable media coverage of the activities of the United Kingdom Atomic Energy Authority contained in the authority's corporate aims and objectives programme. [117071]

Mrs. Liddell: The UKAEA target for favourable media coverage is based on industry established monitoring methodologies. The target set for this year improves on what they achieved last year. It is at a level which is challenging and attainable. This measure is part of the framework to monitor UKAEA performance on safety, environment, value for money and public acceptability.

Combined Heat and Power

Ms Walley: To ask the Secretary of State for Trade and Industry what percentage of the combined heat and power capacity where planning consent has been given over the last 15 months is under construction. [117766]

Mrs. Liddell: Since the publication of the White Paper, "Conclusions of the Review of Energy Sources for Power Generation", in October 1998, 14 combined heat and power schemes have been approved. Implementation of those approvals is a commercial matter for the developers concerned and not a matter for my Department, although my Department has no information to suggest that any of the approved projects will not go ahead.

Renewables

Ms Walley: To ask the Secretary of State for Trade and Industry what representations he has received on net metering from *(a)* business, *(b)* environmental groups and *(c)* others; and how he intends to enable domestic producers of renewable and clean energy to gain access to the grid. [117709]

Mrs. Liddell: The Government have received a number of representations on net metering from industry, particularly solar energy companies, environmental organisations and private individuals. Many of the issues in those representations have been debated in the House—most notably in the Standing Committee debate on Clause 30 of the Utilities Bill, held on 14 March 2000.

The Government are keen to ensure that all renewable generation, including that produced by domestic customers, is treated in an equitable fashion and receives full and fair value for energy exported to the distribution system. To this end, the DTI last year mounted an internal review of a wide range of issues associated with embedded generation and a consultation paper which set out the outcome of this review was issued in December.

Many informative and helpful responses to the consultation document were received from the renewable industry, distributors and other interested parties. A joint industry-OFGEM-Government working group has now been established to take the process forward, and this will report before the end of the year. The working group represents a major opportunity to resolve a number of long-standing issues relating to the treatment of renewable and other embedded generation and to ensure access to the distribution networks on an equitable and fair basis.

Sri Lanka

Mr. Gardiner: To ask the Secretary of State for Trade and Industry if he will list all those goods requiring export licences which have been licensed for export to Sri Lanka since 1 December 1999. [117646]

Dr. Howells: The entry in the relevant legislation under which the export of goods is controlled is known as their rating. The Export Control Organisation's computer databases have been interrogated. Between 1 December 1999 and 24 March 2000, 11 Standard Individual Export Licences (SIELs) and one Open Individual Export Licence (OIEL) were issued covering the export to consignees or end-users in Sri Lanka of goods subject to export control by being listed in Part III of Schedule 1 to the Export of Goods (Control) Order 1994, commonly known as the Military List. Individual licences may cover a range of goods with various ratings (and OIELs may also cover a range of countries). Where this is so, the licence is included in the table in the total for all of the relevant ratings.

Individual Licences issued between 1 December 1999 and 24 March 2000 covering the export to Sri Lanka of goods on the Military List

Rating	*Number of SIELs issued covering goods with this rating*	*Number of OIELs issued covering goods with this rating*
ML2	2	0
ML3	1	0
ML4	1	0
ML5	0	1
ML6	2	0
ML10	1	0
ML11	2	0
ML15	1	1
ML22	1	0
PL5017	2	0
PL5031	1	0

This information does not cover any Media OIELs that may have been issued during this period. Media OIELs authorise the export to all destinations of protective clothing, mainly for the protection of aid agency workers and journalists, when working in areas of conflict.

Information on export licensing decisions in 1999, including details of the military equipment licensed, will be set out in the 1999 Annual Report on Strategic Export Controls, which will be published later this year. Similar details of the military equipment licensed in later years will be set out in the relevant Annual Reports.

This information should be considered in light of the answer I gave to my hon. Friend the Member for Kingswood (Mr. Berry) on 27 July 1999, *Official Report*, columns 307–08W.

In addition, Sri Lanka is a permitted destination on certain Open General Export Licences covering the export of goods on the Military List; copies of all Open General Export Licences are routinely placed in the Library of the House.

Works of Art

Mr. Brake: To ask the Secretary of State for Trade and Industry how much has been spent on *(a)* the upkeep and *(b)* the purchase of works of art in his Department for each financial year since 1992. [117472]

Dr. Howells: I refer the hon. Member to the answer given by my hon. Friend the Minister for the Arts on 4 April 2000, *Official Report,* columns 392–93W.

Utility Meters

Mr. Hilary Benn: To ask the Secretary of State for Trade and Industry what steps he is taking to ensure that low-income consumers using pre-payment meters are charged the same amount for their gas and electricity as those who pay by direct debit. [117509]

Mrs. Liddell *[holding answer 3 April 2000]:* Provision of a gas or electricity supply through a prepayment meter (PPM) is inherently more expensive than via a standard meter because the meter itself is more complex and because of the additional payment infrastructure that is necessary. We have, however, encouraged the regulator and the energy supply industry to bring PPM tariffs closer to the cost of standard credit, so as to reduce the burden on those PPM users who may be on a low income. As part of the new price controls on the Public Electricity suppliers, the Office of Gas and Electricity Management (Ofgem) has proposed a new licence condition limiting the maximum additional annual surcharge for a PPM to £15 above the standard credit tariff. For gas, Centrica, which has about 90 per cent. of gas PPMs, has already reduced its PPM prices so that they are the same as those paid by standard credit customers who have not paid promptly enough to receive a discount for quick payment.

I should point out, however, that the use of PPMs should not be taken as a proxy for fuel poverty: a wide range of people use these meters because they like the control it gives them over payment. Many PPMs are in second homes or holiday lettings. About half of those reckoned to be fuel poor are pensioners; and yet less than 10 per cent. of pensioners use a PPM.

BNFL

Mr. Gibb: To ask the Secretary of State for Trade and Industry what commitments he has been given by the management of BNFL regarding the reorganisation of management structure and methods at the company. [117616]

Mrs. Liddell: I have asked the Chairman of BNFL to carry out a "root and branch" review of the company. I expect to receive his proposals shortly.

Mr. Gibb: To ask the Secretary of State for Trade and Industry if the deadlines for implementing the recommendations and requirements of the Nuclear Installations Inspectorate reports published in February regarding BNFL, will be met; and if he will list the *(a)* expected and *(b)* achieved completion date for each such requirement. [117618]

Mrs. Liddell: The Health and Safety Executive (HSE) published three reports on 18 February. The report of the "team inspection of the control and supervision of operations at BNFL's Sellafield site" requires BNFL to produce a programme within two months to address HSE's recommendations. Their report "into the falsification of pellet diameter data in the MOX demonstration facility (MDF) at the BNFL Sellafield site and the effect of this on the safety of MOX fuel in use" says that the MDF will remain closed until BNFL have met all 15 of HSE's recommendations. The third report, which deals with the storage of liquid high level waste at Sellafield, requires BNFL to produce within six months a strategy to reduce stocks of such waste to a buffer volume by around 2015. Copies of all three reports were placed in the Library of the House on 18 February.

I expect BNFL to respond positively, constructively and on time to all the recommendations in the HSE reports. However, it is for the company, in discussion with HSE, to produce detailed implementation plans.

Artists' Resale Rights

Mr. Heathcoat-Amory: To ask the Secretary of State for Trade and Industry if the proposed EU Directive on Artists' Resale Rights has recently been discussed by EU Ministers; and if he will make a statement. [117401]

Dr. Howells: The proposal for a Directive harmonising droit de suite went to four Internal Market Councils last year but, on each occasion, a decision was delayed to provide more time to explore ways of overcoming UK concerns. Negotiations have continued this year in the Committee of Permanent Representatives where a workable compromise was finally agreed unanimously on 15 March. This reflects an acceptable balance between the competitiveness of the art trade, the rights of artists and the need to complete the Single Market.

The British Art Market Federation has paid tribute to the Government's achievement in securing a compromise which will greatly limit the damage to Britain's international competitiveness in the global art market. The Directive will now go forward to Council as an "A" point—i.e. for agreement without discussion—and, thereafter, for approval by the European Parliament.

European Structural Funds

Mr. Neil Turner: To ask the Secretary of State for Trade and Industry when he expects to receive the European Commission's approval of the UK's proposed Objective 2 Structural Fund areas. [118218]

Mr. Caborn: I am pleased to say that the European Commission approved the UK's Objective 2 Structural Funds map on 30 March 2000. This is confirmation of their agreement in principle on 22 December 1999.

This is good news for UK, and ensures that many of the most needy areas in the UK will benefit from £3 billion of European regional funding between 2000 and 2006.

Regional partners can now finalise their draft programme plans, which will need to be submitted to the Commission for consideration by the end of April in order for funding to be backdated to 1 January 2000.

Mr. Andrew George: To ask the Secretary of State for Trade and Industry what assessment he has made of cross-departmental co-operation on EU Objective 1 programmes. [116412]

Mr. Caborn: There has been a great deal of effective inter-departmental co-operation on the Objective 1 Programme, at both ministerial and official level.

Business Regulations

Mr. Bercow: To ask the Secretary of State for Trade and Industry if he will publish an annual estimate of the costs of Government regulations to businesses which employ fewer than 100 people. [116403]

Ms Hewitt: The Government have no plans to publish such information.

All Regulatory Impact Assessments (RIAs) contain information on the costs associated with new regulations; copies of all RIAs are placed in the Libraries of both Houses.

BMW/Rover

Mr. Burden: To ask the Secretary of State for Trade and Industry if he will place in the Library details of his contacts with BMW and Rover between 1 June 1999 and 16 March 2000. [118219]

Mr. Byers: I have placed copies of these in the Libraries of the House.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Neighbourhood Regeneration

30. **Ms Buck:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his Department's plans for neighbourhood regeneration. [116174]

Ms Armstrong: The Government's policy responses to neighbourhood regeneration will be brought together through the Urban White Paper later in the year, and through the National Strategy for Neighbourhood Renewal, a consultation draft of which will be published shortly. We will ensure that programmes such as the New Deal for Communities, Single Regeneration Budget and Sure Start all play their part in delivering the coherent and co-ordinated response needed to deliver sustainable change.

Empty Properties

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the number of empty properties in *(a)* London and *(b)* England owned by (i) private landlords, (ii) local authorities, (iii) housing associations, (iv) Government Departments and (v) other landlords for each of the last five years. [116697]

Mr. Mullin: Estimates of the numbers of vacant dwellings in *(a)* London and *(b)* England on 1 April are given in the table. Information is collected on the total private sector and it is not possible to distinguish between private landlord and owner occupied empty properties.

	Private sector [1]	*Local authority* [1]	*Registered social landlords* [2]	*Other public sector* [3]	*of which: Government Departments*
(a) London					
1995	109,500	19,000	7,400	1,900	1,600
1996	101,800	20,800	7,000	1,900	1,600
1997	94,800	18,500	6,600	1,700	1,400
1998	88,300	15,700	6,500	2,200	1,900
1999	89,300	14,700	8,100	2,100	1,800
(b) England					
1995	689,900	71,800	20,900	20,000	17,000
1996	667,400	79,600	23,600	20,000	17,000
1997	640,000	81,200	26,800	19,000	16,000
1998	623,200	81,700	29,300	19,000	16,000
1999	636,800	83,900	32,600	19,000	16,000

[1] Estimates from the annual HIP Operational Information return from local authorities.
[2] Housing Corporation RSR form from Registered Social Landlords.
[3] Government Departments and estimates from the annual HIP Operational Information return from local authorities.
Note:
A level of vacancy is a usual feature of housing management, reflecting turnover and movement within the stock.

Bus Shelters

Mr. Edward Davey: To ask the Secretary of State for the Environment, Transport and the Regions (1) what policy guidelines his Department has issued to authorities responsible for bus shelters regarding consultation prior to erecting new shelters; and what plans he has to re-issue such guidelines to require consultation with local residents; [117274]

(2) what targets he has for building new bus shelters and upgrading existing bus shelters for each of the next three years. [117273]

Mr. Hill: Decisions on expenditure on bus shelters are a matter for each local authority taking account of the availability of resources and the assessment of needs in their area. In developing bus strategies as part of their local transport plans, authorities will need to consider what improvements to bus infrastructure are needed, and what targets are appropriate in this regard. Local partnerships with the private sector can make an important contribution to achieving these improvements.

Bus operators and local authorities have permitted development rights under the Town and Country Planning Act 1990 to provide passenger shelters. The current guidance in DOE Circulars 15–92 and 9–95 makes it clear that there should be arrangements for advance notifications and publicity for individual proposals, wherever appropriate. We have no plans to re-issue this guidance.

London Transport has separate powers to erect and maintain shelters in London; these powers will be transferred to Transport for London under the Greater London Authority in July.

Rail Freight

Mr. Dobbin: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of rail freight's share of the freight market following the introduction of 44 tonne lorries. [117082]

Mr. Hill: In its interim report "Permitting 44 tonne lorries for general use in the UK", the Commission for Integrated Transport considered carefully the impact of 44 tonne lorries on the rail freight market. They concluded that work to estimate the precise effect on rail freight's market share would be unlikely to produce reliable results in the light of the Rail Regulator's forthcoming review of track access charges and other factors.

The Commission has invited the shadow Strategic Rail Authority (sSRA) to develop detailed recommendations on measures to promote the growth of rail freight. We expect to be able to take the sSRA's proposals into account in developing our Transport 10-year Plan, due to be published in July.

Fuel Poverty

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions how many households in homes heated by community heating schemes are in fuel poverty; and if such households will be eligible to benefit from the Affordable Warmth Programme. [116676]

Mr. Meacher *[holding answer 30 March 2000]:* The present estimates of the number of fuel poor households in England are based on data from the English House Condition Survey. Unfortunately it is not possible to identify the number of households heated by community heating schemes who are also suffering from fuel poverty.

I can confirm that households heated through community heating schemes will be able to benefit from the Affordable Warmth Programme announced by my right hon. Friend the Chancellor of the Exchequer. Capital allowances will be made available to lessors on de-mountable heat exchangers, radiators and heating controls installed inside dwellings under the Programme. Lessors will be able to write off 25 per cent. of the cost of this equipment each year on the reducing balance basis against their taxable income, provided their expenditure is incurred by 31 December 2007.

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions how frequently he intends to monitor the number of households in England which are in fuel poverty. [116677]

Mr. Meacher *[holding answer 30 March 2000]:* The present estimates of the number of fuel poor households in England are based on data from the English House Condition Survey which is carried out quinquennially. The Ministerial Group on Fuel Poverty is looking at how progress in tackling fuel poverty should be monitored in the future, and will consider whether estimates can be made available more frequently. This will form part of the overall strategy which the group aims to publish later this year.

Second Homes

Mr. Rendel: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 23 March 2000, *Official Report*, column 624W, on second homes, what change there was in the number of second homes owned between January 1995 and January 2000 in the South East, excluding London. [116776]

Mr. Mullin *[holding answer 30 March 2000]:* It is not possible to give a robust estimate of the change in the number of second homes in the South East between 1995 and 2000. The following table shows the latest available regional estimates, based on averages over the three years ending March 1999.

Location of second homes in England

Thousand

Government Office Region	*All second homes*[1]	*Owned second homes*
North West and North East[2]	31	27
Yorkshire and Humberside	19	16
East and West Midlands[3]	33	28
East and South East[2]	70	64
London	28	21
South West	44	40
England	225	197

[1] Second homes in England owned or rented by households whose main residence is also in England. Excludes homes which are the main residence of another household, or which the owners are intending to sell.

[2] Cannot be separated as the regional definitions changed during the survey period. Neither is it possible to give separate estimates for the 'Rest of South East' region used for regional planning purposes.

[3] East and West Midlands combined due to small sample sizes.

Note:

Like all estimates from sample surveys, these figures are subject to a certain amount of sampling variation and are not absolutely precise.

Source:

Survey of English Housing, three-year average to March 1999.

Works of Art

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions how much has been spent on *(a)* the upkeep and *(b)* the purchase of works of art in his Department for each financial year since 1992. [117483]

Ms Beverley Hughes: I refer the hon. Member to the reply given by my hon. Friend the Minister for the Arts on 4 April 2000, *Official Report*, columns 392–93W.

Asset Sales

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions if he will list his targets for asset sales for each local authority in the next financial year, listed alphabetically by Government Office region. [117296]

Ms Beverley Hughes: The Government have not set targets for asset sales for individual local authorities.

The Government wish to see local authorities make the best possible use of their land, buildings and other capital assets, including the identification and disposal of those surplus to requirements. My Department has recently issued guidance on good practice in strategic asset management as part of the move to a 'single pot' for capital allocations.

Radioactive Discharges

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to ensure that the Government fulfil their commitments under the Ospar agreement in respect of radioactive discharges; and if he will make a statement. [117154]

Mr. Meacher *[holding answer 4 April 2000]:* The Government are fully committed to the agreement reached at the Ospar Ministerial Meeting in 1998, on the reduction of radioactive discharges. The UK's intentions for implementing this agreement were submitted to the Ospar Secretariat in October 1999 and a copy is in the Library. The UK is developing a national strategy for radioactive discharges, to cover the period 2001 to 2020. It is planned to issue a draft of this document for consultation before the summer and to publish the final strategy by the end of the year.

Disabled People (Transport Facilities)

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what recent discussions he has had on improving transport facilities for disabled people; and if he will make a statement. [117824]

Mr. Hill: There are frequent and regular discussions with representatives of disabled people, including our statutory advisers the Disabled Persons Transport Advisory Committee (DPTAC), with the transport manufacturing and operating industries and with local authorities.

We have already brought forward regulations under the Disability Discrimination Act 1995 setting detailed technical access standards for all new trains. This year we will be bringing forward similar regulations applying to buses and coaches and we will be consulting on proposed regulations for taxis. These regulations cover facilities for wheelchair users and for people with a wide range of other disabilities.

Through the Local Transport Plans we are also ensuring that local authorities give due weight to the needs of disabled people across the whole spectrum of their responsibilities, including pedestrian facilities, transport infrastructure and voluntary and community transport services.

British Transport Police

Mr. Key: To ask the Secretary of State for the Environment, Transport and the Regions if he will bring forward legislation to extend the jurisdiction of the British Transport Police to give them the same constabulary powers as Home Office police; and if he will make a statement. [117668]

Mr. Hill: The Government announced on 31 July 1998, *Official Report*, column 637W, their intention to seek to establish, when a suitable legislative opportunity arises, an independent national police authority for the British Transport Police (BTP). Following consultation with the police service, my Department is considering with the Home Office an extension to the BTP's jurisdiction in specific circumstances. If accepted this extension would be included within the legislation.

DEFENCE

AWE

Mr. Rendel: To ask the Secretary of State for Defence what consultation took place with regulatory authorities in relation to the appropriateness of BNFL as a partner in the consortium set up to bid for the contract to manage AWE. [113667]

Mr. Spellar *[holding answer 9 March 2000]:* MOD has regular meetings with officials of the Nuclear Installations Inspectorate and of the Environment Agency on safety and environment at AWE, including the conduct and progress of the competition to appoint a new management and operating contractor. Both bodies were consulted on the suitability of all consortia member companies before RFQs (Requests for Quotation) were issued for the competition and both have been kept fully informed of developments. On 13 April 1999, the NII and EA made presentations to BNFL and all other parent companies of the competing consortia informing them of the standards that would be required of the successful contractors. Both regulators were given copies of each consortium's management prospectus and bid material relevant to environmental, safety and health matters. The NII has also given presentations and has taken part in syndicate discussions and assessment meetings with bidders. Finally, as detailed to my hon. Friend the Member for Reading, West (Mr. Salter) on 29 March 2000, *Official Report*, columns 159–60W, the most recent review found nothing which would cause them to oppose AWE ML's take over of the sites on 1 April.

Mr. Rendel: To ask the Secretary of State for Defence if he will list the criteria against which the applications for the new contract to run AWE Aldermaston were assessed. [113668]

Mr. Spellar *[holding answer 9 March 2000]:* In assessing bids to manage and operate the Atomic Weapons Establishment from 1 April 2000 information was required from all participating consortia to demonstrate that their parent companies met full compliance on safety performance. This was essential to

qualify for further consideration of the bids. Once over this hurdle assessment was made against the following criteria:

Safety (the risk of harm and potential harm to people, property and the environment to be as low as reasonably practicable).

National Capability (the ability of AWE to underwrite safety and reliability of nuclear warheads without recourse to nuclear testing and to maintain minimum capability to design and produce a successor to Trident if this were to be deemed necessary).

Security (the protection of assets, information and people).

Management (including the provision of Directors, adequate management measurement criteria and public relations).

Infrastructure (the maintenance of the capital asset base to support outputs and waste management and decommissioning).

Material (the production and through life support of weapons).

Commercial (including the costs of the contract).

Mr. Rendel: To ask the Secretary of State for Defence if he will list the areas of responsibility assigned to each of the three members of the AWE management consortium under the terms of the contract to manage the AWE Aldermaston site. [116344]

Mr. Spellar *[holding answer 27 March 2000]:* It is intended that at the start of the contract responsibilities will be allocated to parent company nominees as follows:

Serco—Chief Executive, Business Services, and Communications

Lockheed Martin—Deputy Chief Executive, Research, and Production

BNFL—Assurance, Infrastructure, and Human Resources and Strategic Development.

Ministerial Meetings

Mr. Matthew Taylor: To ask the Secretary of State for Defence what meetings Ministers in his Department have held with members and officials of the United States Government to discuss proposed US plan to deploy a national missile defence system since 1 January; when each meeting took place; which Ministers were involved; and which members and officials of the United States Government and from which departments attended each meeting. [117077]

Mr. Spellar: I refer the hon. Member to the answer I gave on 4 April 2000, *Official Report*, column 400W, to my hon. Friend for Milton Keynes, South-West, (Dr. Starkey).

Nuclear Arsenal

Dr. Lynne Jones: To ask the Secretary of State for Defence if the 70 per cent. reduction in the explosive power of the UK's nuclear arsenal is matched by an equal reduction in the combined potential destructive power of each separately targetable warhead. [117094]

Mr. Hoon: The Strategic Defence Review (SDR) announced that we need a stockpile of less than 200 operationally available warheads. Against levels at the end of the Cold War, this represents a reduction in the potential explosive power of the deterrent of more than 70 per cent. The SDR also made clear that the one Trident submarine on patrol would carry a reduced load of 48 warheads. The SDR did not refer to the potential explosive power of individual Trident warheads; such information remains classified.

Nuclear Weapons

Mr. Matthew Taylor: To ask the Secretary of State for Defence if he will list the dates and locations of the United Kingdom/United States Stocktake meetings to review the co-operation on nuclear weapons under the 1958 US/UK Mutual Defence Agreement which have taken place since 1 January, 1996; how many members of his Department and which United States Government departments took part in each of these stocktake meetings. [117079]

Mr. Spellar: Two UK/US Stocktake meetings have taken place since January 1996. The first was on 18 June 1997, in London, at which a total of nine officials from my Department were present. In addition, five AWE Aldermaston staff attended. The second meeting was held on 10 June 1998, in Albuquerque, New Mexico, at which seven MOD officials and four AWE Aldermaston staff were present. At both meetings, US representation was from the Departments of Defense and Energy.

Zinc Cadmium Sulphide Trials

Mr. Matthew Taylor: To ask the Secretary of State for Defence on what date Professor Peter Lachmann and his panel were appointed to conduct a review of the zinc cadmium sulphide trials; how many times he and his team visited the Porton Down chemical and biological defence establishment and the Defence Evaluation and Research Agency during the course of their inquiry; and on what dates he and his team made each of their visits. [117059]

Dr. Moonie: Professor Lachmann was appointed on 23 August 1999 to lead the independent study of the zinc cadmium sulphide trials. Other members of the team, namely Dame Barbara Clayton, Professor Paul Elliot and Dr. Clive Philips, were selected by Professor Lachmann following his own appointment.

Professor Lachmann and two of his team visited CBD Porton Down on 29 September 1999.

Israeli Arrow Missile System

Mr. DuncanSmith: To ask the Secretary of State for Defence what assessment his Department has made of the Israeli Arrow missile system. [117561]

Mr. Spellar *[holding answer 3 April 2000]:* A Pre-feasibility Programme (PFP) that was undertaken in 1994–1996 examined possible options, cost and timescales for ballistic missile defence of the UK and its deployed forces. This was carried out on behalf of the Ministry of Defence by a consortium led by what was then BAe. In considering potential system architectures, the PFP examined publicly available material on all government funded BMD capable weapons systems. The Arrow weapon system was assessed within this limited context.

Service Personnel

Mr. Gardiner: To ask the Secretary of State for Defence what British military personnel *(a)* currently employed by his Department and *(b)* on the Reserve List have been on secondment to Sri Lanka (i) military training establishments and (ii) units since 1 January 1997. [117644]

Mr. Spellar: An Army officer has been loaned to the Sri Lankan Army Command and Staff College to advise on syllabus development and training since January 1998. No other British military personnel have been seconded to Sri Lanka since 1 January 1997.

Lord Levy

Mr. Baker: To ask the Secretary of State for Defence what security clearance has been awarded to Lord Levy in respect of his meetings with the Chief of Defence staff. [117775]

Mr. Hoon: All personnel who have access to sensitive material are subject to security clearance procedures. It would not be appropriate to give details of the particular level of clearance held by individuals.

Computers

Mr. Ian Bruce: To ask the Secretary of State for Defence what effect the announcement by 3COM that they are to quit the high-end networking market will have on his Department's existing and planned computer systems. [R] [117623]

Dr. Moonie *[holding answer 4 April 2000]:* None.

TREASURY

Self-employment (Bogus Claims)

Mr. Cohen: To ask the Chancellor of the Exchequer what action *(a)* he is taking and *(b)* he plans to take to prevent bogus claims of self-employment, with particular reference to the construction industry; and what estimate he has made of the loss of revenue as a result of such claims. [116509]

Dawn Primarolo: Whether an individual is employed or self-employed depends upon the terms of the contract under which they are engaged. This is true for all industries including the construction industry.

The Inland Revenue is, however, aware that workers in the construction industry in particular have been incorrectly categorised in the past. Following consultation with the industry, the Revenue increased its compliance activity in this area to ensure that there was a consistency of treatment across the industry. The Revenue continues to police the status of workers in all areas including those in construction to ensure that the rules are properly understood.

The Inland Revenue has no information that can accurately provide an estimate of revenue, which may have been lost in cases where the contract has not been categorised correctly.

Earnings Thresholds

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what policy consideration led him to raise the threshold for earnings liable to 40 per cent. income tax by an amount less than the average growth of earnings; and if he will make a statement. [116879]

Dawn Primarolo: In 2000–01, the basic rate limit, above which the higher rate of income tax of 40 per cent. is payable on earnings, rises to £28,400 in accordance with the provisions of Section 1 of the Income and Corporation Taxes Act 1988. The legislation provides that, unless Parliament determines otherwise, the basic rate limit for a year should be increased in line with the rise in the Retail Prices Index in the year ended in September in the previous year of assessment, rounded up to the nearest £100.

Budget Changes

Mr. Wigley: To ask the Chancellor of the Exchequer what is his estimate of the effect of Budget changes including the *(a)* abolition of the married person's tax allowance, *(b)* decrease in the standard rate of income tax, *(c)* establishment of the 10 per cent. rate of income tax and *(d)* indexation of tax allowances on a married woman earning £14,000 a year, who is the sole income earner for a family of a husband and two children, and who has no more than the basic tax allowances. [116831]

Dawn Primarolo: This Government have introduced a range of measures to make work pay and to improve work incentives, including the 10p starting rate of income tax, basic rate cut, National Minimum Wage, National Insurance Contributions reform and the Working Families Tax Credit.

The income tax and National Insurance Contributions liability for a married woman earning £14,000 a year, who is the sole income earner for a family of a husband and two children under 11 would be £2,728 less in 2001–02 compared with the 1998–1999 regime with all of the allowances and limits increased in line with inflation. That is over £52 per week better off.

For 1998–99 it has been assumed that the woman claims the married couple's allowance and family credit.

The family would also gain from Child Benefit which increased by £179.40 per year more than inflation.

Tobacco Smuggling

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer if he will place in the Library a copy with excisions of matters of operational sensitivity to Her Majesty's Customs and Excise, of Martin Taylor's report on the Government's strategy to combat tobacco smuggling and any accompanying correspondence. [117680]

Mrs. Lait: To ask the Chancellor of the Exchequer if he will place in the Library a copy, with appropriate excisions of matters of operational sensitivity to Her Majesty's Customs and Excise, of the Taylor report on the Government's strategy to combat tobacco smuggling and the accompanying correspondence. [117544]

Dawn Primarolo: No. Martin Taylor's advice to the Chancellor was personal and confidential. It would therefore not be appropriate to disclose his advice. However his recommendations on how to tackle tobacco smuggling were summarised in the Government paper "Tackling tobacco smuggling". A copy of this paper has been placed in the Library.

Mrs. Lait: To ask the Chancellor of the Exchequer if Martin Taylor's report on the Government's strategy to combat tobacco smuggling has been made available to the senior officers of HM Customs and Excise at policy and operational levels who are responsible for the control of tobacco smuggling. [117501]

Dawn Primarolo: Senior Customs and Excise officials are aware of the advice Martin Taylor gave to the Chancellor on how to combat tobacco smuggling.

Petroleum Products Smuggling

Mr. William Ross: To ask the Chancellor of the Exchequer what is his estimate of the loss to public revenues in each of the last three years and the current year to end of March consequent on the smuggling of *(a)* petrol, and *(b)* other fuel oils from the Irish Republic into Northern Ireland. [117677]

Dawn Primarolo: I refer the hon. Member to the answer I gave the hon. Member for Lewes (Mr. Baker) on 20 March 2000, *Official Report,* column 442W.

Vehicle Conversion (Disabled Access)

Angela Smith: To ask the Chancellor of the Exchequer if he will grant tax relief on the costs of conversion of minibuses and coaches to allow for wheelchair and disabled access. [117639]

Dawn Primarolo: The capital costs of providing wheelchair and disabled access to minibuses and coaches will normally qualify for capital allowances at 25 per cent. a year on the reducing balancing basis. Small and medium-sized businesses will qualify for first year capital allowances at 40 per cent. on these costs. This is increased to 100 per cent. if the costs are incurred between 12 May 1998 and 11 May 2002 by such businesses on the conversion of minibuses and coaches for use primarily in Northern Ireland.

Married Persons Tax Allowance

Mr. Loughton: To ask the Chancellor of the Exchequer what assessment he has made of the impact on people who will be of pensionable age in the next five years of the ending of the married persons tax allowance. [115896]

Dawn Primarolo *[holding answer 3 April 2000]:* The Government will be spending an additional £6.5 billion on pensioners over the course of this Parliament.

Pensioners who are taxpayers can benefit from the 10p starting rate of income tax on pensions and savings income and from the cut in the basic rate to 22p in the pound from April. Those aged 65 or more saw the age-related income tax personal allowances for 1999–2000 rise by up to £200 more than required by statutory indexation. In 2000–01, the allowances will rise to £5,790 for someone aged 65 to 74 and to £6,050 for someone aged 75 or more.

The majority of pensioners have no income tax to pay. All households with someone aged 60 or more will benefit from the increase in the winter fuel allowance to £150, an increase of £50 on the fivefold increase to £100 announced in the Chancellor's 1999 Budget. The poorest pensioners will gain from the minimum income guarantee which will stand at £121.95 per week for a pensioner couple under 75. Pensioners aged 75 or more will also benefit from free Television Licences from this autumn.

Exemption Certificates

Mr. Robertson: To ask the Chancellor of the Exchequer if he will assess the benefits of introducing tax incentives for new companies which operate below the threshold of turnover above which they would receive exemption certificates; and if he will make a statement. [117338]

Dawn Primarolo *[holding answer 3 April 2000]:* There are no plans to introduce tax incentives for companies (or other businesses) that carry out construction operations but whose construction turnover is insufficient to enable them to pass the turnover test for the new Construction Industry Scheme.

However, a Joint Working Group comprising officials from the Inland Revenue, the Department of the Environment, Transport and the Regions, and representatives from the Construction Industry, is being set up to review the scheme. This group will be considering the introduction of in-year repayments for companies that do not pass the turnover test, which will improve the cash flow position of those companies that receive payments under the scheme after deductions on account of tax and NIC.

Alcohol and Tobacco Smuggling

Mr. Ruane: To ask the Chancellor of the Exchequer what assessment he has made of the effect of the smuggling of alcohol and tobacco on the retail sector, with particular reference to newsagents. [117551]

Dawn Primarolo *[holding answer 3 April 2000]:* The Government recognise that smuggling damages legitimate businesses. They are responding with a strategy worth up to £209 million, which aims to put tobacco smuggling into decline within three years. This is described in detail in "Tackling Tobacco Smuggling". Constraining the growth of smuggling will help retailers by preventing them losing market share to criminals.

Mr. Ruane: To ask the Chancellor of the Exchequer (1) if he will estimate the amounts of alcohol and tobacco smuggled into the UK for each of the past 10 years; and what estimate he has made for the next three years; [117552]

(2) what was the estimated tax lost to the Treasury in smuggled *(a)* cigarettes, *(b)* rolling tobacco and *(c)* alcohol in each of the past 10 years; and if he will make a statement. [117547]

Dawn Primarolo *[holding answers 3 April 2000]:* I refer my hon. Friend to the "Tackling Tobacco Smuggling" paper published on 22 March 2000 by HM Customs and Excise and HM Treasury; to my answer given on 26 November 1999, *Official Report,* columns 254–55W; and to the technical report on cross-Channel smuggling placed in the Library of the House on 19 September 1998.

Mr. Ruane: To ask the Chancellor of the Exchequer what the current penalties are for smuggling tobacco and alcohol; and what plans he has to revise them. [117550]

Dawn Primarolo: Customs have a range of penalties available including:

Seizure of the goods and any vehicle carrying them;

Payment of a compounded penalty;

Prosecution in Court, including disqualification from driving, revocation of a liquor licence or haulier's licence, removal of lottery terminal, compensation or confiscation orders.

The penalty regime is kept under constant review.

Mr. Ruane: To ask the Chancellor of the Exchequer how many successful prosecutions there were for smuggling *(a)* tobacco products and *(b)* alcohol in each of the past 10 years. [117548]

Dawn Primarolo *[holding answer 3 April 2000]:* I regret that records are not kept in this format.

Bootlegging Hotline

Mr. Ruane: To ask the Chancellor of the Exchequer what steps he has taken to advertise the Bootlegging Hotline; and what the budget was for advertising it. [117554]

Dawn Primarolo *[holding answer 3 April 2000]:* In order to improve efficiency, HM Customs and Excise amalgamated all its hotlines into one number—Customs Confidential on 0800 59 5000. On 21 July 1999, I launched a public information campaign to highlight the hotline in relation to tobacco, alcohol and drugs smuggling.

The publicity campaign included:

an advan that travelled throughout England, Scotland and Wales, to ports, airports and summer tourist events

leaflet distributed to all cross-channel operators as well as being inserted in ticket wallets

limited amount of national press advertising

a radio news tape distributed to all national and local radio stations

wallet cards for distribution at Customs events and to cross channel haulage

vehicle window stickers for cars and lorries

flyers distributed via the DVLA with license renewals—the flyer will also be produced in Welsh.

We will be expanding the public information campaign considerably to focus primarily on tobacco smuggling. The Customs Confidential hotline number will continue to feature widely as part of the campaign.

The overall budget for the campaign was £145,000.

Mr. Ruane: To ask the Chancellor of the Exchequer how many calls the Bootlegging Hotline has received in each month since its introduction; and how many successful prosecutions have resulted from the Bootlegging Hotline. [117553]

Dawn Primarolo *[holding answer 3 April 2000]:* The "Bootlegging"' hotline was consolidated into the Customs Confidential hotline on 21 July 1999. This hotline is for reporting of all information and suspicious activity which may be of interest to the Department.

Since June 1999 the total number of calls by month relating to "Bootlegging" are:

Month	*Number*
June	788
July	846
August	944
September	851
October	742
November	912
December	966
January	680
February	774
March	924
Total	8,427

It is not possible to state how many prosecutions are directly related to calls received on the hotline but it is estimated that 70 per cent. of the calls provide valuable intelligence which is having a major input into the middle and lower end of the tobacco smuggling problem.

Annual Departmental Reports

Mrs. Lawrence: To ask the Chancellor of the Exchequer when the 2000 Departmental reports will be published. [118094]

Mr. Andrew Smith: The publication dates for the 2000 Departmental Reports will be:

Date	*Departmental report*
Thursday, 6 April	Health
	DfID
Friday, 7 April	DfEE
	Treasury and Chancellor's smaller departments
Monday, 10 April	MAFF
	MoD
	FCO
	DCMS
	Home Office
	Inland Revenue
	C and E
	Cabinet Office
Tuesday, 11 April	Main Estimates
	Public Expenditure Statistical Analyses
	DTI
	DSS
	DETR
	LCD
	Law Officers Departments
	Wales Office
	Scotland Office
	Northern Ireland Office

Personal Service Companies

Mr. Ottaway: To ask the Chancellor of the Exchequer what is the basis for the revision of the figure for the expected revenue in 2000–01 from his changes to the tax and national insurance treatment of personal service companies between table 1.11 of the 1999 Budget report and table A2.1 of the 2000 Budget report. [117302]

Dawn Primarolo: The estimate of extra revenue generated in 2000–01 from the pre-announced measure to tackle avoidance of tax and National Insurance Contributions (NICs) through the use of personal service companies is based on new, more up-to-date information which has been collected by the Inland Revenue since Budget 1999.

Mr. Ottaway: To ask the Chancellor of the Exchequer what factors underlay his estimate of the fall in revenues resulting from his changes to the tax and national insurance treatment of personal services between 2001–02 and 2002–03, as shown in table A2.1 of the 2000 Budget report. [117303]

Dawn Primarolo: People using personal service companies are currently able to avoid National Insurance Contributions altogether and pay tax on their income much later than an employee would pay tax through PAYE. The new legislation will ensure that affected personal service companies will pay the correct amount of tax and NICs, at the right time, rather than delaying

what they do pay until well after the end of the tax year. The large first year yield in 2000–01 arises because the payments of PAYE and NICs are scored as they accrue whereas the reduction in corporation tax occurs when it would have been paid, nine months after the end of the accounting period. Subsequently, the 2002–03 expected yield is lower than in 2001–02 because the full effect of the corporation tax reduction takes three years to build up.

Revenue Statistics

Mr. Maclean: To ask the Chancellor of the Exchequer (1) how many *(a)* UK citizens and *(b)* UK-registered companies paid capital gains tax on (i) stock market investments and (ii) other investments in each of the last three years; [117232]

(2) what was the annual revenue gained by the Treasury from *(a)* income tax and *(b)* capital gains tax on (i) stock market investments and (ii) other investments in each of the last three years; [117233]

(3) what annual revenue the Treasury received from investments in stocks and shares held by *(a)* UK citizens and *(b)* UK-registered companies in each of the last three years. [117234]

Dawn Primarolo: Such information as is available for 1996–97 to 1998–99 on income tax, capital gains tax, corporation tax on capital gains and taxpayer numbers is given in the following tables. Tax is charged on the basis of UK tax residency or trading, and there is no information available to identify those who are UK citizens or UK registered companies.

Income tax from UK dividends and other investment income

Amount of tax: £ billion

	Income tax liability from UK dividend income	*Income tax from other investment income*	*Total income tax liability from investment income*
1996–97	3.6	5.2	7.8
1997–98	3.9	5.1	9.0
1998–99	3.3	6.6	9.9

The figures are based on the Survey of Personal Incomes and exclude income of trusts.

The estimates are consistent with the March 2000 Budget.

Capital gains tax (CGT) liabilities and taxpayer numbers

It is not possible to directly attribute CGT liabilities to type of asset as certain reliefs eg Annual Exempt Amount are deducted from the aggregate gains of the taxpayer. However total CGT liabilities and taxpayer numbers (individuals and trusts) are as follows:

	CGT accruals (£ billion)	*CGT taxpayer numbers (Thousand)*
1996–97	1.45	119
1997–98	2.00	172
1998–99	2.40	185

The latest available information on the distribution of net gains (before reliefs at taxpayer level) by type of asset shows, for 1996–97, that 81 per cent. of gains were in respect of financial assets and 19 per cent. in respect of non-financial assets. Further details are available in Table 14.4 of Inland Revenue Statistics 1999.

Corporation tax on capital gains

Companies are charged to corporation tax on their total income including trading profits, net capital gains and other income. It is not possible to attribute part of the charge to investments in stocks and shares, but estimates of receipts from all capital gains are as follows:

	Receipts from corporation tax on gains (£ billion)	*Related corporation taxpayer numbers with gains (Thousand)*
1996–97	1.03	10
1997–98	1.06	11
1998–99	1.35	13

Works of Art

Mr. Brake: To ask the Chancellor of the Exchequer how much has been spent on *(a)* the upkeep and *(b)* the purchase of works of art in his Department for each financial year since 1992. [117482]

Miss Melanie Johnson: I refer the hon. Member to the answer given to him by my hon. Friend the Parliamentary Under-Secretary of State, Department of Culture, Media and Sport on 4 April 2000, *Official Report*, columns 393–94W.

Excise Duties

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer what inflation index and period of measurement was used to calculate the increases in excise duties in the Budget. [117638]

Mr. Timms: As set out in Appendix A1 of the Financial Statement and Budget Report, the index base for calculating changes in fuel, tobacco and alcohol duties in this Budget, as in previous Budgets, was the projected increase in the Retail Prices Index over 12 months to the September following the Budget.

Business Taxes

Mr. Sayeed: To ask the Chancellor of the Exchequer if he will list the changes in business taxes since May 1997. [117343]

Mr. Timms: This information is in the Financial Statement and Budget Reports, which can be found in the House of Commons Library.

Illegal Drugs

Mr. Singh: To ask the Chancellor of the Exchequer (1) how many operations were carried out by officers of Her Majesty's Customs and Excise concerning heroin imported from Pakistan in controlled deliveries; and how much heroin was imported in respect of each operation, in each year between 1 January 1990 and 1 January 2000; [117321]

(2) how many operations involving controlled imports of illegal drugs by officers of Her Majesty's Customs and Excise there were in *(a)* each year between 1 January 1990 and 1 January 2000 broken down by quantities and types of illegal drugs and *(b)* between 1 January 1997 and 1 January 1998, involving heroin imported from Pakistan and if he will specify the quantities. [117345]

Dawn Primarolo: It is not Customs policy to release information of this type which could compromise a key operational technique.

Road Fuel Duty

Mr. Welsh: To ask the Chancellor of the Exchequer what was the percentage increase in road fuel duty announced in the Budget, in relation to the rate of inflation; and if he will make a statement. [117576]

Mr. Timms: Nil. The main fuel duties were indexed in line with inflation. The methodology is set out in Appendix A1 in the Financial Statement and Budget Report.

Family Statistics

Mr. Gerald Howarth: To ask the Chancellor of the Exchequer how many households with children there were in *(a)* 1970, *(b)* 1980 and *(c)* 1999 where (i) both parents were married and the children were born to those parents and (ii) stepchildren formed part of the households. [117536]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger to Mr. Gerald Howarth, dated 5 April 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your recent question on how many households were (a) both parents are married and the children were born to those parents and (b) stepchildren formed part of the household. I am replying in the Director's absence.

The estimated number of married couples with only natural dependent children was around 5 million in Great Britain in 1991. There were about 500 thousand families, which included at least one dependent stepchild living in them in Great Britain in 1991. (There are no other official estimates of the numbers of these married couples and stepfamilies).

Mr. Gerald Howarth: To ask the Chancellor of the Exchequer if he will estimate the number of households with children where the parents are not married and are cohabiting. [117529]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger to Mr. Gerald Howarth, dated 5 April 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your recent question on an estimate of the number of households with children where parents are not married and are cohabiting. I am replying in the Director's absence.

The estimated number of households containing cohabiting couples with dependent children was 750 thousand in Great Britain in 1999.

Source:

1999 Spring Quarter Labour Force Survey

Mr. Gerald Howarth: To ask the Chancellor of the Exchequer how many single mothers with dependent children in *(a)* 1970, *(b)* 1980 and *(c)* 1999 were (i) widows and (ii) divorcees. [117537]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger to Mr. Gerald Howarth, dated 5 April 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your recent question on how many single mothers with dependant children were (i) widows and (ii) divorcees in (a) 1970, (b) 1980 and (c) 1999. I am replying in the Director's absence.

The estimated numbers of lone mothers in Great Britain were (in thousands):

	1971	*1981*	*1999*
Divorced lone mothers	120	320	460
Widowed lone mothers	120	120	60

Mr. Gerald Howarth: To ask the Chancellor of the Exchequer how many *(a)* single parent and *(b)* single mother households there were in (i) 1970, (ii) 1980 and (iii) 1999. [117546]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger to Mr. Gerald Howarth, dated 5 April 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your recent question on how many *(a)* single parents and *(b)* single mother households there were in 1970, 1980 and 1999. I am replying in the Director's absence.

The estimated numbers of lone parents in Great Britain were (in thousands):

	1971	*1981*	*1999*
Lone parents	570	900	1,700
Lone mothers	500	800	1,500

Mr. Gerald Howarth: To ask the Chancellor of the Exchequer if he will estimate for *(a)* 1970, *(b)* 1980 and *(c)* 1999 how many dependent children lived in households where the parents were not married and were cohabiting. [117535]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger to Mr. Gerald Howarth, dated 5 April 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your recent question on the estimate for how many dependant children lived in households where the parents were not married and were cohabiting in *(a)* 1970, *(b)* 1980 and *(c)* 1999. I am replying in the Director's absence.

The estimated numbers of dependent children living in cohabiting couple families in Great Britain were (in thousands):

1989: 780

1996: 1,100

1999: 1,200.

Computers

Mr. Ian Bruce: To ask the Chancellor of the Exchequer what effect 3COM's announcement that they are to quit the high-end networking market will have on his Department and the Inland Revenue's existing and planned computer systems. [R] [117621]

Mr. Timms *[holding answer 4 April 2000]:* The Office of Government Commerce and the Debt Management Office have purchased 3COM components through standard procurement channels. In the event of their failure alternatives from other suppliers are readily available. Neither the rest of the Treasury nor the Inland Revenue use high-end networking equipment from 3COM, and so their departure from this market will have no effect upon existing computer systems, or those that are being planned.

Landfill Tax

Mr. Loughton: To ask the Chancellor of the Exchequer how much of the revenue from rises in the rate of landfill tax announced since May 1997 will go to (i) the Exchequer and (ii) local environmental causes. [117762]

Mr. Timms *[holding answer 4 April 2000]:* The standard rate of tax, which applies to active waste, rose from £7 to £10 per tonne on 1 April 1999 and by a further £1 per tonne to £11 per tonne from 1 April 2000. Figures are not yet available for 1999–2000, but for the calendar year 1999 there was an increase in revenue for the Exchequer of £67 million. In the same period there was an increase of £20 million in tax credits claimed in respect of contributions made by operators to environmental projects.

Mr. Loughton: To ask the Chancellor of the Exchequer what plans he has to hypothecate the revenue from landfill tax to environmental protection measures. [117712]

Mr. Timms *[holding answer 4 April 2000]:* I have no such plans. Revenues from the landfill tax contribute to Government spending on their priorities.

Tax Rates

Mr. Willetts: To ask the Chancellor of the Exchequer further to Table 4.2 of the Red Book, HC346 p. 79, how many families experienced marginal deduction rates of *(a)* 55 per cent., *(b)* 50 per cent., *(c)* 45 per cent. and *(d)* 40 per cent. or more (i) before the 1998 Budget and (ii) after the 2000 Budget. [116853]

Dawn Primarolo: *[holding answer 4 April 2000]:* The available information is contained in the table. It illustrates the combined effect of tax and benefit reforms in the last three Budgets. These will reduce the number of households facing marginal deduction rates of over 70 per cent. by two thirds, significantly relieving the poverty trap.

The post Budget 2000 figures take into account all announced measures to be implemented by 2001–02, including the introduction of the Children's Tax Credit.

Marginal deduction rate [1]	*Before Budget 1998* [1]	*After Budget 2000* [1]
100 per cent. or more	5,000	0
90 per cent. or more	130,000	30,000
80 per cent. or more	300,000	210,000
70 per cent. or more	740,000	250,000
60 per cent. or more	760,000	950,000
55 per cent. or more	760,000	1,100,000
50 per cent. or more	760,000	1,100,000
45 per cent. or more	780,000	1,130,000
40 per cent. or more	800,000	1,150,000

[1] Figures are for working households in receipt of income-related benefits or the WFTC where at least one person works 16 hours or more. The before and after figures are based on 1997–98 and 1999–2000 estimated caseload and take-up rates.

The increased generosity of the working families tax credit (WFTC) compared with family credit will see an extension of in-work support for families with children. Even those whose marginal rate increases as a result of this change will be better off in cash terms and see an increased return to work compared to being on benefit. On average WFTC will give low earning families an extra £24 compared with family credit.

Employment Records

Mr. Caton: To ask the Chancellor of the Exchequer when the Inland Revenue National Contributions Office began charging a fee for the provision of their own employment details to members of the public. [117776]

Dawn Primarolo: The Inland Revenue National Insurance Contributions office does not normally make a charge to individuals for the provision of information recorded on its National Insurance account. However, an employment history will normally be supplied in the following circumstances:

Where a claim is being made against an employer or former employer for illness injury or disease sustained as a result of the employment.

Medical Negligence claims.

Serious road traffic accidents.

A fee will be charged, and this service commenced 10 years ago.

AGRICULTURE, FISHERIES AND FOOD

Milk

Mr. Ainger: To ask the Minister of Agriculture, Fisheries and Food what tests are carried out on *(a)* raw and *(b)* UHT milk imported into the UK from (i) EU and (ii) non-EU countries. [116561]

Ms Quin: All milk for human consumption produced in the UK and other EU member states is subject to EC legislative production standards. Milk is therefore traded freely in accordance with single market provisions and is not required to be tested on entry into the UK. Raw cow's drinking milk cannot be imported from other member states or third countries and sold for human consumption in the UK.

No testing is required on milk imported from third countries. However, EC rules require that milk imported for human consumption may come only from EU

approved establishments in approved third countries and is accompanied by public health certification signed by an official inspector stating that it meets EU health standards. EC Regulations require Environmental Health Officers to carry out hygiene and quality tests on milk at the point of sale or manufacture.

Dog Exports

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what plans he has to introduce a comprehensive record system for dog exports; and if he will make a statement. [117018]

Ms Quin *[holding answer 4 April 2000]:* We have no plans to introduce a comprehensive record system for dog exports. This Department currently holds some information which is derived from applications for export health certificates. This information does not, however, cover all exports of dogs since some countries allow dogs to be imported into their territories without an export health certificate.

Genetically Modified Foods

Mr. Chaytor: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to promote scientific debate on the safety of genetically modified foods. [116398]

Ms Stuart: As responsibility for food safety and standards matters has now passed to the Food Standards Agency (FSA) which reports to Parliament through Health Ministers, I have been asked to reply.

The recent Organisation for Economic Co-operation and Development conference in Edinburgh hosted by the United Kingdom brought together scientific experts from around the world to debate the safety assessment of genetically modified foods. We will be considering very carefully with our G8 partners the recommendation of the Chairman, Sir John Krebs, for an intergovernmental panel to be set up to continue this process.

In the meantime, the FSA will promote and develop the ongoing programme of scientific research to consider the safety of genetically modified foods and encourage contractors to publish their findings in scientific journals. Final research reports will also be made publicly available by the agency. In addition, the FSA plans to hold regular workshops for research contractors and other scientists to allow the exchange of new ideas and data in this area. The results of these will also be published and further comments invited.

Finally, the Advisory Committee on Novel Foods and Processes now makes available, on its website, http//www.foodstandards.gov.uk, details of data submitted in support of applications it receives for approval of novel (including genetically modified) foods so that comments can be made on these before decisions are reached.

Aventis T25 Maize

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food what applications have been made to him for clearance of Aventis T25 maize for use as animal feed; and if he will place in the Library the details of all clearances granted. [117276]

Ms Stuart: As responsibility for food safety and standards matters has now passed to the Food Standards Agency (FSA) which reports to Parliament through Health Ministers, I have been asked to reply.

I am advised by the Food Standards Agency that AgrEvo (now Aventis) submitted an application, to the Ministry of Agriculture, Fisheries and Food, for voluntary approval of food and feed safety clearance of glufosinate ammonium tolerant maize in 1995. In addition, an application to market AgrEvo's T25 maize for cultivation and importation for processing into food and animal feed was received, via the Department of the Environment, under Council Directive 90/220/EEC from the French competent authority in 1996. Details of the food safety clearance are contained in the annual report for 1996 of the Advisory Committee on Novel Foods and Processes. The marketing consent under Directive 90/220/EEC was issued by France in 1998 following publication of the Commission's Decision in the "Official Journal of the European Communities" (L131, 5.5.98). This consent, which authorises the marketing of T25 maize for use in food and animal feed, was agreed by the Member States taking into account the advice of the EC Scientific Committee for Plants. The committee's remit included the consideration of any adverse effects on human health or the environment arising from the placing on the market of this maize. Copies of both documents are available in the Library.

HEALTH

Birth Weights

Mr. Field: To ask the Secretary of State for Health, pursuant to his answer of 11 January 2000, *Official Report*, column 139W, for each of the weight categories for the year 1997, what percentage of those *(a)* babies conceived by IVF and *(b)* other babies were single births. [105430]

Yvette Cooper: The information requested has been placed in the Library.

I regret that three incorrect figures were given in my previous answer. These were in the figures provided for 1997, in respect of babies born in Scotland and Northern Ireland and babies born by in vitro fertilisation in the United Kingdom. Revised tables with the correct figures have also been placed in the Library.

NHS Finance

Mr. Prior: To ask the Secretary of State for Health if he will make a statement on the balance of income and expenditure of health authorities and NHS trusts in England for the financial year ending 31 March 2000. [116380]

Mr. Denham *[holding answer 27 March 2000]:* The audited annual accounts for the financial year ending 31 March 2000 for all health authorities and National Health Service trusts will be available in the autumn.

NHS Staff

Laura Moffatt: To ask the Secretary of State for Health how information on changes within the NHS is communicated to NHS staff, with particular reference to those working in the blood donor collection service. [116938]

Mr. Denham: The Department uses a wide range of media to communicate with National Health Service staff, including electronic communications via the internet and NHSnet; paper communications such as newsletters, magazines and circulars; and face to face briefings such as conferences, seminars and roadshows. The National Blood Authority uses a similar range of internal media to keep its staff informed about developments both within the blood service and in the wider NHS. This includes intranet technology, written material and face to face briefings.

Job Evaluation

Laura Moffatt: To ask the Secretary of State for Health if there is standard nationwide process for awarding discretionary points for job evaluation for pay purposes in the NHS. [116949]

Mr. Denham: National agreements reached in the Nursing and Midwifery Negotiating Council and the Professions Allied to Medicine (PTA) Council set criteria for payment of discretionary points and the process by which they should be implemented at local level. These were issued to National Health Service employers under cover of Advance letters (NM)2/98 and PAM(PTA)2/98 on 11 September 1998, copies of which are available in the Library.

Paediatric Nurses

Mr. Sanders: To ask the Secretary of State for Health how many paediatric nurses there are per 1,000 of population in each health authority in England. [116721]

Mr. Denham: The information requested is shown in the table.

NHS Hospital and Community Health Services (HCHS): nursing, midwifery and health visiting staff within the paediatric area of work, per 1,000 population in each health authority in England, as at 30 September 1998

Number (headcount)

Health authority	*Paediatric staff by health authority*	*Census population*	*Paediatric staff per 1,000 population*
England total	20,030	49,494,580	0.40
Hillingdon	60	251,160	0.25
Kensington, Chelsea and Westminster	380	390,770	0.96
Enfield and Haringey	70	486,440	0.14
Redbridge and Waltham Forest	70	453,320	0.15
Bedfordshire	170	556,630	0.31
Berkshire	230	800,180	0.29
Buckinghamshire	200	681,870	0.29
Cambridge and Huntingdon	150	467,980	0.32
Bexley and Greenwich	210	432,930	0.49
Bromley	30	297,120	0.10
Croydon	40	338,220	0.10
East Kent	290	601,060	0.48
West Kent	260	973,500	0.27
Lambeth, Southwark and Lewisham	760	745,240	1.02
Merton, Sutton and Wandsworth	310	626,990	0.50
East Surrey	130	419,940	0.31
West Surrey	130	640,600	0.20
East Sussex, Brighton and Hove	290	747,180	0.38
West Sussex	110	751,840	0.15
Barking and Havering	160	383,890	0.42
Barnet	40	331,550	0.12
Brent and Harrow	100	464,450	0.21
Camden and Islington	1,180	367,570	3.20
Ealing, Hammersmith and Hounslow	100	671,170	0.15
East London and The City	240	612,420	0.38
North Essex	240	897,080	0.27
South Essex	100	708,540	0.15
South Lancashire	30	312,660	0.11
Liverpool	980	461,480	2.11
Manchester	240	429,810	0.57
Morecambe Bay	110	310,300	0.34
St. Helens and Knowsley	70	333,000	0.22
Salford and Trafford	840	446,220	1.87
Sefton	40	287,740	0.15
Stockport	250	292,810	0.85
West Pennine	290	472,040	0.61
East Norfolk	100	628,090	0.16
Northamptonshire	220	615,800	0.37

NHS Hospital and Community Health Services (HCHS): nursing, midwifery and health visiting staff within the paediatric area of work, per 1,000 population in each health authority in England, as at 30 September 1998

Number (headcount)

Health authority	*Paediatric staff by health authority*	*Census population*	*Paediatric staff per 1,000 population*
North West Anglia	160	413,970	0.38
Oxfordshire	220	616,710	0.36
Suffolk	110	671,100	0.17
Barnsley	70	228,100	0.29
North Derbyshire	110	370,190	0.30
Southern Derbyshire	170	567,460	0.30
Doncaster	90	290,470	0.32
Leicestershire	360	928,720	0.39
Lincolnshire	140	623,130	0.22
North Nottinghamshire	80	388,890	0.21
Nottingham	560	642,700	0.87
Rotherham	80	254,420	0.31
Sheffield	370	531,140	0.70
Bury and Rochdale	90	391,010	0.22
North Cheshire	80	311,910	0.25
South Cheshire	170	672,370	0.26
East Lancashire	220	511,230	0.43
North West Lancashire	190	466,270	0.41
North and Mid Hampshire	190	556,940	0.34
Portsmouth and South East Hampshire	200	544,680	0.37
Southampton and South West Hampshire	310	542,340	0.57
Isle of Wight	60	126,990	0.46
Somerset	100	489,280	0.20
South and West Devon	180	589,120	0.30
Wiltshire	160	605,510	0.27
Avon	410	999,300	0.41
Birmingham	1,150	1,013,430	1.14
Wigan and Bolton	70	577,980	0.13
Wirral	150	327,140	0.45
Bradford	240	483,280	0.50
County Durham	160	607,770	0.26
East Riding	120	574,530	0.20
Gateshead and South Tyneside	90	353,470	0.26
Leeds	430	727,390	0.60
Newcastle and North Tyneside	530	470,070	1.13
North Cumbria	40	319,260	0.12
South Humber	140	308,580	0.45
Northumberland	40	309,640	0.14
Sunderland	140	292,310	0.47
Tees	230	556,340	0.41
Wakefield	140	318,800	0.43
North Yorkshire	190	742,400	0.25
Calderdale and Kirklees	210	583,770	0.36
Cornwall and Isles of Scilly	90	490,370	0.18
Dorset	210	691,220	0.30
North and East Devon	60	479,260	0.12
Gloucestershire	130	557,260	0.23
Coventry	90	304,330	0.29
Dudley	80	311,470	0.24
Herefordshire	40	167,920	0.22
Sandwell	80	290,520	0.28
Shropshire	130	430,210	0.30
North Staffordshire	250	469,210	0.54
South Staffordshire	90	592,070	0.15
Walsall	100	261,170	0.36
Warwickshire	60	506,710	0.11
Wolverhampton	130	241,620	0.53
Worcestershire	140	538,200	0.27
East and North Hertfordshire	90	499,600	0.18
West Hertfordshire	130	534,020	0.24

Notes:

1. Figures are rounded to the nearest 10 where appropriate.
2. Due to rounding totals may not equal the sum of component parts.
3. Figures do not include Special Health Authority and Other Statutory Health Authority staff.

Sources:

Department of Health Non-Medical Workforce Census.

Population figures from Estimates based on 1991 Census.

Health Authority Finances

Mr. Cohen: To ask the Secretary of State for Health if he will list the *(a)* sums and *(b)* percentage increase in funding required, to achieve financial balance in each NHS health authority area by 2000–01; and what percentage of the additional NHS funding recently announced is required to achieve financial balance in each case. [117267]

Mr. Denham: The information requested is not available as health authorities and primary care groups have not finalised their commissioning and financial plans for 2000–01.

Buckinghamshire Health Authority

Mr. Lidington: To ask the Secretary of State for Health what plans he has to fund Buckinghamshire health authority at its capitation level. [116954]

Mr. Denham *[holding answer 30 March 2000]:* Buckinghamshire health authority's share of the £660 million announced on 28 March 2000 is £8.1 million. Together with the allocation already announced, this brings their allocation for 2000–01 to £407.6 million, a total cash increase of 9.41 per cent. This is more than the average cash increase of 8.88 per cent.

Dentists

Mr. Paul Marsden: To ask the Secretary of State for Health if he will make a statement on the demand for more NHS dentists in Shrewsbury and Atcham. [117291]

Mr. Hutton: National Health Service dentistry is accessible for much of the population of Shropshire, although we are aware of long-standing problems in some areas. Together with Shropshire health authority we have taken steps to deal with the problems through a dental access centre based in Shrewsbury and Donnington, where services are offered to non-registered patients.

In addition, we awarded eleven "Investing in Dentistry" grants in Shropshire which generated promises of 24,750 extra patient registrations with dentists. We will publish further plans for modernising and improving access to NHS dentistry soon.

Waiting Lists (Berkshire)

Mr. Rendel: To ask the Secretary of State for Health how many people had been waiting over 13 weeks for an outpatient appointment at Berkshire hospitals at the end of 1999; and what target had been set for outpatient waiting lists at Berkshire hospitals for 1999. [116756]

Mr. Denham *[holding answer 30 March 2000]:* The table shows the total number of people waiting over 13 weeks for an outpatient appointment by each National Health Service trust in Berkshire at December 1999. Trust targets are agreed locally with the relevant health authorities.

Organisation	*Total number waiting 13 weeks or over (Q2)*
East Berkshire NHS Trust for People with Learning Disabilities	0
East Berkshire Community Health NHS Trust	165
Heatherwood and Wexham Park Hospitals NHS Trust	702
Royal Berkshire and Battle Hospitals NHS Trust	2,748
West Berkshire Priority Care Services NHS Trust	374
Total	3,989

Nursing Homes (Durham)

Mr. Steinberg: To ask the Secretary of State for Health how many privately-run and owned nursing homes are registered with Durham Health Authority; and how many were so registered in each of the last five years. [117213]

Mr. Hutton: The information available is in the table.

Number of general nursing homes, mental nursing homes and private hospitals and clinics within County Durham Health Authority

Type of accommodation	*[1]1994–95*	*1995–96*	*1996–97*	*[2]1998*	*[3]1999*
General nursing homes	[4]—	[4]—	[4]—	94	92
Mental nursing homes	[4]—	[4]—	[4]—	28	26
Private hospitals and clinics	[4]—	[4]—	[4]—	1	0
Total	103	113	113	123	118

[1] Information for 1994–95, 1995–96 and 1996–97 relate to the period 1 October to 31 March.
[2] Information for 1998 and 1999 relates to 31 March.
[3] Information for 1999 is provisional.
[4] Not available.

Munchhausen Syndrome by Proxy

Mr. Stinchcombe: To ask the Secretary of State for Health how many cases of alleged Munchhausen Syndrome by Proxy there have been in parents of children with autistic spectrum disorder in each of the last three years; and if he will make a statement. [117140]

Mr. Hutton: Information is not collected centrally about the number of cases of alleged Munchhausen Syndrome by Proxy there have been, in parents of children with autistic spectrum disorder.

However, the Department recognises that suspected cases of Munchhausen Syndrome by Proxy (MSBP) are among the most difficult and demanding areas of activity to undertake for paediatricians and other professional groups devoted to child care and protection.

Whatever the circumstances of individual cases, it remains true that the professionals involved are best placed to decide on the most appropriate means of determining whether MSBP is at issue and, if so, how to act in the best interests of the child and the carer throughout any intervention.

Nursing and Residential Care

Mr. Edward Davey: To ask the Secretary of State for Health how many nursing care and residential care beds have been provided by local authorities in each of the past seven years; and if he will make a statement. [117270]

Mr. Hutton: The table provides details of the number of local authority supported residents for the years requested.

Local authority supported residents, by type of accommodation 1993 to 1999

England as at 31 March

Year	*Total of all supported residents* [1]	*Local authority staffed homes*	*Independent residential homes*	*Independent nursing homes*	*Other and unstaffed homes* [1]
1993	98,359	77,596	19,270	[2] [3]	1,493
1994	148,731	70,444	48,714	25,154	4,419
1995	185,865	67,327	70,153	43,238	5,147
1996	215,546	61,943	91,221	57,246	5,136
1997	242,139	58,747	119,530	66,058	5,804
1998	255,502	54,611	121,923	72,904	6,064
1999	260,727	50,061	131,159	73,467	6,040

[1] Figures for unstaffed homes (group homes) were not collected before 1994. The figures for 1993 are for "other" accommodation only.
[2] Prior to 1 April 1993, local authorities did not fund nursing care placements.
[3] Not available

Live Animal Experiments

Mr. Dalyell: To ask the Secretary of State for Health, pursuant to his answer of 8 March 2000, *Official Report*, column 760W, concerning animal testing and medicines, for what reasons the Government will not introduce a statutory requirement that labels on medicines include a statement providing information enabling those who oppose the use of animals in medical and veterinary research to make an informed judgment as to whether they should use these products on themselves and their pets. [116735]

Yvette Cooper *[holding answer 3 April 2000]:* All medicines for human and veterinary use must be tested in animals to provide information about their safety before they can be granted a licence. The labelling of medicinal products is governed by European law and there is no requirement for the inclusion in the labelling of information that a product was tested on animals.

Capital Modernisation Fund

Mr. Harvey: To ask the Secretary of State for Health how much of the £2 billion announced for the NHS is from the Capital Modernisation Fund. [116679]

Mr. Denham: None of the £2 billion announced for the National Health Service for 2000–01 is from the Capital Modernisation Fund.

Regulatory Reform

Mr. Cotter: To ask the Secretary of State for Health which Minister in his Department has responsibility for regulatory reform; and if he will make a statement. [117415]

Ms Stuart *[holding answer 4 April 2000]:* I refer the hon. Member to the reply given to my hon. Friend the Member for Scarborough and Whitby (Mr. Quinn) by my right hon. Friend the Minister for the Cabinet Office on 4 April 2000, *Official Report*, column 385W.

Single-sex Hospital Wards (West Sussex)

Mr. Loughton: To ask the Secretary of State for Health what estimate he has made of the cost of converting all hospital wards in West Sussex to single sex wards; what funds he will make available for such purposes; and whether the funds will be in addition to general health authority funding levels already announced. [117716]

Mr. Denham *[holding answer 4 April 2000]:* We have reiterated our commitment to meeting our target to eliminate mixed sex accommodation, and arrangements for increased performance management and more regular monitoring of progress in this area have been set in place.

We have set three specific objectives for the National Health Service in order to achieve the elimination of mixed sex accommodation:

Ensure that appropriate organisational arrangements are in place to secure good standards of privacy and dignity for hospital patients;

Achieve fully the standard for segregated washing and toilet facilities across the NHS;

Provide safe facilities for patients in hospital who are mentally ill which safeguard their privacy and dignity.

We aim to achieve these objectives fully in 95 per cent. of all health authorities by 2002.

The results of a monitoring exercise published in August 1999, which are in the Library, showed that 93 per cent. of health authorities would achieve the objectives by 2002. Results of the most recent monitoring exercise will be published in spring 2000.

In West Sussex there are a number of capital schemes under way through both private finance initiative and public sector finance which will mean that the health authority aims to meet our objective by 2002.

From April 2000 we aim to invest a total of £2.6 billion in NHS buildings and equipment—part of which will be used to address on-going work to eliminate mixed sex accommodation.

Beta-interferon

Ms Southworth: To ask the Secretary of State for Health if he will issue a circular on the prescribing of beta-interferon following last year's consultation. [118095]

Mr. Denham: In light of the representations received during the consultation on the draft Health Service Circular on beta-interferon, the Department has concluded that a further circular should not be issued until the National Institute for Clinical Excellence has reported on this matter.

NHS (Information Technology)

Mr. Campbell-Savours: To ask the Secretary of State for Health what changes in working practices have been introduced by health authorities following Her Majesty's Government's consultation exercise on the application and use of information technology in the NHS. [116855]

Ms Stuart: Our consultation exercise on the application and use of Information technology in the National Health Service resulted in the national information strategy "Information for Health" (published September 1998). This strategy introduced programmes of work to achieve:

Lifelong electronic health records for every person in the country.

Round the clock on-line access to patient records and information about best clinical practice for all NHS clinicians.

Seamless care for patients through general practitioners, hospitals and community services sharing information across the information highway.

Fast and convenient public access to information and care through on-line information services and telemedicine.

The effective use of NHS resources by providing health planners and managers with the information that they need.

This work is being carried forward by the NHS Information Authority established in April 1999. The timescale for completion of the work described in "Information for Health" is by 2005.

Current changes in working practice at grass roots level, driven by changing approaches to information management and technology, are growing day by day. Some recent examples given by NHS professionals are:

Health visitors being able to access and use information from GP systems and as a result improving approaches to monitoring and taking action in cases of eg child protection, high dependence families, mental health and post natal depression

GPs using a computer programme (PRODIGY) to share information about specific conditions and the best ways of treatment with patients and concluding the consultation by printing off a patient information leaflet.

A health authority provides advice about a more beneficial drug. The hospital incorporates the advice into its clinical information system so that when the old drug is prescribed, information about the more beneficial treatment is displayed. The system enables the clinician to change to the new prescription very easily. Patients leave hospital on the new drug and as a result GPs also change their practice, resulting in better care and a significant cost saving. The rate of this change has been shown to be significantly accelerated by the use of the computer system.

Introduction of best practice guidelines into systems supporting clinical decision making result in changes to practice with resource and patient benefits eg less pre-operative chest x-rays, more appropriate use of contrast media and endoscopes.

Pointing out trends in the utilization of clinical resources by named healthcare professionals brought about a reduction in the variation in practice. (eg ordering laboratory tests—those ordering least tests ordered slightly more but those ordering most tests reduced significantly.)

Mr. Campbell-Savours: To ask the Secretary of State for Health if he will make a statement on the role of the Information Management Group in terms of advance guidance and direction in the application of information technology in the NHS. [116856]

Ms Stuart: The Information Management Group (IMG) was part of the National Health Service Executive responsible for the development and maintenance of our Information Management and Technology Strategy for the NHS. Its role was to maintain and develop the strategy in consultation with the NHS, professional groups and industry, and to manage national strategic projects.

It was disbanded in April 1999 in line with the recommendations of "Information for Health" and was superseded by two bodies.

One is the NHS Information Authority, which was formally established as a special health authority in April 1999. The role of the NHS Information Authority is to manage an agreed and focused work programme to develop those products and standards which can best be developed at national level, in order to support local implementation.

The other is the Information Policy Unit, a small group within the NHS Executive with overall responsibility for delivery of the strategy. The role of the unit is to review and develop the strategy in consultation with a wide range of stakeholders, and to contribute to the NHS Executive's wider policy development and management functions. Part of the IPU role is to support the National Information Partnership and the Information Policy Board, and to commission and monitor national work programmes and projects on information and IT in healthcare (in particular from the NHS Information Authority). The Policy Unit also provides advice and guidance to the NHS on strategic issues, for example guidance on local implementation strategies published as Health Service Circular 1999/200.

Mr. Campbell-Savours: To ask the Secretary of State for Health what measures have been introduced in the last three years by Her Majesty's Government to reduce *(a)* the level of bureaucratic duplication, *(b)* burdens on professional staff and *(c)* administrative difficulties in the application and use of information technology at a local level. [116857]

Ms Stuart: Our consultation on information management and technology in the National Health Service resulted in the publication of the national Information Strategy "Information for Health", which describes a number of national measures that are intended to reduce the administrative burden on NHS staff.

"Information for Health" is a national strategy for local implementation. Each health community is responsible for developing its own Local Implementation Strategy (LIS). The purpose of the LIS is to describe how each local community will develop its own information systems to improve the effectiveness and efficiency of care, including reducing unnecessary bureaucracy and administrative duplication.

The national initiatives that are intended to support LISs and local health organisations are wide ranging and include:

A reduction in the number of central communications and changing the style of communications to electronic format. Since February 2000 the Department has been issuing weekly chief

executive bulletins by e-mail to NHS organisations and local authorities. The number of circulars is being greatly reduced and used only for urgent and high priority messages. The full circulars are published on the Department's website and the e-mailed bulletin provides an immediate notification and summary of what has been published with a link to the full document.

"Project Connect" will provide 24 hour, 7 day a week, desktop access for general practitioners and primary care teams to an improved service covering e-mail, online information and knowledge, appointment booking, referrals, discharge summaries, radiology and laboratory test results. The costs of connecting primary care to NHSnet are being met centrally. After considerable work on this project over the last two years, a significant watershed is now being reached with critical mass of infrastructure and connection of GPs being achieved in many places.

"NHS Direct" was launched two years ago. Researchers have found evidence to suggest that the introduction of "NHS Direct" has been associated with halting an upward trend in demand for out of hours services. The "NHS Direct" on-line website service launched last year provides the public with a direct gateway to the best of health information on the internet.

A national procurement review has been undertaken to identify what can be done to ensure that local health organisations do not have to undergo unnecessarily burdensome bureaucratic processes when purchasing information systems. The aim is to ensure that work undertaken by local organisations will ensure the best possible solution for local healthcare delivery, keeping administrative overheads to a minimum. To achieve this communities are expected to implement nationally agreed standards, and make use of national call-off contracts and supporting documentation.

The NHS Information Authority is in the process of developing, agreeing and implementing a range of national information and information technology standards that will then be implemented as part of LISs. The standards will facilitate a reduction in the number of times patient information is collected; improve the quality of communication between healthcare professionals and the quality/consistency of information available across the health service. Electronic access to this information throughout the NHS will multiply the benefits already experienced by more advanced sites locally and have a significant impact upon the administrative burden.

"Information for Health" is underpinned by an education, training and development strategy "Working Together with Health Information". This strategy, published in December 1999, builds upon previous work to develop NHS-wide standards for information proficiency, and will make use of virtual technologies to provide local NHS staff with the access to learning resource that they need. The initiative will ensure that the lessons learned in one health organisation are available to other organisations and thereby allow more informed decision-making about the kinds of intervention required. At the same time the approach will help prevent duplication of effort where effective solutions have been identified.

NHS Complaints Procedure

Mr. Chaytor: To ask the Secretary of State for Health how many *(a)* complaints proceeded to a hearing before the Professional Conduct Committee of the United Kingdom Central Council for Nursing, Midwifery and Health Visiting and *(b)* such cases led to a removal from the register in the last five years. [117156]

Mr. Denham: The number of complaints which proceeded to a hearing before the Professional Conduct Committee (PCC) of the United Kingdom Central Council for Nursing, Midwifery and Health Visiting and which led to a removal from the register, in the last five years, is as follows:

Year	*Cases considered by the PCC*	*Number of removals ordered by the PCC*
1995–96	127	73
1996–97	118	96
1997–98	109	84
1998–99	144	93
1999–2000	128	91

Mr. Chaytor: To ask the Secretary of State for Health if he will list, for each of the last five years, the total number of complaints referred to the Preliminary Proceedings Committee of the United Kingdom Central Council for Nursing, Midwifery and Health Visiting. [117157]

Mr. Denham: The total number of complaints considered by the Preliminary Proceedings Committee of the United Kingdom Central Council for Nursing, Midwifery and Health Visiting for the last five years are as follows:

Year	*Number*
1995–96	871
1996–97	941
1997–98	997
1998–99	973
1999–2000	1,219

NHS Appointments

Mr. Hammond: To ask the Secretary of State for Health when he plans to implement recommendations from the report by the Commissioner for Public Appointments on Appointments to NHS Trusts and Health Authorities. [116406]

Mr. Denham: We have already announced consideration of fundamental changes to the National Health Service appointments process which would delegate to the chairs of health authorities the responsibility for around 2,000 appointments to NHS trusts and primary care trusts. Further consideration to the 28 recommendations from the Report by the Commissioner for Public Appointments will be given in due course.

Adverse Clinical Incidents Report

Mr. Hinchliffe: To ask the Secretary of State for Health when the Government response to the Sixth report of the Health Committee of Session 1998–99 on "Procedures Related to Adverse Clinical Incidents and Outcomes in Medical Care (HC 549)" will be published; and what factors underlie the delay in its issue. [117627]

Ms Stuart: We expect to publish our response to the Select Committee's report tomorrow. The report contains 35 recommendations, which address a broad range of issues, and we felt that it was important to address each of these with due seriousness in order to ensure that the

response is properly considered and as positive as possible. The impact of the Shipman trial also needed to be taken into account and for these reasons the response has taken longer to prepare than would normally be the case.

Health Authorities and Trusts (Liabilities)

Mr. Prior: To ask the Secretary of State for Health what were the estimated liabilities of health authorities and NHS trusts in England on 31 March; and of those, how much is due for payment prior to 30 June. [116383]

Mr. Denham: The 1998–99 annual accounts combined balance sheets of health authority and National Health Service trusts show net current liabilities of £767 million, which represents 2.13 per cent. of overall NHS funding (£36 billion).

Information on the timing of payment of individual NHS bodies liabilities is not collected centrally.

NORTHERN IRELAND

RUC Officers (Complaints)

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many RUC officers in each rank have had complaints made against them in each of the last five years and in the current year; for each rank, and year, how many complaints have been *(a)* dismissed and *(b)* upheld; and what action has been taken against complainants for (i) frivolous complaints and (ii) wasting police time. [115571]

Mr. Ingram: The following table shows the number of RUC officers by rank against which complaints have been made in the last five years and the number of substantiated and completed complaints. Figures for the current year are not yet available. No action has been taken against anyone making frivolous complaints or wasting police time doing so.

Rank	*Number of individual officers against whom complaints have been made* [1]	*Substantiated* [2]	*Other completed complaints* [3]	*Pending*	*Total*
1995					
Chief Superintendent	2	0	4	0	4
Superintendent	7	0	18	0	18
Chief Inspector	4	0	5	0	5
Inspector	57	3	174	0	177
Sergeant	286	11	871	2	884
Constable	1,215	50	3,558	7	3,615
FT Reserve Constable	475	16	1,185	0	1,201
PT Reserve Constable	33	0	59	0	59
Total	2,079	80	5,874	9	5,963
1996					
Chief Superintendent	0	0	0	0	0
Superintendent	4	0	10	0	1
Chief Inspector	7	1	8	0	9
Inspector	62	4	145	0	149
Sergeant	282	11	853	1	865
Constable	1,223	44	3,459	11	3,514
FT Reserve Constable	413	11	1,099	2	1,112
PT Reserve Constable	32	0	70	0	70
Total	2,023	71	5,644	14	5,729
1997					
Chief Superintendent	2	0	4	0	4
Superintendent	7	0	20	0	20
Chief Inspector	6	0	7	0	7
Inspector	62	0	112	2	114
Sergeant	265	6	739	8	753
Constable	1,218	36	3,111	31	3,178
FT Reserve Constable	428	13	1,013	15	1,041
PT Reserve Constable	16	0	19	0	19
Total	2,004	55	5,025	56	5,136
1998					
Chief Superintendent	0	0	0	0	0
Superintendent	4	0	6	0	6
Chief Inspector	7	0	6	2	8
Inspector	55	2	105	13	120
Sergeant	268	9	597	85	691
Constable	1,137	22	2,340	330	2,692
FT Reserve Constable	404	6	770	111	887
PT Reserve Constable	16	0	40	2	42
Total	1,891	39	3,864	543	4,446

Rank	Number of individual officers against whom complaints have been made [1]	Substantiated [2]	Other completed complaints [3]	Pending	Total
1999					
Chief Superintendent	0	0	0	0	0
Superintendent	5	0	7	2	9
Chief Inspector	1	0	1	0	1
Inspector	35	0	39	21	60
Sergeant	155	0	170	128	298
Constable	762	3	774	635	1,412
FT Reserve Constable	278	1	256	251	508
PT Reserve Constable	8	0	6	5	11
Total	1,244	4	1,253	1,042	2,299

[1] Where more than one officer is involved in a complaint, the complaint has been recorded against each individual officer.
[2] Substantiated figures refer to the year the complaint was registered.
[3] Only covers cases where an investigation has been carried out and officers identified. Excludes complaints that have been informally resolved or initially withdrawn.

Fair Employment Tribunal

Mr. McNamara: To ask the Secretary of State for Northern Ireland what progress has been made in reducing the backlog of cases waiting to be heard by the Fair Employment Tribunal. [117353]

Mr. Ingram *[holding answer 3 April 2000]:* The number of Fair Employment cases waiting to be heard has remained broadly the same for a number of years. In order to improve the situation, the number of FET panel members was increased from 30 to 90 in 1999, three more tribunal rooms were made available at the end of 1999 and the number of cases listed for hearing was increased by 25 per cent. Work is in hand to appoint three additional part-time FE Tribunal Chairmen. It is hoped that the number of cases outstanding will soon begin to be reduced as a result of these changes.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what steps he has taken to ensure adequacy of funding and resources for the Fair Employment Tribunal. [117352]

Mr. Ingram *[holding answer 3 April 2000]:* The resource needs of the Fair Employment Tribunal are considered as part of the public expenditure survey process each year and the allocations made are in line with the Tribunals' needs.

Civil Service (Roman Catholics)

Mr. McNamara: To ask the Secretary of State for Northern Ireland what steps have been taken to increase the representation of Roman Catholics in the Senior Civil Service. [117355]

Mr. Ingram *[holding answer 3 April 2000]:* The Northern Ireland Civil Service has had a robust and proactive policy on equality of opportunity since 1984 and has consistently sought to tackle under-representation at all levels of the organisation through programmes of affirmative action. This has delivered significant improvement in the levels of representation of Roman Catholics throughout the workforce and both the extent of change and the measures taken have been reported in the public domain through the regular reports of the Service's Equal Opportunities Unit, copies of which are in the Library of the House.

Under-representation of Roman Catholics among the most senior levels of the Service remains evident and is openly acknowledged. Past trends indicate that a significant contribution to changing the compositional profile among the Senior Civil Service (SCS) can be made by drawing upon the more representative pools of staff at the grade levels below the SCS.

Affirmative action measures to tackle under-representation of Roman Catholics, have been developed in close consultation with the former Fair Employment Commission, and continue to be developed in concert with the Equality Commission for Northern Ireland. Measures more specifically targeted at tackling under-representation among the SCS include setting goals and timetables in consultation with the former Fair Employment Commission which will be reviewed this year with the new Equality Commission, the dropping of seniority and grade level requirements as eligibility criterion in internal promotion competitions and more extensive use of open recruitment for SCS posts.

Employment Equality

Mr. McNamara: To ask the Secretary of State for Northern Ireland what plans he has to establish an Equality Unit within the Northern Ireland Office. [117356]

Mr. Mandelson *[holding answer 3 April 2000]:* The Office of the First and Deputy First Minister has an Equality Unit which continues to advise the Government on equality issues.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what plans he has to utilise contract compliance and public procurement as a mechanism for promoting greater employment equality. [117354]

Mr. Ingram *[holding answer 3 April 2000]:* Public contracts already require that contractors comply with Northern Ireland and anti-discrimination law on religious and political opinion, sex, race and disability. There are additional provisions under the Fair Employment and Treatment (Northern Ireland) Order 1998 whereby individual employers can be excluded from Government contracts if they have not adhered to specified requirements of fair employment legislation. There are no further plans at this time to extend these requirements.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what progress has been made in reducing community differentials in unemployment; what targets he has set for reducing community differentials; and what initiatives are planned to remedy community differentials. [117351]

Mr. George Howarth *[holding answer 3 April 2000]:* The Government are committed to reducing unemployment in Northern Ireland and regard continuing differentials between Catholics and Protestants in unemployment as unacceptable. The most recent Labour Force Survey data for 1998 indicate that the ratio of the Catholic unemployment rate to the Protestant rate is 1.9 (2.3 for males and 1.4 for females). The Government are addressing unemployment and continuing differentials through:

the New Deal;

recent legislation changes to facilitate employers in recruiting the unemployed and to permit religion specific training; and

the new Targeting Social Need policy.

The Equality Commission will shortly consult on its plans to establish benchmarks and monitoring systems to measure future reductions in community differentials among the unemployed.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what plans he has to monitor the effectiveness of the New Deal programme in Northern Ireland in terms of religious affiliation. [117358]

Mr. Ingram *[holding answer 3 April 2000]:* Participation in New Deal is monitored in terms of community background/religious affiliation by the Department of Higher and Further Education, Training and Employment. Statistics on the numbers of Catholic and Protestant participants on the New Deals for Unemployed People, and their progress through the programme, have been published regularly by the Department. These statistics are also regularly reviewed by the Training and Employment Agency Board's Equality Sub-Group.

Specific Equality and New Targeting Social Needs criteria, including consideration of the impact of New Deal on Protestants and Catholics, have also been built into the various projects covering the evaluation of New Deal which is currently under way. This will ensure that reliable conclusions can be drawn about the impact of the programme on both the Protestant and Catholic communities.

EDUCATION AND EMPLOYMENT

Schools Funding

Mrs. May: To ask the Secretary of State for Education and Employment what the breakdown is of the £837 million extra spending on schools in England announced in the Budget. [117512]

Mr. Blunkett *[holding answer 3 April 2000]:* Of the £837 million for education in England in 2000–01, the allocation of £812 million has now been announced. This breaks down as follows:

£286 million for special grants to schools.

£20 million for catch-up classes in primary schools.

£53 million for Education Maintenance Allowances and a campaign to encourage young people to stay on in education.

£33 million to extend Excellence in Cities to more areas and £25 million for primary schools in Excellence in Cities areas.

£70 million to fund training salaries for postgraduates entering teacher training.

£250 million in grants through the New Deal for Schools and £60 million in capital support for City Academies and to transform failing schools through the Fresh Start programme.

£15 million for capital projects benefiting 16–19 year olds.

The allocation of the remaining £25 million will be announced in the coming weeks.

Student Support

Mr. Boswell: To ask the Secretary of State for Education and Employment what plans he has to redress the remaining differences in student support for 2000–01 between the component parts of the UK following the Government's response to the Quigley report. [117626]

Mr. Wicks: The differences in student support between Scotland and the remainder of the United Kingdom arise from the decisions of the devolved Scottish Parliament. In England and Wales, the student support arrangements are working well and there is no case for fundamental change.

HOME DEPARTMENT

European Community Treaty

Mr. Mitchell: To ask the Secretary of State for the Home Department, pursuant to his answer of 26 November 1999, *Official Report*, columns 238–39W, on Title IV of the Treaty of the European Community, what *(a)* further measures have been brought forward and *(b)* decisions have been taken by the United Kingdom concerning opting into measures brought forward under Title IV since 26 November 1999. [117484]

Mrs. Roche: The following measures have been brought forward under Title IV of the Treaty establishing the European Community since 26 November 1999:

Initiative of the Republic of Finland with a view to the adoption of a Council Regulation determining obligations as between the Member States for the readmission of Third-Country Nationals;

Commission proposal for a Council Directive on the Right to Family Reunification;

Presidency Proposal for a Council Recommendation on Voluntary Return;

Initiative of the Republic of Finland for a Council Regulation relating to the updating of the Common Consular Instructions;

Proposal by the Commission for a Council Regulation on the list of countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement;

Proposal for a Council Decision creating a European Refugee Fund.

The Presidency has suspended consideration of the first of these measures. The United Kingdom has not yet opted into any of the other measures.

Asylum Seekers

Dr. Iddon: To ask the Secretary of State for the Home Department when he will make a decision on the recommendations made to him by the Home Office

Consultative Group on the setting up of an independent documentation centre for information on countries of origin of asylum seekers. [117069]

Mrs. Roche: Since the Consultative Group reported in December 1998, our priority has been to support the recovery of asylum decision output through the expansion and improvement of advice to caseworkers on country situations. This has included taking account of the Consultative Group's recommendations about the format and content of the published assessments. Once we are satisfied with the progress that has been made on these immediate priorities, we shall turn to considering other possible initiatives for developing country of origin assessments, including the idea of a documentation centre which was examined by the Consultative Group.

Mr. Sanders: To ask the Secretary of State for the Home Department what estimate he has made of (1) the number of jobs the dispersal process for asylum seekers will create in local authorities; [117065]

(2) the total administrative cost to local government of the dispersal of asylum seekers; [117064]

(3) the ratio of staff support to asylum seekers in local government; and if he will make a statement. [117066]

Mrs. Roche: None, either as regards the existing voluntary dispersal scheme or as regards the new centrally administered one.

Since 1 April 1999, the Home Office has been responsible for reimbursing local authorities for the costs of supporting asylum seekers. Local authorities may claim the costs incurred in supporting asylum seekers up to a limit of £140 a week for a single adult and of £240 a week for a family. However, how they allocate these resources, the number of staff they employ and the ratio of staff support to asylum seekers is a matter for the local authorities.

Under the new national asylum support scheme, the Home Office will pay for accommodation and essential living needs.

Police Jurisdiction

Mr. Key: To ask the Secretary of State for the Home Department which department has responsibility for bringing forward legislation to extend the jurisdiction of *(a)* the Ministry of Defence Police and *(b)* British Transport Police to give them constabulary powers; and if he will make a statement. [117670]

Mr. Charles Clarke: The Home Office, in consultation with the Ministry of Defence and the Department for the Environment, Transport and the Regions (DETR), keeps under review all matters concerning the role, powers and jurisdiction of the Ministry of Defence Police (MDP) and the British Transport Police (BTP).

The Regulation of Investigatory Powers Bill currently before Parliament proposes an amendment to the Police Act 1997 to enable the Chief Constable of the MDP and the Chief Constable of the BTP to authorise interference with property and wireless telegraphy within their force's existing jurisdiction under Part III of that Act. Part II of the Bill will also allow them, along with other chief constables, to authorise intrusive surveillance.

My right hon. Friend the Secretary of State for Scotland, the then Minister of State for the Environment, Transport and the Regions, announced in his reply to my hon. Friend the Member for Chatham and Aylesford (Mr. Shaw) on 31 July 1998, *Official Report*, columns 637–638, the Government's intention to establish, when a suitable legislative opportunity arises, an independent national police authority for the British Transport Police. Following consultation with the police service, the Home Office is also considering with the DETR an extension to the BTP's jurisdiction in specific circumstances. If accepted, this extension would be included in the legislation.

CABINET OFFICE

Correspondence

7. **Mr. Ian Bruce:** To ask the Minister for the Cabinet Office when her Department will publish statistics on the time it takes Ministers in each Government Department to answer hon. Members' letters; and if she will make a statement. [116390]

Marjorie Mowlam: The Government are committed to reducing the time taken to reply to correspondence from hon. Members.

Clearly this is an important matter for Members on all sides of the House, and for their constituents, and we must continue to aim for higher standards.

I intend to publish information on the time taken by individual Departments and agencies to reply to hon. Members very shortly, and before the Easter recess, which will be earlier than previous years.

Regulations

8. **Mr. Nicholas Winterton:** To ask the Minister for the Cabinet Office what steps she has taken to reduce the number of regulations issued by Government Departments. [116391]

Mr. Stringer: Any regulatory proposal likely to have an impact on business, charities or the voluntary sector is subject to assessment. These assessments, which are placed in the Libraries of the House, are designed to test the need for every proposed regulation. In addition the Ministerial Panel, which the Prime Minister asked my right hon. Friend to establish last December, has now begun its programme of departmental reviews. In the first of these reviews, DTI and DETR agreed to a package of specific regulatory reforms.

Special Advisers

9. **Mr. Blunt:** To ask the Minister for the Cabinet Office what estimate she has made of the total salary bill for special advisers in the financial year 2000–01. [116392]

Marjorie Mowlam: It is estimated that the total salary bill for Special Advisers in the year 2000–01 will be £4.3 million.

Public Appointments

10. **Mr. Loughton:** To ask the Minister for the Cabinet Office when she last met the Commissioner for Public Appointments to discuss the political balance of councillors being appointed to local health authorities and NHS trusts. [116393]

12. **Mr. Grieve:** To ask the Minister for the Cabinet Office what meetings she has had with the Commissioner for Public Appointments to discuss her report entitled, "Public Appointments to NHS Trusts and Health Authorities". [116395]

19. **Mrs. Virginia Bottomley:** To ask the Minister for the Cabinet Office when she last met the Commissioner for Public Appointments to discuss appointments to public bodies. [116407]

Mr. Stringer: I met the Commissioner for Public Appointments on 15 March 2000. My right hon. Friend and I meet the Commissioner from time to time.

14. **Dr. Tony Wright:** To ask the Minister for the Cabinet Office what proposals she has to amend the system of public appointments. [116397]

Mr. Stringer: The Government have no immediate plans to alter the system of public appointments.

Mr. Baker: To ask the Minister for the Cabinet Office what her policy is in respect of the appointment of local councillors to non-departmental public bodies. [116401]

Mr. Stringer: The Government believe that appointments should be made on merit and we agree with the Commissioner for Public Appointments that political activity should not be a bar on taking up a public appointment.

Disability Awareness

11. **Mr. Boswell:** To ask the Minister for the Cabinet Office what steps she is taking to encourage disability awareness within the civil service. [116394]

Marjorie Mowlam: This is something we take extremely seriously: all managers in the Civil Service will be trained in diversity awareness (including disability issues) within two years; all managers will have diversity objectives in their personal plans; and we have recently produced a video for use in Departments to raise awareness.

Social Exclusion

13. **Mr. Edwards:** To ask the Minister for the Cabinet Office if she will make a statement about the role of the social exclusion unit. [116396]

Marjorie Mowlam: The Social Exclusion Unit was established in December 1997. Since then it has produced five reports and action plans on subjects as diverse as rough sleeping and teenage pregnancy.

The role of the unit is to help Government action to reduce social exclusion by producing joined-up solutions to joined-up problems.

Digital Television

15. **Mr. Healey:** To ask the Minister for the Cabinet Office if she will make a statement on the role of digital television in helping Government meet its targets for the electronic delivery of public services. [116400]

Mr. Ian McCartney: There is scope for digital television (DTV) to play an important role in delivering Government services electronically. The Central Information Technology Unit (CITU) published initial guidelines on DTV last December.

Magistrates (Duchy of Lancaster)

16. **Mr. Pike:** To ask the Minister for the Cabinet Office what changes she proposes to make in the system for appointing magistrates in the Duchy of Lancaster area. [116402]

Marjorie Mowlam: I refer to the answer I gave to my hon. Friend the Member for Pendle (Mr. Prentice) on 28 January 2000, *Official Report*, column 163W.

US International Trade Commission

17. **Mr. Fabricant:** To ask the Minister for the Cabinet Office when her officials last met analysts from the United States International Trade Commission to discuss the current US Senate Finance Committee inquiry into possible UK membership of NAFTA; and if she will make a statement. [116404]

Mr. Stringer: I refer the hon. Member to the answer he received from the Secretary of State for Foreign and Commonwealth Affairs on 3 April 2000, *Official Report*, column 285W.

Modernising Government Programme

18. **Fiona Mactaggart:** To ask the Minister for the Cabinet Office what her objectives are for the Civil Service in the modernising government programme. [116405]

Mr. Stringer: The Government objective is to create a modern, diverse Civil Service, which has the skills and competences to meet the challenges it will face in the 21st century. Sir Richard Wilson published his report to the Prime Minister on Civil Service Reform in December last year.

21. **Mr. White:** To ask the Minister for the Cabinet Office what assessment she has made of progress towards the Government targets for Internet access set out in the Modernising Government White Paper. [116409]

Mr. Ian McCartney: There was no specific internet access target in the Modernising Government White Paper. However, on 7 March, the Prime Minister announced that the UK would aim for universal access to

the Internet by 2005. The e-Minister and e-Envoy will be reporting on progress towards this target in their first annual report in July.

22. **Mr. Ben Chapman:** To ask the Minister for the Cabinet Office what discussions she has had with *(a)* trade union representatives and *(b)* others on the modernising government programme. [116410]

23. **Mr. Neil Turner:** To ask the Minister for the Cabinet Office what discussions she has had with trade union representatives and (b) others on the modernising government programme. [116411]

Mr. Ian McCartney: The Head of the Home Civil Service, the Permanent Secretary of the Cabinet Office, and I met the unions on 30 March for the official signing of the National Partnership Agreement. The Agreement sets out how the Cabinet Office and the unions will work together on matters that require corporate leadership. It outlines a shared commitment to strive for improvement and efficiency in the Civil Service.

I have regular meetings with the unions at which developments in modernising government are discussed, among other topics.

I have many other meetings and modernisation usually features positively.

Civil Service (Ethnic Minorities)

20. **Mr. Cohen:** To ask the Minister for the Cabinet Office what measures she is taking to tackle the under-representation of ethnic minorities in the civil service. [116408]

Marjorie Mowlam: The Government are committed to redressing under-representation and we are actively working to recruit and retain ethnic minorities at all levels in the civil service. Some key measures include the recent appointment of the Senior Adviser to help drive forward our efforts to tackle the under-representation of ethnic minorities particularly at senior levels of the civil service, and the recently launched new video of successful ethnic minority civil servants showing how fulfilling a career in the civil service can be to potential recruits.

Government Services (Delivery)

24. **Mrs. Gilroy:** To ask the Minister for the Cabinet Office what her Department is doing to promote the delivery of Government services through information and other new communication technologies. [116413]

Mr. Ian McCartney: I refer to the answer I gave to my hon. Friend the Member for Gedling (Mr. Coaker) on 3 April 2000, *Official Report*, column 360W.

Special Advisers

Mr. Matthew Taylor: To ask the Minister for the Cabinet Office on what dates special advisers from her Department have travelled abroad on official business since 8 June 1999; which countries were visited on each occasion; and what were the names of the special advisers who travelled on each occasion. [117062]

Marjorie Mowlam: Between 8 June 1999 and 11 October 1999, my predecessor was accompanied by one of his Special Advisers on a visit to France which took place on 8 June.

Between 11 October and 31 March 2000 I was accompanied by one of my Special Advisers on visits to Belgium, between 17 and 18 October 1999; Portugal, between 20 and 21 December 1999; and the USA on 13 March 2000.

In addition, over the same period, the United Kingdom Anti-Drugs Co-ordinator visited Austria and Turkey between 30 October and 7 November 1999; Belgium between 27 and 29 February 2000 and Austria between 13 and 14 March 2000. The Deputy UK anti-drugs co-ordinator visited Portugal twice on 16 July 1999 and between 20 and 21 January 2000.

Press Releases

Mr. Brady: To ask the Minister for the Cabinet Office, pursuant to her answer of 28 March 2000, *Official Report*, column 76W, concerning distribution of news releases by courier, whether her answer covered distribution of news releases by the Central Office of Information. [117224]

Mr. Stringer: Yes, but only the news releases distributed by the COI on behalf of my Department. For information on news releases distributed by the COI by courier for other Departments, I refer the hon. Member to the answers given to him on 10 March 2000 by my right hon. and hon. Friends the Secretary of State for Wales, *Official Report*, column 825W, the President of the Council, *Official Report*, column 826W, the Secretary of State for Defence, *Official Report*, column 827W, Secretary of State for the Environment, Transport and the Regions, *Official Report*, columns 832–33W, the Parliamentary Secretary, Lord Chancellor's Department, *Official Report*, column 836W, the Secretary of State for Culture, Media and Sport, *Official Report*, column 838W, the Secretary of State for Trade and Industry, *Official Report*, column 840W, the Secretary of State for Social Security, *Official Report*, column 846W, the Secretary of State for the Home Department, *Official Report*, column 862W,
the Secretary of State for Health, *Official Report*, column 866W, the Secretary of State for Foreign Affairs, *Official Report*, column 873W; on 13 March 2000 by my right hon. Friend the Secretary of State for Northern Ireland, *Official Report*, column 3W; and on 15 March 2000 by my right hon. Friends the Chancellor of the Exchequer, *Official Report*, columns 189–90W, and the Secretary of State for International Development, *Official Report*, column 200W; on 17 March 2000 from my right hon. Friend the Secretary of State for Education and Employment, *Official Report*, column 350W, and on 20 March 2000 from my right hon. Friends the Minister for Agriculture, Fisheries and Food, *Official Report*, column 385W, and the Secretary of State for Scotland, *Official Report*, column 403W.

Better Government for Older People

Ms Perham: To ask the Minister for the Cabinet Office, pursuant to the answer of 28 March 2000, *Official Report*, column 76W, if he will list the issues discussed at the meeting of the Inter-ministerial Group for Older People and the Advisory Group of the Better Government for Older People Programme on 27 March, indicating what further meetings are planned. [117702]

Mr. Stringer *[pursuant to his reply, 28 March 2000, c. 76W]:* My right hon. Friend the Minister of State for Social Security, who chairs the Inter-Ministerial Group on Older People planned to meet representatives of the Programme's Older People's Advisory Group on 27 March 2000. This meeting did not take place. A meeting has been arranged for 11 April 2000.

Better Regulation Task Force

Barbara Follett: To ask the Minister for the Cabinet Office if she will make a statement on the progress of the Better Regulation Task Force in reducing the regulatory burden on businesses. [116399]

Mr. Stringer: The Better Regulation Task Force advises the Government on action to improve the effectiveness and credibility of regulation, particularly regulation which affects businesses.

Earlier this month the Task Force published a review of payroll regulations, and in the next three months they will produce further reviews on topics including the hotel and restaurant industry, methods of helping small firms cope with regulations, and alternatives to state regulation.

Written Answers to Questions

Thursday 6 April 2000

SOCIAL SECURITY

Departmental Employees

Mr. Willetts: To ask the Secretary of State for Social Security what checks are applied to confirm the identities of new employees in his Department and its agencies. [117705]

Mr. Rooker: This Department undertakes rigorous recruitment checks on all staff prior to employment. The checks undertaken confirm not only identity, but character, nationality, right to work and employment suitability. Work is currently ongoing to identify, as part of the recruitment checking process, any possible conflicts of interest with new recruits.

To confirm identify, the checks follow the Cabinet Office guidance. The documentation required to do this vary according to nationality.

British Nationals require a full 10 year passport, or combination of two other identification documents.

EC nationals require either a full EC passport or an identity card issued by the EC country.

Commonwealth citizens require either a full passport issued by the country concerned or a document issued by the Home Office establishing the individual's immigration status in the UK.

Steps are taken to examine the documentation to verify its authenticity.

Assurance mechanisms for pre-appointment checks are built into our recruitment process. These include management checks to ensure they are being carried out and our internal audit team regularly carry out their own checks.

Stakeholder Pensions

Mr. Webb: To ask the Secretary of State for Social Security if, he intends under the draft stakeholder pension regulations, the separate arrangement to charge for individual detached advice to be regarded as a pension contract; and if he will make a statement. [117600]

Mr. Rooker: No. It is important that everyone considering a stakeholder pension understands and is confident that the only charge to be taken out of their pension fund will be within the 1 per cent. annual management charge. Schemes may offer financial advice within the 1 per cent. charge if they wish. The draft stakeholder pension regulations are designed to ensure that any contract for the provision of financial advice (and any other services apart from the management of the scheme and its funds) above the 1 per cent. limit must be optional and separate from the pension contract.

Pension Contributions

Mr. Gerald Howarth: To ask the Secretary of State for Social Security how many single mothers with dependent children are making pension contributions through *(a)* National Insurance, *(b)* SERPS and *(c)* private pension schemes; how many are making no such contributions; and if he will estimate his Department's unfunded liability, assuming present levels of pension payments, in (i) 2020, (ii) 2040 and (iii) 2060. [117539]

Mr. Rooker: There are 2.2 million single mothers with dependent children making pension contributions through National Insurance. Of these 1.3 million (60 per cent. of those paying National Insurance) have private pension cover, while 0.9 million (the remaining 40 per cent. of those paying National Insurance) are contributing to SERPS. Around three million single mothers were making no pension contributions.

Notes:

1. The figures have been rounded to the nearest hundred thousand.

2: The percentages have been rounded to the nearest whole percent.

3. The analysis is restricted to working age employees.

4. The figures are based on the FRS which is a self-reporting survey. This may lead to an element of inaccuracy as people are not always clear about their pension arrangements.

Source:

Family Resources Survey 1997–98.

The estimated expenditure on National Insurance benefits for pensioners under current legislation is £51.7 billion in 2020–21, £64.8 billion in 2040–41 and £65.8 billion in 2060–61, in 1999–2000 price terms.

Notes:

1. The figures on pension payments refer to payments to all pensioners, not to single mothers only.

2. These figures refer to the expected expenditure on National Insurance benefits for pensioners in the specified years.

3. The estimates allow for the Welfare Reform and Pensions Act 1999 and exclude HRP in SERPS, but do not allow for any effects of S2P or Stakeholder Pensions.

4. Income related benefit expenditure on pensioners is not included in the estimates.

Source:

The Report by the Government Actuary on the Child Support, Pensions and Social Security Bill, 1999.

Pensioners (Savings)

Mr. Willetts: To ask the Secretary of State for Social Security how many pensioners have savings (i) below £3,000, (ii) between £3,000 and £6,000, (iii) below £6,000, (iv) between £6,000 and £12,000 and (v) between £12,000 and £47,100. [117703]

Mr. Rooker: The information is in the table.

Number of all pensioner units who have savings

Thousand

Categories	*Number*
Below £3,000	3,500
Between £3,000 and £6,000	670
Below £6,000	4,170
Between £6,000 and £12,000	700
Between £12,000 and £47,100	1,200

Notes:

1. All amounts are rounded to the nearest 10,000, although estimates are not necessarily accurate to that degree.

2. The Below £3,000 and Below £6,000 categories include pensioners who have no savings.
3. Questions on assets are a sensitive part of the FRS questionnaire and have relatively low levels of response, and hence higher levels of imputation, compared to other parts of the survey. Responses are imputed in around 1 in 10 cases. Evidence also suggests some under reporting of capital by respondents.
4. Pensioner Units are defined as either a single pensioner or a couple where the head of the couple is over the State Pension Age. A couple can be either a married or a co-habiting partnership.
Source:
The Family Resources Survey (FRS) 1997–98.

Works of Art

Mr. Brake: To ask the Secretary of State for Social Security how much has been spent on *(a)* the upkeep and *(b)* the purchase of works of art in his Department for each financial year since 1992. [117470]

Mr. Rooker: I refer the hon. Member to the written answer my hon. Friend the Minister for the Arts gave him on 4 April 2000, *Official Report,* columns 392–93W.

Income Support

Mr. Flynn: To ask the Secretary of State for Social Security if the three months' extension of the time limit for claiming Income Support will be allowed in the case where a pensioner's failure to claim earlier can be ascribed to the delay in launching the Government's take-up campaign. [117591]

Mr. Bayley: We have no plans to change the current backdating rules.

Industrial Injuries Disablement Benefit

Mr. Goggins: To ask the Secretary of State for Social Security if he will make a statement on the accuracy of the annual industrial injuries disablement benefit assessment data for the 1998–99 financial year. [118548]

Mr. Bayley: A new model for forecasting caseload and expenditure on Industrial Injuries Benefits has been developed. A comparison of encashment data with new expenditure forecasts for 1998–99 has identified an undercounting of around 6 per cent. in the number of assessments.

Future assessment forecasts have assumed that this 6 per cent. undercounting is constant over the forecast period.

Minimum Income Guarantee

Mr. McWalter: To ask the Secretary of State for Social Security what steps he is taking in the short term to tackle the problems faced by pensioners whose incomes are marginally above the Minimum Income Guarantee. [116628]

Mr. Bayley: We have taken action over a wide front to help all of today's pensioners. Initiatives include Winter Fuel Payments, free eye tests to the over 60s and free TV licences for the over 75s from autumn next year. Also from April 2001, capital limits in the Minimum Income Guarantee for those over 60 will be increased from £6,000 to £12,000. My right hon. Friend the Chancellor of the Exchequer has also announced a review to look at ways to providing further help to pensioners on low incomes and modest pensions and savings who have worked hard to provide for themselves.

Mr. Webb: To ask the Secretary of State for Social Security if he will list the categories of pensioner who will receive letters as part of his Minimum Income Guarantee take-up campaign. [117873]

Mr. Bayley: As part of the Minimum Income Guarantee (MIG) take-up campaign we will be writing to around two million pensioners whom our records suggest are most likely to have underlying entitlement. This targeted group will be pensioners who our pension records suggest have incomes below the MIG level. However, we do not know how many of these pensioners will have capital or other income that could affect their entitlement to benefit.

Automated Credit Transfer

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate the proportion of *(a)* new recipients and *(b)* existing recipients of each main social security benefit who receive payment by automated credit transfer. [117874]

Mr. Rooker: The information is not available in the format requested. Such information as is available is in the table.

Percentage

Benefit type	*New customers in receipt of ACT*	*Existing customers in receipt of ACT*
Child Benefit	54	38
Disability Living Allowance	33	36
Industrial Injuries and Death Benefit[1]	n/a	17
Income Support	10	13
Invalid Care Allowance[2]	n/a	9
Incapacity Benefit	41	27
Retirement Pension and Widows Pension	50	44
War Pensions	56	53

n/a = not available
[1] Introduced April 1996
[2] Introduced June 1997
Notes:
1. Method of payment analysis for JSA is not available.
2. The figures are the latest available reflecting the position as at 30 November 1999.

TRADE AND INDUSTRY

BAe Broughton

Mr. Wigley: To ask the Secretary of State for Trade and Industry if the loans offered by his Department for the BAe project at Broughton in Flintshire was based on an assumption that the National Assembly for Wales will make a parallel grant; and if he will make a statement. [117681]

Mr. Alan Johnson: The launch investment announced on 13 March secured substantial UK involvement in the development of the Airbus A3XX aircraft. No assumption was made by my Department about BAe Systems's

application for Regional Selective Assistance to the National Assembly for Wales. Any decision on that application is entirely a matter for the National Assembly.

Diamond Synchrotron

Mr. Gordon Prentice: To ask the Secretary of State for Trade and Industry how often he met the Minister for Science between 1 October 1999 and 19 January 2000 to discuss the synchrotron. [117926]

Mr. Byers: Between 1 October 1999 and 19 January 2000 I met my noble Friend the Minister for Science on many occasions to discuss a wide range of topics. Since the New Synchrotron represents the largest single investment in science in the UK for more than a decade it was often included in the topics under discussion.

Mr. Gordon Prentice: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 3 April 2000, *Official Report*, column 277W, on the diamond synchrotron, who represented the French Government in the private discussions in October 1999 and who represented the UK. [117979]

Mr. Byers: On 14 October 1999 my noble Friend the Minister for Science had private discussions with the French Minister for Research and Education.

Sellafield

Mr. Dalyell: To ask the Secretary of State for Trade and Industry if he will list the Government Ministers who have visited Sellafield since 1 May 1997. [118013]

Mr. Byers: My right hon. Friend the Minister for the Environment visited Sellafield on 3 September 1997 and my hon. Friend the Member for Leeds, West (Mr. Battle), the then Minister for Energy, visited Sellafield on 15 February 1999.

Export Guarantees (Romania)

Mr. Jim Murphy: To ask the Secretary of State for Trade and Industry if he will make a statement about the provision of export guarantees for Romania. [118482]

Mr. Byers: I have instructed the Export Credits Guarantee Department (ECGD) to make cover available to Mivan Ltd. and Kier International who have won a contract to construct low cost housing and provide water services to villages in Romania. The export credit guarantees will amount to $120 million. In addition, a further $47 million is being provided in support of the project by commercial banks not covered by ECGD. This project will bring benefits to many ordinary Romanians and provide an important export order for Northern Ireland where Mivan is based.

ECGD has now exhausted cover capacity under its exposure ceiling for Romania. They will review cover policy in the light of the progress Romania makes in negotiating and implementing its IMF backed economic programme and its external debt servicing capability.

Prototype Fast Reactor Fuels

Mr. Neil Turner: To ask the Secretary of State for Trade and Industry when he expects to make a decision regarding the options for managing the Prototype Fast Reactor fuels at Dounreay; and if he will make a statement. [118483]

Mrs. Liddell: The UK Government are committed to dealing with the remaining liabilities at Dounreay safely, securely and in a way that represents value for money to the taxpayer. In order to achieve the long-term restoration of the site, a solution needs to be found to deal with the remaining fuels, including PFR fuels.

Following a comprehensive review of options for managing Dounreay PFR fuels, the United Kingdom Atomic Energy Authority (UKAEA) has identified three options:

the reprocessing or treatment of all PFR fuels at Dounreay as was originally planned;

the transportation to Sellafield for reprocessing of the irradiated PFR fuels in the THORP plant and treatment of unirradiated PFR fuels at Dounreay or elsewhere;

the treatment of all PFR fuels at Dounreay to make them suitable for interim storage at Dounreay for an indefinite period or until a national waste repository is available.

I am pleased to announce today the start of a public consultation addressing the options for managing these fuels. There is no mandatory requirement to conduct such a consultation exercise, however in the spirit of openness, and given the high level of local interest and the impact it may have on activities at the site, all those with an interest are being consulted. As part of this consultation I will also be seeking the views of the relevant Government advisory bodies. A copy of the consultation package will be placed in the Libraries of both Houses. The consultation will close on 2 June and I would hope to announce a decision a few weeks later. The results of this consultation will be made available to the public, as will the information supporting the decision. The decision will be taken on safety, environmental and economic grounds.

Regulatory Reform

Mr. Cotter: To ask the Secretary of State for Trade and Industry which Minister in his Department has responsibility for regulatory reform; and if he will make a statement. [117427]

Mr. Byers: I refer the hon. Member to the answer given to my hon. Friend the Member for Scarborough and Whitby (Mr. Quinn) by my right hon. Friend the Minister for the Cabinet Office on 4 April 2000, *Official Report*, column 385W.

Enterprise Promotion (West Midlands)

Mr. McCabe: To ask the Secretary of State for Trade and Industry what measures he proposes to promote enterprise within disadvantaged areas in the West Midlands region affected by BMW's decisions on Longbridge. [116609]

Mr. Byers: I announced the creation of the Rover Task Force on the day after BMW's news that it is to sell the Longbridge plant.

The Task Force is making good progress and is to produce a report within the next four weeks which looks at the impact of BMW's decision and also makes

recommendations about initiatives that may be taken to support workers and to assist the regeneration of the Longbridge area.

In making its recommendations, I have asked the Task Force to look at:

Ways in which parts of Longbridge that will not be used by the new owners can be redeveloped to safeguard employment

Training, re-skilling and support for people who may lose their jobs

Ways to support and improve the competitiveness of the supplier chain

Whether local transport services need to be improved to enable people find new work.

Some of the early actions taken include setting up a Job Shop on site at Longbridge to provide advice to workers and fast-track access to benefit, establishing a telephone hotline for suppliers and employees and the creation of a website that will provide information and signposting for companies and individuals to a range of business creation and support organisations in the region.

Notwithstanding any recommendations that the Task Force may make in its report to promote enterprise, businesses in many areas of the West Midlands are eligible to apply for Regional Selective Assistance or the Enterprise Grant Scheme. These schemes offer financial support to businesses to boost new business formation, promote growth and help diversification.

EDUCATION AND EMPLOYMENT

Women in Decision-making Roles

Dr. Tonge: To ask the Secretary of State for Education and Employment what progress has been made towards the achievement of Commonwealth Heads of Government target relating to the proportion of women in decision-making roles in political, public and private sectors by 2005. [114778]

Ms Jowell *[holding answer 16 March 2000]:* At their 1996 meeting, Commonwealth Ministers of Women's Affairs recommended that member countries achieve a target of no less than 30 per cent. of women in the political, public and private sectors by 2005 and those countries already close to achieving this target should aim for gender parity.

It is up to individual countries to use ways most appropriate to their national circumstances to achieve these targets and there are no figures available regarding the public and private sector.

The Commonwealth Secretariat undertook a number of initiatives to assist governments in their efforts to increase women's participation in political decision-making, including:

advocacy at various level Commonwealth forums and a publication of a collection of the life histories of 33 successful Commonwealth women politicians;

completion of a series of regional conferences to encourage more women to become involved in local government;

organising a series of regional symposiums on Gender, Politics and Conflict/Peace for parliamentarians.

At the level of local government, which women have often used as a political entry point and training ground, the figures have been more substantial with four countries exceeding the Commonwealth's 30 per cent. target in 1999, as shown in the following table.

Women's representation in political decision-making in the Commonwealth: Ranking of top 10 counties in 1999–2000

	Percentage
National Executive/Cabinet (1999)	
1. The Gambia	30.8
2. South Africa	29.6
3. Grenada	26.7
4. Sierra Leone	26.4
5. Seychelles	25.0
6. Canada	24.0
7. United Kingdom	22.0
8. Mozambique	19.6
9. Botswana	19.0
10. Uganda	18.6
National Parliament (2000)	
1. South Africa	30.3
2. New Zealand	29.3
3. Mozambique	28.0
4. Australia	25.0
5. Seychelles	23.5
6. Canada	22.2
7. Trinidad and Tobago	20.9
8. Bahamas	19.6
9. Belize	18.4
10. Uganda	18.3
Local Government (1999)	
1. Seychelles	54.0
2. Uganda	40.8
3. India	33.5
4. Canada	30.0
5. New Zealand	29.0
6. St. Lucia	29.0
7. United Kingdom	27.0
8. Australia	24.0
9. Trinidad and Tobago	20.4
10. St. Vincent and the Grenadines	20.0

Sources:
Commonwealth Secretariat (1999). Report of the Commonwealth Secretary-General on the Implementation of the 1995 Plan of Action on Gender and Development. London: Commonwealth Secretariat, Gender and Youth Affairs Division. Commonwealth Parliamentary Association (2000). "Women in Commonwealth Parliaments" paper presented at the Commonwealth Workshop on Gender and Democracy, Windhoek Namibia 9–11 February 2000. London: Commonwealth Secretariat, Political Affairs Division.

Hampshire LEAs (Funding Bids)

Mr. Oaten: To ask the Secretary of State for Education and Employment if he will list by spending initiative for each local education authority in Hampshire *(a)* the number and value of funding bids submitted to his Department and *(b)* the number and value of grants made by his Department from (i) the Standards Fund, (ii) Class Size Reduction funds and (iii) other sources of direct funding for schools since May 1997. [115966]

Ms Estelle Morris *[holding answer 23 March 2000]:* Tables are today being placed in the Library showing the figures requested for each financial year since May 1997 for Hampshire county council, Portsmouth city council and Southampton county council. For the Standards Fund only, the number and value of the grants are shown in the tables. The number and value of bids under the Standards

Fund cannot be disaggregated for each year without incurring disproportionate cost. Allocations are made via a combination of applications from local authorities and formulae based on School Census data. For Class Size Reduction revenue grant, funding levels were agreed with authorities based on their implementation plans.

Standards Fund

Mr. St. Aubyn: To ask the Secretary of State for Education and Employment what assessment he has made of the impact of increases in the Standards Fund on the equitable distribution of funding for schools in addition to the funding of schools via the standard spending assessment for education. [117133]

Ms Estelle Morris: None. The Standards Fund enables the targeting of funds on specific programmes, areas or schools, to support the Government's drive to raise standards. Local education authorities are required to devolve around 75 per cent. of the Standards Fund to schools. In addition, all maintained schools will receive a share of the additional funding through the £50 million School Standards Grant and the £290 million School Budget Support Grant. Both of these special grants are fully funded by the Government and are only for schools.

New Deal

Mr. Dobbin: To ask the Secretary of State for Education and Employment how many people have been employed to date by local councils through the New Deal initiatives for *(a)* young people, *(b)* people aged over 50 years, *(c)* disabled people and *(d)* lone parents. [117081]

Ms Jowell: We do not hold figures which show separately how many people from the New Deal have been employed by local councils.

However, independent research by the Local Government National Training Organisation has shown that local councils are fully involved in all aspects of New Deal. This research suggests that over 3,500 young people have taken part on New Deal Options including over 900 on the Employer Option. In addition there is evidence to show that local council are employing people under the New Deals for the Disabled, for Lone Parents and for 50+. We continue to work closely with Local Authority Associations and the New Deal Task Force to encourage local council take up of New Deal. The Local Authority Associations themselves are actively promoting the take up of New Deal among their members.

School Places (South-east)

Mr. Norman: To ask the Secretary of State for Education and Employment what estimate his Department has made of the increased demand for school places in the south-east that will come about as a result of the building of an additional 215,000 dwellings in the south-east by 2005. [117792]

Ms Estelle Morris: It is for local education authorities to plan and keep under review the supply of school places in the light of proposed housing development, so as to ensure that there is sufficient provision to meet demand. The recent announcement of Regional Planning Guidance for the south-east will assist local education authorities in the region to do this. Where an LEA can demonstrate overall growth in the need for school places it may apply to my Department for capital funding.

Asylum Seekers

Mr. Coleman: To ask the Secretary of State for Education and Employment what estimate his Department has made of the costs to London boroughs of providing education for the children of asylum seekers in 1999–2000. [117930]

Jacqui Smith: It is not possible to estimate the total costs of this provision in London boroughs in 1999–2000, as the information is not recorded centrally. However, London boroughs receive funding for the cost of providing education for the children of asylum seekers in the same way as for all other children on the school roll. Children of asylum seekers can also benefit from assistance with the acquisition of language skills through the Ethnic Minority and Traveller Achievement Grant.

School Meals

Mr. Kidney: To ask the Secretary of State for Education and Employment if he will make provision for free school meals for children whose parents receive Working Families Tax Credit. [117852]

Jacqui Smith: We have no current plans to extend eligibility for free school meals (which would require primary legislation), but we are working closely with the Child Poverty Action Group on ways of increasing take-up by entitled pupils.

Helen Jones: To ask the Secretary of State for Education and Employment what percentage of school pupils took school meals in *(a)* 1979, *(b)* 1987, *(c)* 1997 and *(d)* 1999. [117825]

Ms Estelle Morris: The information is not available in the form requested. The latest available information is shown in the table.

Prior to 1989, data on school meals were not collected by the Department.

School meal arrangements in maintained Nursery, Primary and Secondary schools and all special schools—England

Percentage

Position as at January of each year	*Pupils who bought a school meal*	*Pupils who received a free school meal*	*All pupils who took a school meal*
1999[1]	[3]—	14.1	[4]—
1997[1]	26.8	15.7	42.5
1989[2]	31.9	11.2	43.1

[1] Day pupils only
[2] Includes boarders
[3] Data not available
[4] Not applicable

Mill Hill County High School

Mr. Dismore: To ask the Secretary of State for Education and Employment if he will make a statement on admissions policy at Mill Hill County High School, Mill Hill. [117855]

Ms Estelle Morris: Following a judicial review against an Adjudicator determination that partial selection at Mill Hill County High School should be reduced, the court made an order on 27 March for a second Adjudicator to make a fresh determination. Mill Hill's admission arrangements for 2000–01 are dependent upon the new determination which will be notified to all parties and published in a local newspaper in the usual way.

Grammar Schools, Trafford

Mr. Brady: To ask the Secretary of State for Education and Employment if he will make a statement regarding the future of grammar schools in the borough of Trafford. [117860]

Ms Estelle Morris: The Government have always been clear that we do not wish to see the 11-plus extended. However, we believe it is for parents to decide whether or not they want a vote, whether or not to keep the 11-plus. The decision is and remains one for parents in Trafford as anywhere else.

Training

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment, pursuant to his answer of 30 March 2000, *Official Report*, column 205W, what definition he uses for training; what amounts will be spent on training in each financial year from 1996–97 to 2001–02; from which budget these are paid; and if he will make a statement. [117829]

Mr. Blunkett: Expenditure on training includes expenditure on work-based training for young people, the careers service, adult information and guidance, Career Development Loans and other related programmes. These are all funded from within the DfEE's Departmental Expenditure Limit. This table shows spending on training in England in cash terms for the years requested.

	£ million
1996–97	972
1997–98	975
1998–99	963
1999–2000	1,178
2000–01	1,281
2001–02	1,377

The figures do not include education and training through the New Deal for Young People helping those who enter the Full Time Education and Training option, which we estimate is more than £50 million a year. There is also additional resource being spent on education through the Lottery New Opportunities Fund, although this does not count as Government spending.

Learning and Skills Council (Wales)

Mr. Edwards: To ask the Secretary of State for Education and Employment what plans he has to establish a Learning and Skills Council for Wales with similar powers to the Learning and Skills Council for England; and if he will make a statement. [115590]

Mr. Hanson: I have been asked to reply.

The Learning and Skills Bill proposes the establishment of the Council for Education and Training for Wales (CETW). This new body will have broadly the same functions in respect of Wales as the Learning and Skills Council for England, but with some variation to suit local circumstances in Wales. The provisions in the Bill for the CETW are based on the Education and Training Action Plan for Wales, published in March 1999 following public consultation, which was endorsed by the National Assembly for Wales in its plenary debate on 1 February 2000.

CULTURE, MEDIA AND SPORT

National Athletics Stadium

Mr. Faber: To ask the Secretary of State for Culture, Media and Sport, pursuant to his oral answer of 27 March 2000, *Official Report*, columns 10–11, on a new national athletics stadium, for what reasons he informed Radio 5 Live on 2 March that he took the decision to earmark at least £60 million specifically for athletics and the future of athletics. [117711]

Kate Hoey *[holding answer 4 April 2000]:* No money has been committed. We have established the principle with Sport England that, subject to the details being worked out and a viable application coming forward, the £20 million coming back from the Football Association and up to £40 million which will not now be required for the conversion of Wembley may be available to fund world-class athletics facilities.

In addition, athletics receives funding from the World Class Performance Programme, which totalled £9.2 million up to September 1999, and Exchequer funding totalling over £460,000 for the last calendar year.

Lottery Funding

Mr. Wigley: To ask the Secretary of State for Culture, Media and Sport if he will establish a lottery-supported fund available to organisations promoting sporting events of international status in the United Kingdom which could share the risks associated with such projects with this fund. [117633]

Kate Hoey: This Government recognised the importance of staging major international sporting events in this country in our manifesto for the 1997 general election. UK Sport launched its Major Events Strategy in February 1999, with Lottery funding in place, supporting events through UK Sport's World Class Events Programme. This is now providing a coherent framework of support and experience for organisations bidding for and staging events throughout the UK. One of the recent fruits of this coherent approach has been UK Athletics' successful bids for the 2003 World Indoor Championships and the 2005 World Athletics Championships.

SCOTLAND

Local Government Finance

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what was the amount of non-domestic rates

(a) collected from and *(b)* distributed to each local authority in Scotland for (i) 1996–97, (ii) 1997–98 and (iii) 1998–99. [117629]

Dr. Reid: The amounts of non-domestic rates collected from and distributed to Scottish local authorities for years 1996–97 to 1998–99 are shown in the table.

Non-domestic rates collected by and distributed to authorities: 1996–98 to 1998–99

	Contributable	*Distributable*
1996–97 NDRI		
Aberdeen City	86,909,230	56,050,000
Aberdeenshire	44,835,817	57,834,000
Angus	17,881,385	28,589,000
Argyll and Bute	24,905,858	23,409,000
Clackmannanshire	10,409,625	12,497,000
Dumfries and Galloway	27,831,687	37,812,000
Dundee City	39,584,602	38,695,000
East Ayrshire	16,508,548	31,608,000
East Dunbartonshire	14,695,819	28,308,000
East Lothian	24,079,491	22,206,000
East Renfrewshire	9,699,357	22,314,000
Edinburgh, City of	169,526,631	113,487,000
Eilean Siar	4,482,845	7,498,000
Falkirk	45,196,145	36,464,000
Fife	99,952,162	90,079,000
Glasgow City	219,409,650	159,507,000
Highland	51,131,606	53,085,000
Inverclyde	14,111,817	22,866,000
Midlothian	11,729,201	20,469,000
Moray	18,100,377	22,347,000
North Ayrshire	34,462,286	35,584,000
North Lanarkshire	63,138,676	83,596,000
Orkney	5,962,906	5,068,000
Perth and Kinross	31,684,643	33,770,000
Renfrewshire	43,513,331	45,318,000
Scottish Borders	16,299,596	27,042,000
Shetland	15,915,411	5,853,000
South Ayrshire	25,664,737	29,257,000
South Lanarkshire	63,847,135	78,671,000
Stirling	23,350,956	20,983,000
West Dunbartonshire	20,572,119	24,857,000
West Lothian	36,658,220	37,912,000
Scotland	1,332,051,869	1,313,035,000
1997–98 NDRI		
Aberdeen City	92,077,265	56,571,000
Aberdeenshire	45,794,645	58,484,000
Angus	17,667,960	28,856,000
Argyll and Bute	23,925,238	23,574,000
Clackmannanshire	10,604,813	12,604,000
Dumfries and Galloway	31,037,389	38,184,000
Dundee City	39,377,604	38,987,000
East Ayrshire	20,664,896	31,784,000
East Dunbartonshire	14,936,428	28,691,000
East Lothian	24,224,075	22,624,000
East Renfrewshire	8,102,884	22,758,000
Edinburgh, City of	179,348,233	115,545,000
Eilean Siar	4,636,830	7,497,000
Falkirk	41,533,242	36,867,000
Fife	93,983,725	90,774,000
Glasgow City	203,939,379	159,662,000
Highland	50,237,633	53,777,000
Inverclyde	15,684,943	22,897,000
Midlothian	11,998,115	20,623,000
Moray	19,300,029	22,500,000
North Ayrshire	35,580,437	36,020,000
North Lanarkshire	56,933,088	84,355,000
Orkney	5,639,008	5,130,000
Perth and Kinross	32,776,628	34,290,000
Renfrewshire	44,499,634	46,042,00
Scottish Borders	17,340,330	27,418,000
Shetland	14,235,802	5,961,000
South Ayrshire	26,253,041	29,579,000
South Lanarkshire	57,732,714	79,367,000
Stirling	23,435,752	21,242,000
West Dunbartonshire	22,853,790	24,859,000
West Lothian	40,843,193	38,607,000
Scotland	1,327,178,743	1,326,129,000
1998–99 NDRI		
Aberdeen City	101,318,328	59,112,000
Aberdeenshire	49,466,288	61,879,000
Angus	19,568,920	30,141,000
Argyll and Bute	28,299,338	24,716,000
Clackmannanshire	10,495,047	13,280,000
Dumfries and Galloway	31,789,211	40,159,000
Dundee City	42,071,071	40,880,000
East Ayrshire	21,876,160	33,289,000
East Dunbartonshire	14,797,539	30,133,000
East Lothian	24,911,565	23,981,000
East Renfrewshire	10,126,348	23,965,000
Edinburgh, City of	186,151,389	122,123,000
Eilean Siar	4,632,944	7,858,000
Falkirk	44,466,106	38,918,000
Fife	101,297,014	95,038,000
Glasgow City	231,326,059	167,718,000
Highland	53,075,991	56,783,000
Inverclyde[1]	16,455,511	23,698,000
Midlothian	12,944,938	21,777,000
Moray	19,672,200	23,538,000
North Ayrshire	36,854,012	37,961,000
North Lanarkshire[1]	68,164,545	88,682,000
Orkney	6,209,691	5,387,000
Perth and Kinross	32,924,976	36,070,000
Renfrewshire[1]	46,023,557	48,580,000
Scottish Borders	18,548,281	28,868,000
Shetland	12,351,868	6,263,000
South Ayrshire	28,296,107	31,189,000
South Lanarkshire	69,496,242	83,651,000
Stirling	26,955,963	22,515,000
West Dunbartonshire[1]	22,396,416	26,054,000
West Lothian	44,096,478	41,022,000
Scotland[1]	1,437,110,103	1,395,228,000

[1] 1998–99 audited contributable amount not yet available—based on most recent estimate received from council.

Collection and distribution of non-domestic rates in Scotland became a devolved matter from 1 July 1999.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Sellafield MOX Plant

Mr. Jack: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the consultation exercises so far undertaken to evaluate the environmental impact of the proposed MOX Plant (SMP) at BNFL Sellafield. [114796]

Mr. Meacher: In November 1996 BNFL sought approval from the Environment Agency to bring the Sellafield MOX plant into operation. The Environment Agency consulted on issues associated with the justification of the MOX plant, including its environmental impact, between February and April 1997.

Respondents to this consultation raised a number of environmental issues and, in addition, some expressed concern about the lack of information provided by BNFL

on the economic case. Consequently, the Agency engaged a firm of financial consultants, PA Consulting Group, to carry out an independent assessment of BNFL's economic case for the plant.

The Environment Agency then carried out a second round of consultation between January and March 1998, based on a public domain version of the PA report—which excluded certain material on the grounds of commercial confidentiality.

The Agency issued their draft decisions on the operation of the MOX plant on 2 November 1998. By this stage, Ministers had received a number of requests for them to use their powers of 'call-in' to intervene in the Agency's decisions.

In looking at the advice from the Environment Agency and the representations they had received, Ministers decided that the amount of information excluded on the grounds of commercial confidentiality from the public domain version of the PA report was more than strictly necessary, and that there had been developments in the potential market for MOX fuel which led them to consider that there should be further public scrutiny of BNFL's business case. Ministers therefore consulted again between May and June 1999 on the basis of a significantly greater disclosure of information on the economic case and were considering the responses to this consultation when data falsification at the Sellafield MOX Demonstration Facility first came to light.

The implications of the data falsification will of course be fully considered before Ministers make their final decisions.

Mr. Jack: To ask the Secretary of State for the Environment, Transport and the Regions when his Department and the Ministry of Agriculture, Fisheries and Food expect to publish the results of their last round of consultations on the operation by BNFL of its MOX plant (SMP) at Sellafield. [114816]

Mr. Meacher *[holding answer 20 March 2000]:* Ministers will announce their decisions only when they have fully considered all responses to the consultation exercise and the implications of all recent evidence, including the data falsification incident at the Sellafield MOX Demonstration Facility.

Ministers will announce their decisions as soon as they are made. At the same time my Department will publish a decision document, setting out the reasons for their decisions in full.

Mr. Jack: To ask the Secretary of State for the Environment, Transport and the Regions what factors are currently preventing BNFL from operating commercially the Sellafield MOX plant (SMP). [114817]

Mr. Meacher *[holding answer 20 March 2000]:* The Secretary of State for the Environment, Transport and the Regions and the Minister of Agriculture, Fisheries and Food are still considering whether to intervene in the Environment Agency's draft decisions on the Sellafield MOX plant. They will make a decision only when they have examined all the evidence before them, including the responses to the consultation exercise held by Ministers last year and the implications of the recent data falsification incident at the Sellafield MOX Demonstration Facility.

Only if Ministers decide not to intervene will BNFL be free to proceed to the next stage of commissioning of the plant and its subsequent operation, subject also to licence approval by the Health and Safety Executive's Nuclear Installations Inspectorate.

Mr. Jack: To ask the Secretary of State for the Environment, Transport and the Regions what conclusions were reached in the PA Consultancy Group report on the BNFL proposal to operate the MOX plant (SMP) at Sellafield. [114818]

Mr. Meacher *[holding answer 20 March 2000]:* The report by PA Consulting Group on the economic case for the Sellafield MOX plant formed part of the consultation package on which comments were invited, copies of which were placed in the House of Commons Library on 11 June 1999.

London Underground

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 16 March 2000, *Official Report*, columns 322–23W, relating to the public-private partnership contracts for the London Underground, what arrangements were made for potential contractors or consortia of contractors not specifically asked to consider submitting a bid for the work to ascertain the details of the work to be bid for; how potential contractors in other European Union countries were able to ascertain the work to be bid for; if the arrangements complied with European Union requirements; and if he will make a statement. [116686]

Mr. Hill: The invitation to pre-qualify for the London Underground service contracts was published in the usual way, in the Official Journal of the Economic Communities (OJEC References 1999/S 118–87811EN and 1999/S 25408995). The invitation was open to all potential contractors and full details were supplied to those who responded to the OJEC notice and executed a confidentiality and tender process agreement.

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions what was the total sum expended by London Underground Ltd. on the recent re-conditioning of Piccadilly line trains; what the further sum of £500 million for Piccadilly line trains referred to in his answer of 2 March 2000, *Official Report*, columns 331–32W relates to; what the estimated life of the proposed and current Piccadilly line stock is; and if he will make a statement. [117268]

Mr. Hill: London Underground are currently spending £136 million on re-conditioning the Piccadilly line rolling stock. They estimate that this will extend the effective working life of the rolling stock to 2014.

The £500 million referred to in the question was taken from a briefing document published by London Underground when the Public Private Partnership competition was launched in June 1999. They were LU's estimate of how much they then believed it would cost to implement the performance regime under development of the first 15 years of the PPP. The new rolling stock is anticipated to have a life expectancy of 40–50 years.

Of course, under the terms of the Public Private Partnership (PPP) for LU, infrastructure companies will be required to implement a combination of specific projects and performance enhancements specified in output terms. The PPP will not specify particular amounts of money to be spent, nor particular works to be carried out. It will be for bidders to decide what they have to do to meet the performance specification for each infrastructure company.

Road Safety

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to introduce performance indicators for road safety in local authority transport plans; and how he intends to evaluate their effectiveness. [116704]

Mr. Hill: The guidance on full local transport plans (LTPs), published on 27 March, advises local authorities that their LTPs must include a set of indicators and targets for measuring performance against objectives. The guidance describes the indicators for road safety. These will be used for monitoring progress towards the local casualty reduction target. Authorities are required to submit their LTPs for 2001–02 to 2005–06 by 31 July. In subsequent years, authorities will be required to submit annual progress reports. The first progress reports will be submitted in July 2001. Authorities will report on the indicators contained in the plan and progress towards achieving the targets set.

Road Casualties

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions if he will list in rank order the figures for killed and seriously injured road casualties per 100,000 head of population by county and unitary authorities in England for the last five years. [116703]

Mr. Hill: The rates requested are shown for 1998, the most recent year for which figures are available, based on area boundaries at the beginning of that year. However, there have been a number of changes in administrative areas during the preceding four years. This would make it difficult to produce a comparison over time and such analysis would involve disproportionate time to provide.

Road accident casualties by county and unitary authority (UA): 1998

Rate per 100,000 population

County/unitary authority	*Killed or seriously injured*
Redcar and Cleveland UA	36
City of Leicester UA	37
Greater Manchester	39
Berkshire	40
Stoke on Trent UA	40
South Gloucestershire UA	40
Tyne and Wear	41
Southampton UA	43
Luton UA	43
Middlesbrough UA	43
City of Bristol UA	44
Poole UA	45
Durham (excludes Darlington)	48
Bath and North East Somerset UA	48
Gloucestershire	48
City of York UA	50
Swindon UA	51
Staffordshire (excludes Stoke on Trent)	51
North Somerset UA	51
Stockton on Tees UA	52
Milton Keynes UA	54
Merseyside	54
South Yorkshire	56
Devon	56
Oxfordshire	57
Suffolk	58
Bournemouth UA	58
Portsmouth UA	58
Darlington UA	58
Buckinghamshire (excludes Milton Keynes)	59
Hartlepool UA	59
Leicestershire (excludes Rutland and City of Leicester)	60
City of Derby UA	61
Brighton and Hove UA	61
West Yorkshire	64
Kingston upon Hull UA	69
Cornwall	71
Somerset	73
Northumberland	74
Isle of Wight UA	76
Hampshire (excludes Portsmouth and Southampton)	76
West Sussex	78
Kent	78
West Midlands	78
Essex	83
Wiltshire (excludes Swindon)	85
Derbyshire (excludes City of Derby)	86
Bedfordshire (excludes Luton)	86
Surrey	88
Lancashire	88
Dorset (excludes Poole and Bournemouth)	89
North East Lincolnshire UA	92
Norfolk	93
Greater London	96
Hereford and Worcester	97
East Riding of Yorkshire UA	97
Cambridgeshire	97
Shropshire	102
Cheshire	105
Nottinghamshire	108
Cumbria	109
North Lincolnshire UA	110
Hertfordshire	111
Northamptonshire	116
Rutland UA	120
East Sussex (excludes UA)	122
Warwickshire	125
Lincolnshire	126
North Yorkshire (excludes City of York)	165

Houses in Multiple Occupation

Mr. Gardiner: To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has to introduce a licensing scheme for houses in multiple occupation; and if he will make a statement. [117586]

Mr. Mullin: We issued a consultation paper last year setting out detailed proposals. Key conclusions and a summary of responses will be published in due course.

Water Meters

Jane Griffiths: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the avenues open to members of the public, whose accommodation has no rateable value and who therefore cannot have a water meter installed, when they cannot reach agreement with a water company on the level of their bill. [117314]

Mr. Mullin: Any customer may have a water meter fitted for their home free from 1 April, unless this is impracticable or excessively costly, in which case the company should offer another alternative basis of charging. The answer that I gave to my hon. Friend's question on 3 April 2000, *Official Report*, column 322W, sets out the avenues open to customers who do not want to have a meter fitted but are not happy with the company's proposals for setting their water charges.

Listed Buildings (London)

Sir Sydney Chapman: To ask the Secretary of State for the Environment, Transport and the Regions what responsibilities are to be given to the *(a)* mayor and *(b)* Greater London Assembly with regard to matters relating to (i) Grade I, (ii) Grade I* and (iii) Grade II listed buildings, respectively. [117719]

Mr. Hill: As part of the Spatial Development Strategy (SDS), the Mayor may frame policies for the conservation and protection of London's built environment, working closely with English Heritage (EH) and the boroughs. The Assembly will be consulted by the Mayor before formal public consultation on the draft strategy.

Primary responsibility for dealing with listed building consent applications remains with the boroughs, in consultation with EH. Neither the Mayor, nor the Assembly will have a role in deciding applications.

Sir Sydney Chapman: To ask the Secretary of State for the Environment, Transport and the Regions for what reasons he plans to amend the regulations in Greater London to permit consent for works to Grade II listed buildings to be handled by individual London boroughs. [117720]

Mr. Hill: At present, most applications for listed building consent for all grades of listed building within Greater London must be made to the relevant London borough who must in turn notify English Heritage. Also, certain cases are referred by English Heritage to the Secretary of State. However, since the Greater London Council was abolished, English Heritage has been working with the London boroughs to build up their expertise in relation to such applications. We are satisfied that the London boroughs are now in a position to take on full responsibility for determining the majority of listed building consent applications on a similar basis to the arrangements outside London. We therefore issued proposals for consultation last year for changes that would lead to a significant reduction in the number of listed building cases that would need to be notified to English Heritage and the Secretary of State and thus enable decisions on applications to be made more quickly. Copies of the consultation paper 'London Heritage Notifications' were placed in the Libraries of both Houses at the time. English Heritage would, however, continue to be consulted on applications for works to Grade I and II* buildings and works to certain categories of Grade II buildings. We plan to announce shortly how we intend to proceed.

Fuel Poverty

Mrs. Gilroy: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the allocation of resources to tackle fuel poverty in the five years from April 1997. [116611]

Mr. Meacher: This Government are committed to tackling fuel poverty, particularly among those households most at risk to ill health due to cold homes; the old, children, the disabled and the chronically sick. The two main causes of fuel poverty are low income and poor energy efficiency in the home.

The Government's main measures to help households more easily meet their heating costs are as follows.

Winter Fuel Payments were introduced in the winter of 1997. They provide help to eligible older households towards their winter fuel costs. The total expenditure allocated is as follows.

Winter Fuel Payments

Financial year	*£ million*
1997–98	200
1998–99	200
1999–2000	760
2000–01[1]	1,400
2001–02[1]	1,200

[1] Estimated

Cold Weather Payments provide help towards additional heating costs to eligible people when there is a spell of cold weather in their local area. Since 1997 to date the amount spent on Cold Weather Payments is estimated to be around £1.7 million. As the amount spent is purely dependent on the weather it is not possible to provide an estimate of future expenditure.

Reduction in the level of VAT on domestic fuel to 5 per cent. from September 1997. The estimated cost of this measure is £450 million a year, so that by 2002 the total cost is likely to be about £2,025 million. The benefit to a typical customer is a reduction in their energy bills of £16.50 a year.

In addition the measures taken to liberalise energy markets have contributed to reduced energy prices for households, and are expected to continue to do so. Electricity prices paid by domestic consumers fell, in real terms, by 14 per cent. between the 2nd quarter of 1997 and the last quarter of 1999, while gas prices fell, in real terms, by 12 per cent. over the same period. Lower energy prices have significantly helped low income households with the cost of keeping warm. However it is not possible to quantify the resources used in this work.

The energy efficiency of homes is improved through both specific programmes such as the Home Energy Efficiency Scheme, and also as part of wider housing programmes. The details of each programme are as shown.

Specific energy efficiency programmes

The Home Energy Efficiency Scheme (HEES) provides energy efficiency improvements to the homes of eligible households. The scheme was devolved to the Scottish Executive on 1 July 1999 and to the Welsh Executive from 1 April 2000. The scheme in England is due to be radically overhauled from 1 June, with New HEES providing packages of heating and insulation improvements to households and focusing on the private sector where nearly 70 per cent. of the fuel poor in England are found. The total gross budget for HEES, after allowing for moneys to the devolved administrations, is as shown.

Home Energy Efficiency Scheme

Financial year	*£ million*
1997–98	76.1
1998–99	76.2
1999–2000	[1]75.3
2000–01[4]	[2]122.8
2001–02[4]	[3]153.8

[1] This includes about £1.5 million spent under the scheme in Scotland from 1 April to 30 June 1999. It excludes the further £4.4 million transferred to the Scottish Executive in respect of the period 1 July 1999 to 31 March 2000.

[2] In addition, £9.6 million and £6.3 million have been transferred to the Scottish and Welsh Executives.

[3] In addition, £13.3 million and £8.9 million have been transferred to the Scottish and Welsh Executives.

[4] Allocated

Government funded programmes operated by the Energy Saving Trust also improve the energy efficiency of both fuel poor households and others. The expenditure on such programmes is as shown.

DETR funded programmes operated by the Energy Saving Trust

Financial year	*£ million*
1997–98	12.0
1998–99	10.6
1999–2000	12.5
2000–01[1]	15.1
2001–02	[2]—

[1] Allocated

[2] Under consideration

Main housing programmes

The Government have also substantially increased the resources available to local authorities over the lifetime of this Parliament, reversing the reductions planned by previous government. The extra resources in the first three years, 1997–98 to 1999–2000, were allocated through the Capital Receipts Initiative (CRI). Information collected to monitor the impact of the CRI found that around a quarter to a third of the work on local authorities' own stock financed from this initiative lead either directly or indirectly to improvements in energy efficiency. If this were replicated across all local authority housing capital expenditure on its own stock this would equate to around £400–500 million per annum. The total housing capital allocations to local authorities through the Housing Investment Programme (HIP) and Capital Receipts Initiative, are as shown.

Housing capital allocations to local authorities

Financial year	*£ million*
1997–98	[1]1,050
1998–99	[2]1,338
1999–2000	[3]1,408
2000–01	2,090
2001–02[5]	[4]2,300

[1] This includes £174 million through the Capital Receipts Initiative.

[2] This includes £569 million through the Capital Receipts Initiative.

[3] This includes £570 million through the Capital Receipts Initiative.

[4] This is planned credit approvals total announced in the CSR in July 1998. Resources for 2001–02 will be allocated in December 2000.

[5] Allocated

HIP allocations are the aggregate of housing annual capital guidelines and allocations for Private Sector Renewal and Disabled Facilities Grants.

The energy efficiency of low income households is also likely to be improved through some of the regeneration schemes funded by DETR. These cover a wide range of activities depending on local need, and it is not possible to quantify the precise expenditure on energy efficiency improvements.

To support the installation of energy efficiency measures, the Government also reduced the level of VAT from 1 July 1998 on work carried out on low income households through eligible schemes such as HEES. The revenue cost of the reduction was £8.5 million a year. This year's Budget extended the reduced rate at a total cost of £35 million a year. By 2002, the total cost is estimated at £85 million.

The Government are also introducing provisions to enable lessors to claim capital allowances on their investment in boilers, radiators and controls installed in residential properties under the Affordable Warmth Programme. The Programme will operate from 2000 to 2007, with the aim of helping up to one million low income households benefit from improved energy efficiency. Estimate that Government assistance from this measure up to April 2002 will be approximately £10 million.

In addition to Government energy efficiency programmes, the Director General for Electricity, and now Director General of the Office of Gas and Electricity Markets, has, since 1994, set Energy Efficiency Standards of Performance requiring the public energy suppliers to encourage and assist customers with energy efficiency measures. Around two thirds of this help has gone to pensioner and low income families. From this year the total size of the programme has been doubled to £50 million a year with the obligation placed on both the public gas and electricity suppliers.

DEFENCE

Defence Vetting Agency

Mr. Andy King: To ask the Secretary of State for Defence what key targets have been set for the Defence Vetting Agency for 2000–01. [118375]

Mr. Spellar: The Defence Vetting Agency carries out some 200,000 personnel security vetting checks and investigations each year. Since it was launched in 1997, the Agency has embarked on an ambitious modernisation programme aimed at creating a highly responsive, efficient and integrated organisation, exploiting the capabilities of modern information technology to the benefit of its customers. FY2000–2001 will be a period of particular upheaval as the Agency begins to collocate its four separate vetting units to York. Collocation involves much more than the move on to a single site. New accommodation, processes, IT systems, and a substantially new workforce will be introduced, as the existing vetting units close. Consequently, while the quality of its outputs should be unaffected, it is expected that there will be a notable reduction in the Agencies

timeliness and efficiency performance during this period compared to last year. The Chief Executive has been set the following Key Targets:

Quality

Key Target 1: At least a 90 per cent. success rating in dealing with Cases Denied and Withdrawn in Service, and zero Serious Errors.

Timeliness

Key Target 2: To complete 78 per cent. of Security Checks within 42 days.

Key Target 3: To complete 76 per cent. of Counter Terrorist Checks within 42 days.

Key Target 4: To complete 90 per cent. of all Developed Vetting clearances within 26 weeks.

Key Target 5: To achieve average times for Counter Terrorist Checks and Security Checks of 35 and 31 days respectively, and to complete Developed Vetting clearances on average within 15 weeks.

Efficiency

Key Target 6: To achieve a Unit Cost of Output of £32.37.

I will arrange for copies of the Corporate Plan to be placed in the Library of both Houses.

Naval Manning Agency

Mr. Andy King: To ask the Secretary of State for Defence what key targets have been set for the Naval Manning Agency for 2000–01. [118376]

Mr. Spellar: The Key Targets that have been set for the Chief Executive of the Naval Manning Agency (NMA) for the financial year 2000–01 are as set out. The targets build upon progress made by the Agency since it formed on 1 July 1996.

1. Deployment:

a. The percentage of filled Officer billets to be: 94 per cent. or greater.

b. The percentage of filled rating billets to be: 91 per cent. or greater.

c. The percentage of filled other rank billets to be: 88 per cent. or greater.

2. Manpower Planning:

The variation of Strength to Requirement to be: between zero and minus 2 per cent.

3. Career Management:

a. The percentage of Officers receiving the required Notice of Change to be: 60 per cent. greater.

b. The percentage of ratings receiving the required Notice of Change to be: 98 per cent. or greater.

c. The number of occurrences where Minimum Time Ashore criteria are met to be: 99 per cent. greater.

4. NMA Corporate Efficiency:

a. To achieve strict control of NMA manpower overheads to within plus or minus 2 per cent. of the baseline established for manpower overheads as at 1 April 2000.

b. To carry out two Benchmarking Exercises.

c. To achieve a Customer Confidence Score of 62.

5. Financial

a. Production of Annual Accrual Accounts to be completed by September 01.

b. To operate the NMA within its 2000–01 Net Cash Allocation for Operating Activities (at 1999–2000 prices) of £164.8 million.

Naval Recruiting and Training Agency

Mrs. Gilroy: To ask the Secretary of State for Defence what key targets have been set for the Naval Recruiting and Training Agency for 2000–01. [118377]

Mr. Spellar: The following Key Targets have been set for the Naval Recruiting and Training Agency (NRTA) for 1999–2000:

To deliver personnel to the trained strength (or to other training organisations) with 4 per cent. variance from the tasked requirement.

To obtain 96 per cent. "Satisfactory" assessments from the employers of NRTA trainees.

To maintain success rates of 95 per cent. in Career Training and 97 per cent. in examined Pre-joining training.

To reduce the variance between RNR Trained Strength and Total Requirement to 35 per cent.

To retain tasked capacity while operating NRTA within its 2000–01 resource allocation.

To achieve net benefits of £11.9 million in FY 2000–01 from the partnering arrangement with Flagship Training Ltd.

AWE Aldermaston

Mr. Alan Simpson: To ask the Secretary of State for Defence what were the principal concerns expressed by AWE staff in relation to the potential takeover of sensitive work responsibilities by an American company. [116242]

Mr. Spellar: AWE ML is not an American company but does include Lockheed Martin among the three equal partners making up the consortium. The consortium operating AWE up to 1 April was also made up of three partners, one of which is owned by an American parent company.

When my noble Friend the Minister for Defence Procurement visited Aldermaston recently members of staff asked her a number of questions only one of which expressed concern over Lockheed Martin's involvement with the establishment. That question related to Lockheed Martin's ability to meet UK safety standards.

In a message delivered on 4 April 2000 to their members who worked at AWE the AEEU, GMB, IPMS, MSF, TGWU and UCATT trade unions described the decision to proceed with the new contract as "controversial but correct".

Heavy-lift Aircraft

Mr. Cohen: To ask the Secretary of State for Defence how long would it take for (i) an Antonov 124 and (ii) a Boeing C-17 to carry an equal amount of supplies, based on the maximum that the lesser carrying aircraft can carry, to *(a)* East Timor and *(b)* Mozambique. [116501]

Dr. Moonie: The estimated flight times to East Timor and Mozambique for the two types of aircraft would be similar, since both cruise at roughly the same airspeed. En-route, both aircraft would require refuelling stops of about two hours and one crew change. However, the C-17 is capable of being refuelled in the air and, therefore, apart from having to land for a crew change, it could avoid the intermediate refuelling stops.

The flying time to East Timor is about 26 hours. Two stops would be required by the An-124 and four stops by the C-17. The total journey time would be 30 hours for the An-124 and 34 hours for the C-17 (or 28 hours with air to air refuelling for the C-17).

The flying time to Mozambique is about 15 hours. The An-124 would require one stop and two for the C-17. The total journey time would be 17 hours for the An-124 and 19 hours for the C-17 (or 17 hours for the C-17 with air to air refuelling).

Mr. Cohen: To ask the Secretary of State for Defence what *(a)* volume and *(b)* weight of cargo a single (i) Antonov 124 and (ii) Boeing C-17 could have taken to *(a)* East Timor and *(b)* Mozambique. [116500]

Dr. Moonie: The An-124 and the C-17 would have the same cargo capabilities to East Timor as they would to Mozambique; these would be:

(i) An-124 could carry *(a)* a volume of 1,160 cu m or *(b)* a weight of 120 tonnes.

(ii) C-17 could carry *(a)* a volume of 580 cu m or *(b)* a weight of 76.8 tonnes.

Porton Down

Mr. Matthew Taylor: To ask the Secretary of State for Defence if he will list the types of experiments carried out on human volunteers at the chemical and biological defence establishment at Porton Down in the last four years. [117091]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Matthew Taylor, dated 6 April 2000:

I am replying to your parliamentary question about studies undertaken by the Chemical and Biological Defence (CBD) sector of the Defence Evaluation and Research Agency (DERA).

During the last four years, the types of studies carried out on human volunteers at Porton Down have fallen into two broad categories. Firstly, there are studies concerned with the evaluation of the physical and psychological burden imposed on service personnel by wearing various items of personal protective equipment, such as the NBC suit and the current in-service respirator, under various environmental conditions.

Secondly, there are studies that evaluate the effects of various licensed drugs on military performance. These may be given to service personnel either as protection or treatments in the event of exposure to chemical or biological agents on the battlefield. The effects that are investigated in such studies would be trivial or go unnoticed in a civilian population but may be important in a military context because they could possibly degrade overall performance. An example of this type of study is the evaluation of the effects of antibiotics on the performance of those involved in tasks such as map reading.

I hope the above is helpful.

CVR(T) Tank

Mr. St. Aubyn: To ask the Secretary of State for Defence when the CVR(T) tank is due to be withdrawn from service. [117130]

Dr. Moonie: The Combat Vehicle Reconnaissance (Tracked) (CVR(T)) is planned to be withdrawn between 2006 and 2014 as it is replaced by the next generation of vehicles.

Mr. St. Aubyn: To ask the Secretary of State for Defence for what reasons exemptions from procurement rules have been granted to the David Brown Group for the supply of transmissions for the CVR(T) tank. [117135]

Dr. Moonie: The David Brown Group has been granted no exemptions from procurement rules for the supply of transmission mechanisms for the Combat Vehicle Reconnaissance (Tracked) (CVR(T)).

Mr. St. Aubyn: To ask the Secretary of State for Defence if the conversion kits needed to convert the CVR(T) tank from petrol to diesel *(a)* will be issued free to the contractor and *(b)* will be purchased from his Department. [117132]

Dr. Moonie: The conversion kits are being procured by the Department and will be provided as Government Furnished Equipment to the contractor.

Mr. St. Aubyn: To ask the Secretary of State for Defence if he will place copies of the invitations to tender regarding the conversion of the CVR(T) tank from petrol to diesel in the Library. [117129]

Dr. Moonie: The Invitation To Tender document contains classified information. I am withholding its release in accordance with Exemption 1 of the Code of Practice on Access to Government Information, which relates to Defence, Security and International Relations.

Mr. St. Aubyn: To ask the Secretary of State for Defence what plans his Department has for additional improvements to the CVR(T) tank. [117131]

Dr. Moonie: The Combat Vehicle Reconnaissance (Tracked) (CVR(T)) fleet has been subject to many improvements, a number of which are ongoing, including a major programme to convert the vehicles from petrol to diesel. This will reduce whole life costs. Additionally, studies are in place to assess the viability of introducing Battle Group Thermal Imagers and the BOWMAN communications system to the vehicle.

Mr. St. Aubyn: To ask the Secretary of State for Defence how many kits to convert the CVR(T) tank from petrol to diesel have been *(a)* ordered and *(b)* delivered to date. [117137]

Dr. Moonie: A contract was placed with Alvis Vehicles Ltd. for the production and delivery of 1,107 Modification Kits. As at the end of February 2000, 532 Modification Kits had been delivered.

Zinc Cadmium Sulphide Trials

Mr. Matthew Taylor: To ask the Secretary of State for Defence how many former staff of the Porton Down chemical and biological defence establishment were in contact with Professor Peter Lachmann and his panel

during the course of their inquiry into the zinc cadmium sulphide trials; and if he will place all the communications between them and Professor Lachmann and his team in the Library. [117058]

Dr. Moonie: I understand that Professor Lachmann's team had a number of telephone conversations with one former member of staff at Porton Down. No record of these conversations was made and any advice supplied was used in the final report, a copy of which has already been placed in the Library of the House.

Serbia

Mr. Dalyell: To ask the Secretary of State for Defence what recent reports he has received about the presence of radioactive dust as a result of NATO bombing in Serbia. [117109]

Mr. Spellar *[holding answer 3 April 2000]:* None. The most recent independent and objective report on the environmental consequences of the Kosovo conflict that I am aware of is the UN Environment Programme report: "The Kosovo Conflict: Consequences for the Environment". The report concluded, inter alia, that an environmental catastrophe had not taken place in Kosovo. A copy of the report has been placed in the Library of the House.

Mr. Dalyell: To ask the Secretary of State for Defence what recent discussions he has had with the United States about the use of depleted uranium-tipped shells in Serbia. [117112]

Mr. Spellar *[holding answer 3 April 2000]:* I have had no recent discussions with the United States Government about the use of depleted uranium-based munitions in Serbia.

Mr. Dalyell: To ask the Secretary of State for Defence if he will obtain a copy of the study by the Institute of Health Protection in Nis, concerning the measurement of the levels of radioactivity in soil samples. [117110]

Mr. Spellar *[holding answer 3 April 2000]:* We are willing to consider carefully any peer-reviewed studies based on appropriately validated data.

Mr. Dalyell: To ask the Secretary of State for Defence what recent reports he has received about concentrations of radioactive heavy metal in *(a)* Pljackovica, *(b)* Bratoselce, *(c)* Cerenovac and *(d)* Rehjan. [117111]

Mr. Spellar *[holding answer 3 April 2000]:* I have received no recent reports about concentrations of radioactive heavy metal in the areas quoted.

A400M Project

Mr. Hancock: To ask the Secretary of State for Defence what assessment he has made of the Royal Air Force's role in the A400M Project; and if he will make a statement. [117846]

Dr. Moonie: The Royal Air Force has been involved at every stage in the Department's work to fulfil our Future Transport Aircraft requirement, for which one of the candidates is the Airbus A400M.

Low Flying (Saddleworth)

Mr. Woolas: To ask the Secretary of State for Defence what authorisation there is for low flying in the Saddleworth area; and if any part of the Oldham East and Saddleworth constituency is designated as a Royal Air Force training area. [117922]

Dr. Moonie: In principle the whole of the UK is available for military low flying training. A number of areas, including controlled airspace and towns with a population of over 10,000, are unavailable. Military low flying training is not permitted over the western half of the hon. Member's constituency as it is located within controlled airspace. The eastern half of the constituency, including the Saddleworth area, is, however, available.

Works of Art

Mr. Brake: To ask the Secretary of State for Defence how much has been spent on *(a)* the upkeep and *(b)* the purchase of works of art in his Department for each financial year since 1992. [117475]

Dr. Moonie: I refer the hon. Member to the answer given to him on 4 April 2000, *Official Report,* columns 391–93W, by my hon. Friend the Minister for the Arts.

Kosovo

Mr. Donald Anderson: To ask the Secretary of State for Defence what has been the contribution funded from his Department to the United Nations force in Kosovo; and what have been the levels of contribution made by other countries. [117158]

Mr. Hoon: UNMIK is a Foreign and Commonwealth Office responsibility. The Ministry of Defence has incurred costs of £1,500 in financial year 1999–2000 which are expected to be repaid by the Foreign and Commonwealth Office. Information on the costs incurred by other nations is not available.

LORD CHANCELLOR'S DEPARTMENT

Community Legal Service (Hendon)

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement about the availability of the community legal service in Hendon. [117856]

Mr. Lock: Hendon, as part of the London Borough of Barnet, is covered by the Barnet Community Legal Service (CLS) Partnership, which will plan how best to fund and co-ordinate legal services to meet priority local needs more effectively. In the constituency of Hendon, there are nine solicitors' firms which have one or more contracts with the Legal Services Commission to supply services under the CLS Fund and hold the CLS Quality Mark. Details of the nine solicitors' firms and other legal service providers in Hendon can be found in the CLS Directory of legal services, which is accessible on the "Just Ask" website at www.justask.org.uk, or by phoning 0845 6081122. The CLS Directory is also available in hard copy in a number of public locations, including all public libraries and county and magistrates courts.

Road Traffic Accident Protocol

Mr. Don Foster: To ask the Parliamentary Secretary, Lord Chancellor's Department which organisations took part in the consultation on the development of the Motor Accident Solicitors Society Road Traffic Accident protocol; how much time was allowed for public consultation; and when the protocol will enter into force. [117371]

Mr. Lock: Working groups of interested parties are responsible for developing pre-action protocols, with the Lord Chancellor's Department acting as a facilitator. The proposed Road Traffic Accident protocol is still in the development stage and has not yet been subject to full public consultation.

AGRICULTURE, FISHERIES AND FOOD

Organic Farming

Mr. Ruane: To ask the Minister of Agriculture, Fisheries and Food what was the total value of UK organic farm produce in each of the past 10 years. [117542]

Mr. Morley *[holding answer 3 March 2000]:* The estimated retail sales value of UK organic produce in the 1997 Mintel Market Intelligence Report on Organic and Ethical Foods is given in the table:

Year	*£ million*	*£ million (at 1992 prices)*
1992	93	93
1993	105	103
1994	121	118
1995	140	131
1996	200	179
1997[1]	260	228

[1] Estimate

The Soil Association's Organic Food and Farming Report 1999 estimates the retail value of UK sales in 1997–98 and 1998–99 as £260 million and £390 million respectively.

Mr. Ruane: To ask the Minister of Agriculture, Fisheries and Food (1) how many organic farms there were in the UK in each of the past 10 years; [117540]

(2) how many farms have been converted to organic farming in each of the past 10 years. [117541]

Mr. Morley *[holding answer 3 April 2000]:* The numbers of registered organic farmers and growers are given in the table:

Year	*Number of farmers/growers*
December 1994	715
December 1995	828
December 1996	865
December 1997	1,026
December 1998	1,462
November 1999	2,322

We do not have statistics for the years preceding December 1994.

BSE

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food what is the underspend in the Treasury's budget for the last financial year for BSE-related expenditures. [113864]

Ms Quin: In the 1998–99 financial year, MAFF underspent its provision for BSE-related expenditure by £2 million and the Intervention Board by £17 million. The unspent amounts which were ring-fenced for spending on BSE measures only, were returned to Treasury.

Primate Exports

Mr. Wyatt: To ask the Minister of Agriculture, Fisheries and Food for what reasons primates were exported to Gabon and Croatia in *(a)* 1999 and *(b)* 2000 to date. [116709]

Ms Quin: Exporters are not required to notify this Department of their reasons for exporting consignments of primates.

Mr. Wyatt: To ask the Minister of Agriculture, Fisheries and Food how many primates were exported through Dover on the Cap Afrique on 20 and 21 March. [116708]

Ms Quin: Inquiries indicate that five primates were exported through Dover on the Cap Afrique on the night of 20–21 March.

Mr. Wyatt: To ask the Minister of Agriculture, Fisheries and Food how many primates, of which species, were carried on the Cap Afrique in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* 2000 to date; how many were captive bred; and what was their (i) origin and (ii) destination. [116287]

Ms Quin: The import licences issued by the Department do not identify the names of vessels or craft used to import consignments of primates. The number of licences actually used to import primates, as distinct from being issued (import licences are valid for six months after issue), in each year since 1997 together with the number of premises of destination involved is as set out:

Year	*Number of licences used*	*Number of premises of destination involved*
1997	80	19
1998	86	20
1999	67	18
2000	6	4

Consolidated information on the origin and total number of primates by species imported into the UK in each year since 1997 could be provided only at disproportionate cost. The destination of all such consignments are quarantine premises authorised by the Department, which may be located in zoos, wildlife centres or research premises.

Mr. Wyatt: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 8 March 2000, *Official Report*, column 716W, on primate exports, if he will list the reasons, as listed on their permits, for the import and export of the types of primates listed. [116710]

Ms Quin: Exporters are not required to notify this Department of their reasons for exporting consignments of primates.

Those applying for licences to import primates into the UK are asked to indicate the purpose for which animals are being imported. The categories are: research, exhibition, as pets, for breeding, or other.

European Centre for Organic Fruit and Nursery Stock

Mr. Luff: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the likely location of the European Centre for organic fruit and nursery stock. [117688]

Ms Quin: As announced jointly by HM Treasury and the Ministry on 30 March 2000, this new Centre will be at Horticulture Research International, East Malling.

Regional Service Centres

Mr. Luff: To ask the Minister of Agriculture, Fisheries and Food for what reason the "Action Plan for Farming" published on 30 March contains no commitment to the maintenance of his Department's regional service centres; and if he will make a statement. [117698]

Mr. Morley: The action plan for farming makes clear the Government's commitment to minimise administrative and cost burdens, to simplify bureaucracy, and to improve the use of information and communication technologies in farming communities.

The recent review of Common Agricultural policy (CAP) scheme administration was commissioned to help us identify the best way to improve the service currently provided to farmers and traders by MAFF's Regional Service Centres (RSCs) and the Intervention Board Executive Agency taking full advantage of the benefits of modern technology.

No decisions have yet been taken on the future of the RSCs following this review. I would refer the hon. Member to the reply given to the hon. Member for Ludlow (Mr. Gill) on 27 March 2000, *Official Report*, column 37W, which sets out the latest position.

Agri-environment Schemes

Mr. Luff: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to reduce the costs of implementation of agri-environment schemes including Countryside Stewardship. [117686]

Mr. Morley: We have already achieved some reduction in the costs of implementing agri-environment schemes as a proportion of payments to farmers. Between 1996–97 and 1999–2000, the costs for scheme monitoring and the provision of technical advice rose from £12.3 million to just over £14 million, while payments to farmers almost doubled.

In addition, in order to cope with the anticipated doubling of applications for Countryside Stewardship this year, we have introduced a number of steps to help streamline the application process.

In the medium terms we plan to carry out a major review of agri-environment schemes to consider reshaping and simplifying them in time to feed in to the mid-term evaluation of the England Rural Development Plan in 2003.

EU Rural Development Regulations

Mr. Keetch: To ask the Minister of Agriculture, Fisheries and Food what plans he has to use the provision under article 13(b) of EU Rural Development Regulations to introduce schemes of management for areas where environmental restrictions apply. [117593]

Mr. Morley: I refer the hon. Member to the reply given to him on 4 April 2000, *Official Report*, columns 457–58W.

Works of Art

Mr. Brake: To ask the Minister of Agriculture, Fisheries and Food how much has been spent on *(a)* the upkeep and *(b)* the purchase of works of art in his Department for each financial year since 1992. [117478]

Mr. Morley: This Department borrows works of art from the Government Art Collection, which is funded and maintained by the Department for Culture, Media and Sport. I refer the hon. Member to the reply given by my hon. Friend the Minister for the Arts on 4 April 2000, *Official Report*, columns 392–93W. The Department has not bought any works of art since 1992.

Special Area Project

Mr. Keetch: To ask the Minister of Agriculture, Fisheries and Food what plans he has to extend the provisions of the Special Area Project for the Forest of Bowland to other areas within England that contain sites of international importance for wildlife. [117611]

Mr. Morley: We intend to carry out an economic evaluation of the project at the end of its two-year pilot phase in March 2001. We will wish to consider the results of that evaluation before deciding whether to extend the project's provisions to other areas within England.

Flood Defence

Mr. Dismore: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on progress on the flood defence programme for Edgware and Burnt Oak. [117216]

Mr. Morley: I understand that the Environment Agency are aiming to consult on an Environment Statement for the Silk Stream flood alleviation scheme in the next few weeks, with a view to making a planning application for the works in August.

Gelatine

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food (1) which countries exported gelatine to the United Kingdom in each of the last five years; and what quantity of gelatine each of those countries exported; [117007]

(2) from which countries gelatine *(a)* used and *(b)* sold in food outlets operated by his Ministry (i) as part of a food product and (ii) as a separate ingredient is imported. [117024]

Mr. Nick Brown *[holding answer 30 March 2000]:* UK imports of gelatine in 1995–99 (tonnes) were as follows:

Country	*1995*[1]	*1996*[1]	*1997*[1]	*1998*	*1999*[2]
France	—	—	—	2,605	3,886
Belgium-Luxembourg	—	—	—	2,216	1,737
Sweden	—	—	—	1,617	1,570
Brazil	—	—	—	1,454	1,602
Germany	—	—	—	1,227	1,538
USA	—	—	—	1,207	1,529
China	—	—	—	1,001	681
Netherlands	—	—	—	875	705
Italy	—	—	—	679	424
India	—	—	—	491	604
South Korea	—	—	—	361	396
Colombia	—	—	—	344	307
Spain	—	—	—	514	113
Irish Republic	—	—	—	218	68
Switzerland	—	—	—	102	169
Taiwan	—	—	—	91	86
Argentina	—	—	—	66	103
Others	—	—	—	176	253
Grand total	14,753	16,405	14,997	15,242	15,773

[1] Import data is not available at country level prior to 1998
[2] Provisional
Source:
HM Customs and Excise

As for foodstuffs, gelatine is used as an ingredient in a very wide range of foodstuffs and it would not be possible to identify separately from which countries such foodstuffs are imported.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food (1) when he last met representatives of the Gelatine Manufacturers of Europe to discuss the safety of gelatine *(a)* as part of a food product and *(b)* a separate ingredient imported into the United Kingdom; [117005]

(2) when he last met representatives of the Gelatine Manufacturers of Europe; and what was discussed. [117004]

Mr. Nick Brown *[holding answers 30 March 2000]:* I have held no discussions with the Gelatine Manufacturers of Europe. My officials are however in regular contact with UK gelatine manufacturers.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food recent discussions *(a)* he and *(b)* his Department has had with (i) the European Commission, (ii) the European Agency for the Evaluation of Medicinal Products (iii) the French Government, (iv) the Spongiform Encephalopathy Advisory Committee and (v) the World Health Organisation concerning the safety of gelatine (1) as part of a food product and (2) as a separate ingredient imported in to the United Kingdom. [117006]

Mr. Nick Brown *[holding answer 30 March 2000]:* My Department has held discussions with officials of the European Commission and the French Government on various aspects of the safety of gelatine. Discussions with the European Agency for the Evaluation of Medicinal Products is the responsibility of my right hon. Friend the Secretary of State for Health. The role of the Spongiform Encephalopathy Advisory Committee (SEAC) is to give independent, scientific advice to Ministers on all aspects of Transmissible Spongiform Encephalopathies. SEAC last advised on the safety of gelatine in 1997.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food how much gelatine was produced in the United Kingdom in the last five years. [117008]

Mr. Nick Brown *[holding answer 30 March 2000]:* The only readily available information is that published by the Gelatine Manufacturers of Europe (GME). The GME estimates that in 1998 the United Kingdom produced 10,000 tonnes of gelatine for all purposes for edible, pharmaceutical, photographic and technical uses. The sources are listed by the GME as pigskin, hide, bone and other raw materials. A breakdown by country of figures for earlier years is not available.

FOREIGN AND COMMONWEALTH AFFAIRS

EU Directives

Sir Richard Body: To ask the Secretary of State for Foreign and Commonwealth Affairs how many European Union Directives have been incorporated into the law of the United Kingdom. [117582]

Mr. Vaz: A comprehensive list of all European legislation in force as at 1 December 1999 is contained in the Official Journal Directory of Community legislation in force (34th Ed.). This is updated every six months and is available in the Library of the House. More in depth information on all legislation referred to is available from the Celex database which has been open to the public since 1981.

Gibraltar

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what the present position is as regards delays faced by motor vehicles at the Gibraltar/Spain border; and if he will make a statement. [117410]

Mr. Vaz: Most traffic crosses from Gibraltar to Spain during the main daytime and evening hours. In recent weeks, delays at these times have generally ranged from 20 minutes to one hour. At times, during the rush hour, delays have gone above one hour, and, on occasion, there have been peaks of up to two hours.

Sri Lanka

Mr. Gardiner: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with his counterparts in the Norwegian Government about Sri Lanka. [117641]

Mr. Vaz: The Minister of State, my hon. Friend the Member for Neath (Mr. Hain) discussed the Norwegian initiative in Sri Lanka with State Secretary Wegger Stromen on 7 March. The government of which Mr. Stromen was a member has now fallen. The Secretary of State plans to make early contact with the new Norwegian Foreign Minister, Thorbjorn Jagland, when he will have an opportunity to discuss Norway's role in Sri Lanka.

Helsinki Council

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs if, pursuant to his answer of 20 January 2000, *Official Report*, column 536W, on the Helsinki Council, the terms of reference, guidance and accountability of the standing committees have been determined. [117486]

Mr. Vaz: No decisions have been taken on the establishment of these bodies in their permanent form. The Council decided on 15 February to establish equivalent bodies on an interim basis. Under these decisions, the Interim Political and Security Committee, a separate formation of the Political Committee, shall, in close contacts with the Secretary General/High Representative prepare recommendations for the Council on the future functioning of the common European security and defence policy and deal with common foreign and security policy affairs on a day-to-day basis. An Interim Military Body, consisting of representatives of member states' Chiefs of Defence, shall give military advice as required to the Political Committee, including in its formation as the interim Political and Security Committee, and to the Secretary General/High Representative. It is assisted by military experts seconded from member states to the Council Secretariat. The military experts will provide military expertise to the Interim Military Body and the Secretary General/High Representative to support the common foreign and security policy. They will form the nucleus of the future military staff.

US Missile Defence System

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment has been made of the implications for non-proliferation of United States' plans to establish a National Missile Defence Shield Programme, involving forward bases in the United Kingdom [117675]

Mr. Vaz: The United States has not yet decided to deploy any such system. Its implications for non-proliferation would depend on the circumstances in which it were deployed.

The United States Administration has said that the implications for the overall strategic environment and for arms control will be one of the key criteria against which any deployment decision is taken.

Kosovo

Mr. Donald Anderson: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been the contribution funded from his Department for the reconstruction of Kosovo since June 1999; and what have been the levels of the contribution of *(a)* other EU member states, *(b)* Canada and *(c)* the USA. [117159]

Mr. Vaz: The UK is donating £119 million in humanitarian and reconstruction assistance in 1999 and 2000. A further £15 million is also available for assistance to international relief organisations and to de-mining projects. Over the same period the other EU member states (excluding the UK) are donating 1.1 billion euros in bilateral humanitarian and reconstruction assistance. The Community itself allocated 507.7 million euros in 1999 and is donating 295 million euros in humanitarian and reconstruction assistance for 2000. The Canadian Government have committed C$34.5 million in humanitarian and budgetary assistance and C$69.5 million in peace-building initiatives from April 1999 to March 2001. The US has allocated £168 million in reconstruction aid and $95.6 million in humanitarian aid over 1999–2000.

Mr. Donald Anderson: To ask the Secretary of State for Foreign and Commonwealth Affairs how many police officers have been provided by the United Kingdom to serve in Kosovo; and how many have been provided by other countries. [117160]

Mr. Hain: The United Kingdom has deployed 60 police officers to the United Nations International Police (UNIP) in Kosovo. At the request of the UN, we are increasing that contribution to 150 officers, including 20 specialists to help combat organised crime in Kosovo. In addition, the UK has contributed 40 officers to the OSCE-run school training the future Kosovo police service.

According to figures provided by the UN on 29 March, 2,760 civilian police officers have been deployed to UNIP by 43 other countries.

Democratic Republic of Congo

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received concerning the use of arms in the conflict in the Democratic Republic of Congo supplied to the Governments of *(a)* Uganda and *(b)* Zimbabwe from UK sources; and if he will make a statement. [117958]

Mr. Hain: We have received no reports of British equipment previously supplied to the Ugandan Government being used by their forces in the Democratic Republic of Congo (DRC). We understand that two Hawk jets supplied from the UK to the Zimbabwe airforce are deployed in the DRC from time to time, though we have no details.

Iran

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the forthcoming trial of the 13 detained Jews in Iran, with particular reference to the fairness of the trial procedure and whether independent observers will be permitted to attend. [117857]

Mr. Hain: I refer to my answers to my hon. Friend's questions of 3 April 2000, *Official Report*, column 282W. It would not be right to speculate on the conduct of this trial before it has begun. The Iranian Government have stressed repeatedly that the trial of those detained on espionage charges, including members of the Jewish community, will be fair and open. These are commitments to which the international community will hold the Iranian government.

Websites

Mr. Maclennan: To ask the Secretary of State for Foreign and Commonwealth Affairs which companies have placed advertisements on websites funded by his Department, its agencies and non-departmental public bodies; how much revenue has been generated for each

financial year since 1997 from such advertisements; and what use has been made of that revenue by his Department. [116597]

Mr. Hain: No companies have placed advertisements on websites funded by the Foreign and Commonwealth Office, its agencies and non-departmental public bodies.

Two companies have sponsored the Planet Britain website (www.planet-britain.org). Eagle Star contributed £35,000 to the costs of the 1998 website and accompanying CD-ROM while Glaxo Wellcome contributed £6,000 to both the 1998 and 2000 versions of the Planet Britain website. The logos of the two companies appear on the website.

CABINET OFFICE

Workplace Parking

Mr. Gray: To ask the Minister for the Cabinet Office how many workplace car parking spaces are available at the buildings used and controlled by her Department. [116764]

Mr. Stringer: As at 31 March, the Cabinet Office's estate (which comprised 28 buildings; 17 in central London and 11 elsewhere) had a total of 762 car parking spaces. The parking spaces are used for a range of purposes: deliveries, operational, visitors and staff use. For example, the figure includes 226 spaces available to students attending courses at the Civil Service College. Further details are given in the table, a copy of which will be placed in the Library.

We are preparing a travel plan for the Cabinet Office in line with the commitment set out in the Transport White Paper, and we are reviewing their scope for reducing our car parking requirements in that context.

Taskforces

Mr. Duncan Smith: To ask the Minister for the Cabinet Office if she will list, for each of the taskforces which have reported, the number of recommendations which *(a)* they made and *(b)* have been implemented by the relevant departments. [117966]

Mr. Stringer: Detailed information in the form requested is not held centrally and could be obtained only at disproportionate cost. A full list of taskforces established since May 1997 was placed in the Library as stated on 9 December 1999, *Official Report*, column 634W. The list provides a breakdown of membership between the private, public and voluntary sectors as well as details of reports prepared by individual taskforces. Those taskforces which are classified as Non-Departmental Public Bodies are excluded from the list as information on them is published in the annual Public Bodies publication.

Employers Forum on Disability

Mr. Boswell: To ask the Minister for the Cabinet Office which Government Departments *(a)* have and *(b)* have not joined the Employers Forum on Disability. [117628]

Mr. Stringer: My Department does not keep central records regarding membership of the Employers Forum on Disability or other employer organisations. The decision whether to join the Forum is a matter for individual Departments and agencies.

However, the Employers Forum on Disability tell us that as at 1 April 2000, 14 Government Departments and agencies had joined the Forum. They are:

Cabinet Office
Court Service
Crown Prosecution Service
Defence Evaluation and Research Agency (DERA)
Department for Education and Employment
Department for Trade and Industry
Patent Office
Foreign and Commonwealth Office
Her Majesty's Customs and Excise
Inland Revenue
Insolvency Service
Lord Chancellor's Department
Ministry of Defence
Office for National Statistics

NORTHERN IRELAND

Students

Mr. Öpik: To ask the Secretary of State for Northern Ireland what the take-up rates were for student loans for each further and higher education college in Northern Ireland in each of the last three years; and if he will make a statement. [114656]

Mr. Ingram: The table shows the relevant information from 1997–98, 1998–99 and 1999–2000.

College	*Enrolments on full-time courses at NI FE colleges*[1]	*Loan up-take*[2]	*Percentage up-take*
1997–98			
BIHFE	1,342	766	57
North West Institute	687	209	30
Fermanagh College	108	37	3
NIHCC	216	76	35
North East Institute	172	52	30
East Antrim Institute	41	18	44
Lisburn College	71	17	24
North Down and Ards Institute	369	117	32
East Down Institute	2	0	0

College	Enrolments on full-time courses at NI FE colleges[1]	Loan up-take[2]	Percentage up-take
Newry and Kilkeel college	143	25	18
Upper Bann Institute	132	35	27
Total	3,283	1,352	
1998–99			
BIHFE	1,301	809	62
North West Institute	684	271	40
Fermanagh College	112	49	44
NIHCC	204	86	42
North East Institute	178	58	33
East Antrim Institute	38	17	45
Lisburn College	68	26	38
North Down and Ards Institute	375	161	43
East Down Institute	1	0	0
Newry and Kilkeel College	134	46	34
Upper Bann Institute	133	54	41
Total	3,228	1,577	
1999–2000			
BIHFE	1,391	1,156	83
North West Institute	716	477	67
Fermanagh College	128	93	73
NIHCC	204	122	60
North East Institute	184	89	48
East Antrim Institute	40	29	73
Lisburn College	82	41	50
North Down and Ards Institute	407	279	69
East Down Institute	12	6	50
Newry and Kilkeel College	182	107	59
Upper Bann Institute	157	101	64
Total[3]	3,503	2,500	

[1] Figures based on snapshots of enrolments at 1 November each academic year include EU students who are not eligible for loans
[2] Figures provided by the Student Loans Company
[3] Figures for 1999–2000 are provisional

Paramilitary Violence

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many *(a)* deaths and *(b)* injuries have been attributable to paramilitary groups since the start of the ceasefire in July 1997; and what was the number in the three years before the ceasefire. [116070]

Mr. Ingram: The table shows the number of deaths attributable to paramilitary groups and casualties from paramilitary style attacks since 1 January 1995 to 29 February 2000.

Security situation statistics

	Loyalist	Republican
Deaths		
1995	2	7
1996	5	9
1997[1]	9	4
1997[2]	7	1
1998	17	37
1999	3	4
2000[3]	4	—
Casualties as a result of paramilitary style shootings		
1995	3	—
1996	21	3
1997[1]	33	16
1997[2]	13	10
1998	34	38
1999	47	26
2000[3]	7	—

Security situation statistics

	Loyalist	Republican
Casualties as a result of paramilitary style assaults		
1995	76	141
1996	130	172
1997[1]	45	53
1997[2]	33	25
1998	89	55
1999	91	42
2000[3]	13	5

[1] To 19 July
[2] With effect from 20 July
[3] To 29 February

Royal Victoria Hospital, Belfast

Mr. Walker: To ask the Secretary of State for Northern Ireland what was the cost of supplying and fitting the new railings around the Royal Victoria Hospital, Belfast, including the cost of the demolition and removal of the existing wall. [116712]

Mr. George Howarth: The cost of supplying and fitting the new railings is £415,275. A further £79,337 will be spent restoring the existing listed boundary wall. The project is jointly funded by the Millennium Commission and the Royal Group of Hospitals HSS Trust.

IDB Industrial Site, Lisburn

Mr. Donaldson: To ask the Secretary of State for Northern Ireland how many visits by potential investors there have been to the new IDB industrial site at Knockmore in Lisburn. [117096]

Mr. Ingram: During the period April 1996 to March 1999, IDB arranged 11 visits by potential inward investors to Knockmore Hill Industrial Estate.

Violence Victims

Mr. Hunter: To ask the Secretary of State for Northern Ireland (1) what measures he is taking to ensure that funds from the European Union assigned to organisations which claim to support victims of violence are used for that purpose; [117126]

(2) what is the total value of EU funds provided to Northern Ireland since December 1993; and how much of this has gone to organisations claiming to support victims of violence. [117125]

Mr. Ingram: All organisations, including those offering support to victims of violence, which received funding from the European Union are subject to the financial controls stipulated in the European Commission's regulations and enforced by each member state. These include verification visits by the promoters through which the funds are channelled; independent audit checks by consultants acting on behalf of the promoters; and checks/visits carried out by Departmental Internal Auditors, the Northern Ireland Audit Office and the European Court of Auditors.

The total value of European Union funds allocated to Northern Ireland since December 1993 is approximately £1.5 billion comprising NI Single Programme £980 million, Community Initiatives £92 million and the European Special Programme for Peace and Reconciliation £385 million.

A total of £3.8 million has been allocated to organisations specifically offering support for victims of violence.

Targeting Social Need

Mr. McNamara: To ask the Secretary of State for Northern Ireland what measures he has taken to integrate the statutory equality duty into the new Targeting Social Need initiative. [117362]

Mr. Ingram *[holding answer 3 April 2000]:* The statutory obligation on equality of opportunity under section 75 of the Northern Ireland Act 1998 and New Targeting Social Need (New TSN) are separate but complementary elements of the Government's equality agenda. The statutory obligation requires Public Authorities, including NI Departments and the NIO, to have due regard to the need to promote equality of opportunity in terms of nine social categories. New TSN is a policy running through spending programmes in NI Government Departments and the NIO which requires efforts and available resources to be targeted towards people, groups and areas objectively defined as being in greatest social need.

The Government have made it clear that there is no incompatibility between the principles of equality of opportunity and targeting on the basis of objective social need; addressing disadvantage may often contribute to reducing socio-economic inequalities within the Section 75 categories. The OFMDFM will include the New TSN policy within its Equality Impact Assessment in due course.

Employment Equality

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will accept the recommendation of the Northern Ireland Commission on Fair Employment to conduct the next analysis of unemployment differentials before the 2011 Census. [117359]

Mr. George Howarth *[holding answer 3 April 2000]:* Government continually monitor community differentials in unemployment through annual Labour Force Surveys. The analysis will be greatly assisted by the results of the 2001 Census, which will provide more accurate data. In the White Paper "Partnership for Equality" (Cm 3890 March 1998) the Government gave a commitment to a further review of employment equality in Northern Ireland, including unemployment differentials, to be launched by 2005. They also predicted that the proposals in the White Paper, together with social and economic change, would lead to a substantial reduction in unemployment differentials which should be evidenced in the 2011 Census.

Mr. McNamara: To ask the Secretary of State for Northern Ireland when he plans to circulate final guidelines on fair employment practices. [117360]

Mr. Ingram *[holding answer 3 April 2000]:* Under the Fair Employment and Treatment (Northern Ireland) Order 1998 the Equality Commission, with the approval of the Office of the First Minister and Deputy First Minister, may issue Codes of Practice on fair employment issues. A Code of Practice has been in circulation for several years. My hon. Friend may be referring to the Equality Commission's equality scheme guidelines, "Guide to the Statutory duties: A guide to the implementation of the statutory duties on public authorities arising from Section 75 of the Northern Ireland Act 1998". Those guidelines were launched by the Equality Commission on 31 March 2000. Distribution of the guidelines is a matter for the Commission.

School Budgets

Mr. Donaldson: To ask the Secretary of State for Northern Ireland what arrangements are being made to ensure that the additional funding for schools announced by the Chancellor of the Exchequer will go directly into school budgets in Northern Ireland. [117858]

Mr. George Howarth: I can confirm that £14.7 million will be distributed for the benefit of every primary, post-primary and special school in Northern Ireland, and that decision on the use of this additional funding will be for schools to make. The funds will be paid through the normal funding mechanisms.

Websites

Mr. Maclennan: To ask the Secretary of State for Northern Ireland if he will list the expenditure incurred by his Department, Agencies and Non-Departmental Public Bodies on *(a)* the setting up and *(b)* the operation of websites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each website (i) the topics that have been covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each website for each of the next three years. [116201]

Mr. Ingram *[holding answer 4 April 2000]:* The Northern Ireland Public Service Web Site was developed with the intention of providing the public with a mechanism for quickly accessing information relating to Northern Ireland Office, Departments, Agencies, Non-Departmental Public Bodies and Commissions.

(a) Expenditure incurred setting up the Northern Ireland Public Service Web Site.

The initial set up costs for the NICS Web Server amounted to £8,500 capital expenditure in 1997. Staff costs associated with the set up are not available.

(b) Expenditure incurred in the operation of the Northern Ireland Public Service Web Site.

The expenditure incurred in 1999–2000 will be £287,080 broken down as follows:

Maintenance £8,500.

Connection to the Internet Service Provider (ISP) £36,080.

Ongoing development £195,000.

Replacement Web Servers £47,500

(i) The topics covered by the Northern Ireland Public Service Web Site are listed in Appendix A.

(ii) The current average number of hits per month for all Northern Ireland Public Service Sites is 2.58 million.

(iii) The estimated central expenditure on the Northern Ireland Public Service Web Site for the next three years is as follows:

£

Year	*Development of Web applications and standards*	*Infrastructure support*	*Total*
2000–01	216,473	61,460	277,933
2001–02	299,336	73,228	372,564
2002–03	299,336	73,228	372,564

Note:
Individual Departmental/NDPB expenditure is not available

Topics on the Northern Ireland Civil Service Web Site

(Department of) Agriculture and Rural Development
Agricultural Research Institute of Northern Ireland
Arts Council of Northern Ireland
(Local Government) Audit Office
Business Development Service (BDS)
Belfast City Vision
Central Adjudication Services (CAS)
Central Community Relations Unit
Chief Executives' Forum
Child Support Agency (CSA)
Citizen's Charter for Northern Ireland
Clinical Resource Efficiency Team (CREST)
Commission for Racial Equality for Northern Ireland
Compensation Agency
Construction Service
(Department of) Culture, Arts and Leisure
Driver and Vehicle Licensing Northern Ireland (DVLNI)
Driver and Vehicle Testing Agency (DVTA)
(Northern Ireland) Economic Bull Points
(Department of) Education
(Department of) Enterprise Trade and Investment
(Department of) the Environment
Environment and Heritage Service
Equality Commission
Equal Opportunities Commission for Northern Ireland
Economics Division—Department of Finance and Personnel
Energy Managers Group
Euro
European Division—Department of Finance and Personnel
European Programmes
European Union—Special Support Programme for Peace and Reconciliation
Fair Employment Commission for Northern Ireland
(Department of) Finance and Personnel
Forensic Science Unit of Northern Ireland
General Consumer Council for Northern Ireland
Government DIRECT—for Business Northern Ireland
Government Purchasing Agency
Greenmount College of Agriculture and Horticulture
Health and Safety Executive for Northern Ireland
(Department of) Health, Social Services and Public Safety
Health and Personal Social Services (HPSS)
(Department of) Higher and Further Education, Training and Employment
Independent Commission on Policing for Northern Ireland
Industrial Development Board for Northern Ireland (IDB)
Industrial and Research Technology Unit (IRTU)
Innovation Relay Centre for Northern Ireland
Land Registers of Northern Ireland
Local Enterprise Development Unit (LEDU)
Local Government Staff Commission for Northern Ireland
National Year of Reading
Northern Ireland Assembly
Northern Ireland Audit Office
Northern Ireland Council for the Curriculum, Examinations and Assessment (CCEA)
Northern Ireland Council for Integrated Education (NICIE)
Northern Ireland Court Service
Northern Ireland Drugs Information
Northern Ireland Expenditure Plans and Priorities
Northern Ireland Forum for Political Dialogue
Northern Ireland Housing Executive
Northern Ireland Millennium Company
Northern Ireland Museum Council
Northern Ireland Office (NIO)
NICO—Northern Ireland Public Sector Enterprises
Northern Ireland Prison Service
Northern Ireland Statistics and Research Agency (NISRA)
Northern Ireland Tourist Board
Northern Ireland Urban Initiative
North/South Co-operation
North/South Ministerial Council
Office for the Regulation of Electricity and Gas (OFREG)

Office of the First Minister and Deputy First Minister
(Northern Ireland) Ombudsman
Ordnance Survey of Northern Ireland (OSNI)
Parades Commission
Patten Commission (Independent Commission on Policing for Northern Ireland)
Peace Maze
Planning Service
Police Authority for Northern Ireland (PANI)
Probation Board for Northern Ireland (PBNI)
Public Appointments
The Secretary of State for Northern Ireland Public Appointments Report
Public Record Office of Northern Ireland (PRONI)
Public Sector Enterprises (NICO)
Rates Collection Agency (RCA)
Registry of Companies Credit Unions and Industrial and Provident Societies
(Department for) Regional Development
Roads Service
Royal Ulster Constabulary (RUC)
Rural Transport Fund for Northern Ireland
(DED) Statistics and Research Branch
Shaping our Future
(Department for) Social Development
Social Security Agency (SSA)
Sports Council for Northern Ireland
Special Support Programme for Peace and Reconciliation
Strategy 2010
Trading Standards
Training and Employment Agency (TEA)
Training Services
Ulster Museum
Urban Traffic Control Centre
Valuation and Lands Agency (VLA)
Water Service.

WALES

Press Officers

Mr. Evans: To ask the Secretary of State for Wales how many press officers were employed by his Office in *(a)* 1992, *(b)* 1993, *(c)* 1994, *(d)* 1995, *(e)* 1996, *(f)* 1997, *(g)* 1998 and *(h)* 1999. [116324]

Mr. Paul Murphy: I regret that figures are not available for the years before 1994 for the Welsh Office Press Office. From 1994 until the start of the National Assembly in July 1999 the Press Office had between eight and nine press officers.

PRIME MINISTER

Universal Primary Education

Dr. Tonge: To ask the Prime Minister what plans he has to discuss the achievement of universal primary education at this year's G8 Summit. [116543]

The Prime Minister *[holding answer 29 March 2000]:* The World Education Forum in Dakar later this month will assess progress achieved in the decade since the World Conference on Education for All in Jomtien. This is an important opportunity for the international community to reaffirm its commitment to providing education for the world's children, and to put in place a Framework for Action. At the G8 Summit in Okinawa in July Heads of Government will consider the outcome of the Dakar Forum and look at what more can be done to ensure that the target of universal primary education by 2015 is achieved.

Dr. Tonge: To ask the Prime Minister what recent discussions he has held with his EU and UN counterparts concerning the achievement of universal primary education. [116544]

The Prime Minister: *[holding answer 29 March 2000]:* The Government are committed to the target of achieving universal primary education by 2015. My right hon. Friend the Secretary of State for International Development and Department for International Development officials are in frequent contact with their EU and UN counterparts about the achievement of universal primary education. The UN Development Programme (UNDP), the United Nations Educational, Scientific and Cultural Organisation (UNESCO), the UN Population Fund (UNFPA) and the UN Children's Fund (UNICEF)—together with the World bank—are the convenors of the World Education Forum to be held in Dakar later this month.

Lord Levy

Mr. Baker: To ask the Prime Minister on what date Lord Levy signed the Official Secrets Act. [117774]

The Prime Minister: Lord Levy has not been asked to sign a copy of the Official Secrets Act, but he is, of course, bound by the Act's provisions.

Mr. Baker: To ask the Prime Minister, pursuant to his answer of 22 February 2000, *Official Report*, column 852W, what further visits since 22 February 2000, have been undertaken by Lord Levy on his behalf. [117784]

The Prime Minister: Lord Levy visited Tunisia and Morocco in the week beginning 5 March.

Foreign Visits

Mr. Baker: To ask the Prime Minister if he will list those persons who have undertaken foreign visits on his behalf since May 1997, giving in each case details of the countries visited and the purpose of each visit. [117773]

The Prime Minister: As has been the practice for previous Administrations, if it is helpful to the UK Government individuals may be asked to carry messages or undertake particular tasks on behalf of the Prime Minister or the Foreign Secretary. We do not maintain a record of such occasions.

HEALTH

NHS Hospitals

Mr. Cox: To ask the Secretary of State for Health what reports he has asked for from NHS hospitals in England and Wales on the recent pressures they have faced; and what were the main issues of concern reported by those hospitals. [113849]

Ms Stuart: The National Health Service Executive in England has held a series of seminars for local winter planning groups (which include NHS trusts) in each region to consider the main issues emerging from the winter period.

The main concerns reported by NHS trusts were peaks in emergency admissions from patients suffering from influenza and respiratory illness, staff shortages and the cancellation of operations because of pressure on critical care beds.

Junior Doctors (Hours)

Mr. Hesford: To ask the Secretary of State for Health if he will make a statement on the Government's submission to the negotiations on the Working Time Directive on reducing working hours for junior doctors. [116883]

Mr. Denham: We are firmly committed to reducing junior doctors' working hours. We have already agreed a new contract with junior doctors' negotiators which will, if accepted in their referendum, place an 56 hour limit on average weekly hours by February 2004.

An agreement was reached between the Council of Ministers and the European Parliament on 3 April as part of the Conciliation to extend the European Working Time Directive to the excluded sectors. If approved by the European Parliament, this will provide a sound footing for reducing junior doctors' working hours. Over the next decade, we will have to make sure we can meet the needs of patients and deliver improvements in patient care while at the same time reducing doctors' hours. That is why we and our European partners have argued for a realistic transitional period in order to implement fully the terms of the Directive as they apply to doctors in training. We are pleased that the Conciliation has achieved recognition of the need for flexibility during the transitional period.

Health Authority Finances

Mr. Cohen: To ask the Secretary of State for Health if he will list the real-terms growth in funding for each NHS health authority area from 1999–2000 to 2000–01. [117266]

Mr. Denham: The information requested is shown in the tables.

Table 1 shows real terms increases for health authorities for 1999–2000.

Table 2 shows real terms increases for health authorities for 2000–01. This includes the £660 million announced by my right hon. Friend the Secretary of State on 27 March. This brings overall increases for health authorities to 6.2 per cent. in real terms (8.9 per cent. cash).

Table 1

Health authority	*1999–2000 real terms increase (£000)*	*1999–2000 real terms increase (%)*
Avon	22,308	4.09
Barking and Havering	9,635	4.00
Barnet	7,800	3.98
Barnsley	7,581	5.22
Bedfordshire	14,110	4.85
Berkshire	19,125	4.77
Bexley and Greenwich	7,892	2.88
Birmingham	24,980	3.90
Bradford	13,867	4.76
Brent and Harrow	9,444	3.21
Bromley	6,713	3.89
Buckinghamshire	15,589	4.54
Bury and Rochdale	10,418	4.48
Calderdale and Kirklees	13,724	3.96
Cambridge and Huntingdon	8,976	4.10
Camden and Islington	13,279	4.43
Cornwall and Isles of Scilly	9,648	3.22
County Durham	17,187	4.48
Coventry	8,726	4.66
Croydon	7,817	4.12
Doncaster	8,214	4.43
Dorset	12,334	2.91
Dudley	6,964	4.06
Ealing, Hammersmith and Hounslow	18,134	4.06
East and North Hertfordshire	10,859	3.99
East Kent	14,036	3.77
East Lancashire	13,037	3.97
East London and the City	24,911	5.48
East Norfolk	13,619	3.81
East Riding	14,527	4.31
East Surrey	6,749	2.92
East Sussex, Brighton and Hove	17,858	3.76
Enfield and Haringey	12,487	4.12
Gateshead and South Tyneside	10,379	4.34
Gloucestershire	9,190	2.90
Herefordshire	3,576	3.86
Hillingdon	5,599	3.86
Isle of Wight	2,945	3.38
Kensington, Chelsea and Westminster	15,960	6.06
Kingston and Richmond	5,797	2.93
Lambeth, Southwark and Lewisham	24,054	4.50
Leeds	18,447	4.20
Leicestershire	21,907	4.53
Lincolnshire	14,182	3.82
Liverpool	13,968	4.26
Manchester	11,285	3.42
Merton, Sutton and Wandsworth	14,953	3.76
Morecambe Bay	5,633	2.89
Newcastle and North Tyneside	13,468	4.31
North and East Devon	8,330	2.92
North and Mid Hampshire	10,417	3.80
North Cheshire	5,581	2.92
North Cumbria	7,781	4.18
North Derbyshire	8,317	3.88
North Essex	18,780	3.97
North Nottinghamshire	9,099	4.11
North Staffordshire	13,337	4.70
North West Anglia	9,963	4.25
North West Lancashire	11,816	3.91
North Yorkshire	15,976	3.91
Northamptonshire	11,664	3.80
Northumberland	7,736	4.20
Nottingham	17,427	4.78
Oxfordshire	14,558	4.77
Portsmouth and South East Hampshire	12,537	4.05
Redbridge and Waltham Forest	8,136	2.89
Rotherham	6,934	4.66

Table 1

Health authority	1999–2000 real terms increase (£000)	1999–2000 real terms increase (%)
Salford and Trafford	11,967	4.12
Sandwell	9,072	4.73
Sefton	7,453	4.13
Sheffield	14,677	4.27
Shropshire	9,105	3.92
Solihull	4,844	4.22
Somerset	10,379	3.81
South and West Devon	11,076	3.05
South Cheshire	14,566	3.82
South Derbyshire	13,675	4.29
South Essex	18,006	4.62
South Humber	5,475	2.90
South Lancashire	5,133	2.91
South Staffordshire	11,560	3.81
Southampton and South West Hampshire	12,248	3.98
St. Helen's and Knowsley	9,482	4.27
Stockport	6,749	4.08
Suffolk	11,002	2.92
Sunderland	8,211	4.37
Tees	15,264	4.41
Wakefield	8,339	4.20
Walsall	7,244	4.75
Warwickshire	8,114	2.92
West Hertfordshire	11,301	3.79
West Kent	20,181	3.81
West Pennine	11,673	4.19
West Surrey	10,231	2.91
West Sussex	17,473	3.99
Wigan and Bolton	15,891	4.56
Wiltshire	12,280	3.78
Wirral	8,705	4.09
Wolverhampton	6,806	4.54
Worcestershire	10,773	3.78
England	1,171,238	4.00

Table 2

Health authority	2000–01 real terms increase (£000)	2000–01 real terms increase (%)
Avon	37,526	6.37
Barking and Havering	15,094	5.81
Barnet	12,650	6.02
Barnsley	11,129	7.12
Bedfordshire	22,425	7.14
Berkshire	30,366	6.86
Bexley and Greenwich	16,309	5.55
Birmingham	40,853	5.92
Bradford	20,964	6.65
Brent and Harrow	18,237	5.78
Bromley	11,200	6.05
Buckinghamshire	25,118	6.74
Bury and Rochdale	16,962	6.70
Calderdale and Kirklees	22,577	6.09
Cambridgeshire	26,842	6.63
Camden and Islington	20,304	6.19
Cornwall and Isles of Scilly	18,979	5.96
County Durham	27,041	6.52
Coventry	13,604	6.71
Croydon	12,935	6.32
Doncaster	12,762	6.42
Dorset	25,462	5.66
Dudley	11,779	6.41
Ealing, Hammersmith and Hounslow	29,650	6.15

Table 2

Health authority	2000–01 real terms increase (£000)	2000–01 real terms increase (%)
East and North Hertfordshire	18,637	6.38
East Kent	22,381	5.61
East Lancashire	23,082	6.56
East London and the City	37,438	7.54
East Riding	23,184	6.40
East Surrey	13,901	5.62
East Sussex, Brighton and Hove	28,768	5.65
Enfield and Haringey	19,597	5.96
Gateshead and South Tyneside	16,899	6.64
Gloucestershire	19,158	5.70
Herefordshire	6,103	6.12
Hillingdon	9,626	6.18
Isle of Wight	5,140	5.53
Kensington, Chelsea and Westminster	23,536	8.12
Kingston and Richmond	12,304	5.61
Lambeth, Southwark and Lewisham	36,630	6.25
Leeds	29,568	6.23
Leicestershire	36,005	6.91
Lincolnshire	24,815	6.29
Liverpool	20,883	5.98
Manchester	20,974	6.00
Merton, Sutton and Wandsworth	24,058	5.72
Morecambe Bay	11,882	5.75
Newcastle and North Tyneside	21,156	6.31
Norfolk	28,300	6.10
North and East Devon	17,416	5.74
North and Mid Hampshire	17,684	6.00
North Cheshire	11,645	5.80
North Cumbria	12,692	6.35
North Derbyshire	14,250	6.22
North Essex	31,322	6.13
North Nottinghamshire	15,751	6.61
North Staffordshire	20,568	6.71
North West Lancashire	20,150	6.23
North Yorkshire	26,912	6.17
Northamptonshire	19,308	5.87
Northumberland	12,738	6.46
Nottingham	27,179	6.95
Oxfordshire	21,935	6.58
Portsmouth and South East Hampshire	20,571	6.14
Redbridge and Waltham Forest	16,721	5.59
Rotherham	10,731	6.74
Salford and Trafford	18,683	5.97
Sandwell	13,536	6.59
Sefton	11,531	5.91
Sheffield	22,270	6.06
Shropshire	15,815	6.36
Solihull	7,352	5.97
Somerset	17,857	6.09
South and West Devon	22,566	5.83
South Cheshire	23,848	5.83
South Derbyshire	22,122	6.42
South Essex	27,706	6.53
South Humber	11,290	5.65
South Lancashire	11,187	5.89
South Staffordshire	19,713	6.08
Southampton and South West Hampshire	20,252	6.13
St. Helen's and Knowsley	15,588	6.60
Stockport	10,617	5.96
Suffolk	23,417	5.85
Sunderland	13,359	6.66
Tees	25,175	6.80
Wakefield	13,584	6.37
Walsall	11,081	6.75
Warwickshire	16,668	5.63
West Hertfordshire	19,024	5.96
West Kent	33,292	5.84

Table 2

Health authority	*2000–01 real terms increase (£000)*	*2000–01 real terms increase (%)*
West Pennine	19,355	6.48
West Surrey	20,941	5.65
West Sussex	29,293	6.21
Wigan and Bolton	25,414	6.78
Wiltshire	20,033	5.71
Wirral	13,524	5.91
Wolverhampton	10,972	6.83
Worcestershire	17,930	5.90
England	1,957,357	6.23

Bought-in Services

Mrs. Spelman: To ask the Secretary of State for Health how much was paid to the private healthcare industry for procedures carried out on behalf of NHS patients, broken down by health authority for each of the last three years. [117701]

Ms Stuart: The amount of National Health Service funds spent on the provision of services for NHS patients treated outside the NHS (in the independent healthcare sector comprising of for profit hospitals, not for profit hospitals, voluntary hospitals/hospices and independent clinics), for the last three years are as follows:

1998–99: £1.25 billion (4.8 per cent. of total NHS expenditure)

1997–98: £1.08 billion (4.6 per cent. of total NHS expenditure)

1996–97: £0.87 billion (3.8 per cent. of total NHS expenditure)

A breakdown showing the expenditure by individual health authority, including the proportion spent on services outside the NHS has been placed in the Library.

Mr. John M. Taylor: To ask the Secretary of State for Health if he will make a statement on the extent of the use of private sector health facilities by the NHS in the last year. [117404]

Ms Stuart: During 1998–99, £1.25 billion (4.8 per cent. of total National Health Service spending on the provision of health services) was spent on services commissioned outside the NHS (from the private healthcare industry and charitable and voluntary organisations). Over half was spent on residential care, mainly for learning disability and mental illness patients.

Animal Feedingstuffs

Mr. Paice: To ask the Secretary of State for Health when he expects products that have been approved by the EU Standing Committee for Animal Feedingstuffs in December to be published in the *Official Journal*; and when he expects products so approved to appear on the consolidated list of approved products circulated to member states. [117962]

Ms Stuart: Provisions for new feed additives agreed at the 6–7 December meeting of the Standing Committee on Animal Feedingstuffs have been published in the *Official Journal of the European Union* on 29 March as Commission Regulation (EC) 654/2000. This Regulation has now come into force in all European Union member states.

On 28 February the European Commission produced a comprehensive list of additives authorised for use in animal feed. The list has no legal basis in itself and is expected to be next revised in early 2001.

Mr. Paice: To ask the Secretary of State for Health what products from British companies were considered by the December meeting of the EU Standing Committee for Animal Feedingstuffs under the Microbe and Enzyme Directive 93/113. [117961]

Ms Stuart: New authorisations for feed additives, such as those agreed at the December meeting of the European Union Standing Committee for Animal Feedingstuffs, are granted under Council Directive 70/524/EEC for generic, rather than product-specific approval. I am advised by the Food Standards Agency that one new authorisation agreed in December was on a dossier provided by a British company. The corresponding provision contained in Commission Regulation 654/2000 is for the use of a micro-organism product for use in feed for calves containing certain strains of *Lactobacillus casei* and *Enterococcus faecium*.

Mobile Phones

Joan Ruddock: To ask the Secretary of State for Health what assessment he has made of the findings of the Consumers Association regarding radiation risks of hands-free mobile phones and shields; and if he will make a statement. [118010]

Yvette Cooper: The findings of the Consumers Association will be assessed by the independent expert group on mobile phones. The group, chaired by Sir William Stewart FRS FRSE, is considering the possible health effects from the use of mobile telephones, base stations and transmitters and is conducting a comprehensive assessment of existing research.

The group is currently completing its review of the evidence and is preparing its report prior to publication in May.

Fruit and Vegetables

Joan Ruddock: To ask the Secretary of State for Health, pursuant to the answer of 13 March 2000, *Official Report*, columns 61–62W, on fruit and vegetables, if he will list the methods used by his Department, in consultation with the Ministry of Agriculture, Fisheries and Food, to inform the public of the advice on peeling and washing fruit and vegetables in relation to pesticide residues; what was the expenditure on such advice in the last financial year; and if the Food Standards Agency will continue to give such advice. [118016]

Ms Stuart: Advice to wash and prepare fruit and vegetables before eating has been included in press releases and the Ministry of Agriculture/Department of Health Food Safety Information Bulletin when results from surveys of pesticide residues in food are published. It is also used by Government Departments in responding to inquiries about pesticide residues in food. Reporting the results of surveys is routine work and no separate information on related expenditure is available. The Food

Standards Agency is committed to informing and advising consumers about food safety issues relating to pesticides. It will continue to promote advice to wash fruit and vegetables.

Long-term Care

Mr. Wray: To ask the Secretary of State for Health if the Government will implement the Royal Commission report recommendations on Long Term Care for the Elderly. [118229]

Mr. Hutton: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Coventry, South (Mr. Cunningham) on 20 March 2000, *Official Report*, columns 430–31W.

Workplace Parking

Mr. Gray: To ask the Secretary of State for Health, pursuant to the answer of 30 March 2000, *Official Report*, column 217W, on workplace parking, how many workplace car parking spaces are available at hospitals, clinics and other establishments controlled by *(a)* him and *(b)* health authorities and trusts. [117955]

Ms Stuart: It is not known how many workplace parking spaces are available at National Health Service healthcare premises.

As healthcare providers, the NHS is well aware of the need to reduce transport congestion and hence pollution, and are taking steps to address their transport requirements. Transport strategies will include reducing car parking spaces by encouraging the use of alternative modes of transport whenever possible or practicable.

INTERNATIONAL DEVELOPMENT

Kosovo

Mr. Llew Smith: To ask the Secretary of State for International Development what advice she has given to aid workers deployed in Kosovo with the support of her Department in respect of hazards posed by the residual radioactivity remaining from the use of depleted uranium shells by allied forces in Kosovo. [117070]

Clare Short: I refer my hon. Friend to the answer given by the Minister for the Armed Forces on 27 January 2000, *Official Report*, column 225W, where he stated that the health risks from depleted uranium (DU) are assessed as generally low. However, civilian mine clearance organisations have regular contact with many types of unexploded ordnance. KFOR provided the United Nations Mines Action and Co-Ordination Centre (UNMACC) with an information pack about DU which UNMACC distributed to each mine clearance organisation.

The Government have not felt it necessary to provide further advice to general aid workers on this issue. My Department's view is that mines and unexploded ordnance pose a greater risk to assistance workers; all personnel are given mines awareness training before deployment to Kosovo.

Mr. Donald Anderson: To ask the Secretary of State for International Development how the contribution funded from her Department for the reconstruction of Kosovo is planned to change; and what implications this has for the overall level of funding. [117162]

Clare Short: Commitments from our emergency and humanitarian programme ended on 31 March. However, we shall continue to support the international organisations working in Kosovo and to provide funds for demining. Our bilateral programme in Kosovo will focus on the provision of technical assistance to support capacity and institution building for long-term development, in liaison with UNMIK and departments of the Joint Interim Administration. We plan to provide such support in the areas of economic restructuring, public administration, social policy, media and elections, health and development of civil society. We shall commit £15 million to these activities over the next three years. We also provide approximately 18 per cent. of the cost of the EU programme, amounting to approximately £39 million of the EU's 360 million euro programme in 2000.

Mr. Donald Anderson: To ask the Secretary of State for International Development what has been the contribution funded from her Department for the reconstruction of Kosovo since June 1999; and if she will list the levels of the contribution of *(a)* other EU member states, *(b)* Canada and *(c)* the USA. [117161]

Clare Short: We have committed £119 million in humanitarian and reconstruction assistance in 1999 and 2000. A further £15 million is available this year for support to the international relief agencies and for demining. Over the same period, other member states have provided a total of 1.1 euros in bilateral assistance. Canada has reported total commitments of 104 million Canadian dollars in reconstruction and humanitarian assistance for the period April 1999 to March 2001. The United States has committed a total of $264.1 million for 1999 and 2000. The equivalent figure for European Community assistance is 802.7 million euros, of which the UK share (currently 18 per cent.) is approximately £84.58 million.

Regulatory Reform

Mr. Cotter: To ask the Secretary of State for International Development which Minister in her Department has responsibility for regulatory reform; and if she will make a statement. [117426]

Clare Short: The Under-Secretary has responsibility for regulatory reform within my Department.

PRESIDENT OF THE COUNCIL

Secondary Legislation

Mr. Duncan Smith: To ask the President of the Council how many statutory instruments and other items of secondary legislation were passed in each of the years 1980, 1985, 1990 and 1999. [117953]

Mrs. Beckett: The information requested is as follows:

Session	Number of instruments subject to parliamentary procedure laid before Parliament (including special procedure orders)	Number of affirmative instruments approved by the House of Commons
1980–81	[1]940	149
1985–86	[1]1,024	155
1990–91	1,279	181
1998–99	1,445	178

[1] Indicate the number of instruments considered by the Joint Committee and the Select Committee on Statutory Instruments rather than those laid.

TREASURY

Research and Development

17. **Mr. Pike:** To ask the Chancellor of the Exchequer what representations he has received on his measures to help companies with research and development. [116619]

Mr. Timms: Our new research and development tax credit, introduced on 1 April, has been warmly welcomed by the CBI and others since its announcement a year ago. We received representations emphasising the importance of incentives for research and development in small and medium-sized firms, and so that is where the credit is being targeted. We have also decided, responding to representations, that the credit should be available as well to companies not yet trading. It will benefit 4,500 companies and support almost £1 billion for research and development per year.

Child Tax Credit

18. **Mr. Heald:** To ask the Chancellor of the Exchequer how many families that qualified for the married couples allowance in 1999–2000 will not qualify for the child tax credit in 2001–02. [116620]

24. **Mr. Nicholas Winterton:** To ask the Chancellor of the Exchequer how many married couples that qualified for the married couples allowance in 1999–2000 will not qualify for the child tax credit in 2001–02. [116626]

Dawn Primarolo: As a result of measures we have taken in this and previous Budgets, pensioner households will from next April be on average £400 a year better off, and families with children will be on average £850 a year better off; and the number of couples liable for higher rate tax as a result of the withdrawal of married couples allowance will be zero.

VAT (Historic Buildings)

19. **Mr. Tyler:** To ask the Chancellor of the Exchequer what representations he has received calling for a reduction in the VAT rate for repairs and conservation work to churches and other historic buildings. [116621]

Dawn Primarolo: Since February, the Prime Minister and the Chancellor of the Exchequer have received about 5,000 letters, mainly from parishioners in Cornwall, asking for a reduced rate for repairs to churches. A number of letters have also been received asking for a reduced rate for historic buildings.

Unemployment

20. **Mr. Goggins:** To ask the Chancellor of the Exchequer what action he is taking to improve employment incentives for the long-term unemployed. [116622]

Mr. Andrew Smith: My right hon. Friend the Chancellor of the Exchequer announced in his recent Budget a variety of measures to help encourage the long-term unemployed back into work. These include:

Expanding and strengthening the New Deal 25 plus to bring into line the rights and responsibilities for those over 25 that have so effectively helped those under 25 in the New Deal for Young People;

Employment Zones and Action Teams to begin work with long-term unemployed people in the most deprived areas of the country to help them to address the barriers which are preventing them from finding work;

The Working Families Tax Credit which will deliver a minimum income guarantee of £214 for a family with someone in full-time work from April 2001; and

The new Job Grant, alongside Housing Benefit and Income Support Mortgage Interest run ons, which are easing the transition into work from benefits.

Alongside these the Government have also announced that from October the adult rate of the National Minimum Wage will be increased to £3.70 per hour, continuing to ensure greater decency and fairness in the workplace and making work pay.

G8 (Debt Cancellation)

21. **Ms Drown:** To ask the Chancellor of the Exchequer what discussions he is having about further multilateral debt cancellation with G8 colleagues in advance of the G8 Finance Ministers' meeting. [116623]

Miss Melanie Johnson: Discussions about the multilateral Heavily Indebted Poor Country Initiative take place among G7 members on an on-going basis. The Chancellor of the Exchequer will discuss progress and implementation of the enhanced HIPC initiative at the G7 meeting of Finance Ministers and Central Bank Governors on 15 April, and in the run-up to the Okinawa Summit.

Tax Allowances

22. **Mr. Ruffley:** To ask the Chancellor of the Exchequer if he will make a statement on the impact on the average family of his withdrawal of tax allowances to date. [116624]

Dawn Primarolo: Taking all measures together, personal tax and benefit changes in this and previous Budgets will mean that by April 2001:

On average families with children will be £850 a year better off;

A single-earner family on average earnings and with two children will be £370 a year better off;

A single-earner family on half average earnings and with two children will be £2,600 a year better off; and

The tax burden on a single-earner family on average earnings and with two children will be the lowest since 1972.

25. **Mr. Lidington:** To ask the Chancellor of the Exchequer how many taxpayers will be liable for higher rate tax as a result of the withdrawal of tax allowances in his Budgets to date. [116627]

Dawn Primarolo: None.

Tax Burden

23. **Mr. Gale:** To ask the Chancellor of the Exchequer if he will estimate the change in the total *(a)* indirect and *(b)* direct tax burden on families of his Budget measures to date. [116625]

34. **Mr. St. Aubyn:** To ask the Chancellor of the Exchequer if he will estimate the change in the total *(a)* indirect and *(b)* direct tax burden on families of his Budget measures to date. [116639]

Dawn Primarolo: As a result of personal tax and benefit measures introduced by this Government, the tax burden on a typical single earner couple on average earnings with two children will fall from 21.5 in 1996–97 to 18.8 by 2001, the lowest level since 1972.

Estimating the impact of indirect taxes is imprecise as spending patterns vary widely between households with the same composition and income, with the consumption of the majority of goods and services far from universal. For example, only around one third of adults are smokers, just over half the adult population are in households paying vehicle excise duty and around 10 per cent. of households pay air passenger duty. This can be contrasted with direct taxes and benefits where at specified earnings and for particular household types there is a known benefit entitlement or tax liability.

National Changeover Plan

26. **Sir Nicholas Lyell:** To ask the Chancellor of the Exchequer what recent representations he has received in connection with the National Changeover Plan; and if he will make a statement. [116629]

Miss Melanie Johnson: The Government work with a wide range of organisations from the private, public and voluntary sectors on changeover planning. A list of the private and voluntary sector organisations involved in Working Groups is given on page 57 of the second Outline National Changeover Plan, published on 9 March.

Fuel Duty

27. **Mrs. Ann Winterton:** To ask the Chancellor of the Exchequer what estimate he has made of fuel duty revenues in 2000–01. [116630]

Mr. Timms: The projection for fuel duty revenues in 2000–01 is published in Table C9, Page 203 of the Financial Statement and Budget Report 2000.

Regional Development Agencies

29. **Mr. Fraser:** To ask the Chancellor of the Exchequer what is the cost in the current financial year to the Exchequer of Regional Development Agencies. [116632]

Mr. Andrew Smith: The Regional Development Agencies have taken on responsibility for a number of Government programmes, including the Single Regeneration Budget and programmes formerly run by English Partnerships and the Rural Development Commission. Including all their programme expenditure, the eight RDAs in England have been allocated an overall budget of £958,373,000 for 2000–01. This includes planned recyclable receipts of £145,094,000.

Manufacturing (Knitted Goods)

30. **Mr. Tredinnick:** To ask the Chancellor of the Exchequer if he will make a statement on the timetable for the publication of the Office for National Statistics 1999 figures for manufacturers' sales of hosiery and other knitted goods to the public. [116633]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. David Tredinnick, dated 6 April 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent question on the publication of 1999 manufacturers' sales figures of Hosiery and other knitted goods.

Detailed product data from the 1999 quarterly PRODucts of the European COMmunity (PRODCOM) survey of manufacturers' sales of knitted and crocheted articles will be published in a Business Monitor at the end of May 2000.

Provisional results of the 1999 Annual Business Inquiry (ABI) are expected to be published in December 2000. This News Release will contain values for turnover, purchases and gross value added for the textile and textile products industry. More detailed industry results, including those for the manufacture of knitted and crocheted articles, will be published in the summer of 2001.

Employment (South-East)

31. **Mr. Prosser:** To ask the Chancellor of the Exchequer if he will make a statement on the impact of his Department's policies on the levels of employment and unemployment in the South-East in the last two years. [116636]

Miss Melanie Johnson: In the South-East, as in the rest of the UK, we have created a sound and credible platform of economic stability that will help us attain our objective of high and stable levels of growth and employment. In the last two years, employment in the South-East has risen by 125,000, and ILO unemployment has fallen by 14,000, both broadly in line with UK trends.

Climate Change Levy

32. **Mr. Stunell:** To ask the Chancellor of the Exchequer what representations he has received from the horticulture sector on the impact of the climate change levy. [116637]

Mr. Timms: My right hon. Friend the Chancellor of the Exchequer received a number of representations from the horticultural sector on the climate change levy. In the light of these and other representations, a package of measures aimed at improving energy efficiency in the horticultural sector, while protecting its competitiveness, was announced in the Budget. These measures include:

A special package of energy efficiency measures for horticulture, to be allocated from the £50 million energy efficiency fund.

Extending the list of investments qualifying for enhanced capital allowances to include thermal screens used in glasshouses

A temporary 50 per cent. discount on the levy for a period of up to five years while energy efficiency measures take effect.

Ms Southworth: To ask the Chancellor of the Exchequer what representations he has received on the amendment to the climate change levy which he announced in the Budget. [116631]

Mr. Timms: The Chancellor of the Exchequer announced a number of further refinements to the design of the climate change levy in the recent Budget. These will increase the levy's environmental effectiveness while protecting the competitiveness of UK firms.

Many of the representations received since the Budget have welcomed these refinements.

Public Services

33. **Mr. Love:** To ask the Chancellor of the Exchequer what plans he has to increase investment in public services *(a)* in the UK and *(b)* in London in the year 2000–01. [116638]

Mr. Andrew Smith: All areas of the UK, including London, will benefit from the Budget announcement of an additional £2 billion for health, £1 billion for education, £285 million for the fight against crime and £280 million for transport. All but £100 million of this investment is for 2000–01.

Secretaries of State are announcing the detail of these allocations. The Deputy Prime Minister has already announced £65 million of investment in London Underground to enhance escalator work and frequency and reliability of Northern, Central, District and Jubilee lines and £30 million for the Docklands Light Railway extension to City Airport.

Working Families Tax Credit (North-west Region)

Mr. Ian Stewart: To ask the Chancellor of the Exchequer how many inquiries have been received by the Working Families Tax Credit response line from the north west region. [116618]

Dawn Primarolo: The response line handled 780,000 inquiries up to 30 November 1999. A breakdown by TV region is available for 670,000 of them; of these, 89,000 came from the Granada TV region.

Migration (London)

Mr. Norman: To ask the Chancellor of the Exchequer what estimates his Department has made of the level of migration from the London area to the South East region in each of the last 10 years. [117787]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger to Mr. Archie Norman, dated 6 April 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your recent question about the estimated migration from London to the South East region for each of the last ten years. I am replying in the Director's absence.

The attached table presents the information that you require. The latest year for which estimates are available is 1998. Data are presented for moves from London to the South East Planning Region. The estimates of internal migration within the United Kingdom are based on the movement of NHS doctor's patients between the former Family Health Service Authorities. They should not be regarded as a perfect measure of migration as there is variation in the delay between a person moving and registering with a new doctor.

Migration from London to the South East Planning Region

Thousand

Year	*Number of migrants*
1989	109.8
1990	93.7
1991	108.3
1992	111.0
1993	114.3
1994	119.4
1995	118.5
1996	125.8
1997	132.0
1998	129.7

Source:
NHSCR

Population Growth (South-east)

Mr. Norman: To ask the Chancellor of the Exchequer what forecast his Department has made of the population growth in the South East Planning Region in the next five years. [117788]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger to Mr. Archie Norman, dated 6 April 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your recent question on the projected population growth in the South East Planning Region. I am replying in the Director's absence.

These projections show population levels would result if assumptions about future migration, fertility and mortality were exactly realised. The assumptions underlying the calculation of the projections are based on recent demographic trends and do not reflect the impact of future local policies.

The latest subnational population projections are published in *Subnational population projections: 1996 based, Series PP3, no.10,* which is available in the House of Commons Library.

The table below present the information that you require.

Population projections 1999–2006

Thousand

Projection year	*Projected population*
1999	11,242.0
2000	11,302.6
2001	11,362.4
2002	11,420.9
2003	11,477.6
2004	11,532.6
2005	11,586.0
2006	11,637.9

Private Finance Initiative

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will estimate the *(a)* total liabilities

outstanding under PFI contracts and *(b)* net public debt over the period 2000–01 to 2004–05 if PFI liabilities were accounted for as debt; and if he will make a statement. [117368]

Mr. Andrew Smith *[holding answer 4 April 2000]:* I refer the hon. Member to table C15 of the Financial Statement and Budget Report, laid before this House on 21 March 2000.

Table C15 shows a forecast of the estimated payments for services flowing from new private investment in signed and imminent PFI contacts over the 28 years from 1998–99 to 2025/26; and contains details of payments to PFI contractors from 2000–01 to 2004–05. These payments score as current expenditure and thus are already factored into future spending projections and of spending and borrowing (as set out in table C4).

Hydrocarbon Fuel Levies

Sir Sydney Chapman: To ask the Chancellor of the Exchequer what was the total revenue to the Exchequer of all duties levied on hydrocarbon fuels in the 1996–97 financial year; and what was the figure for 1999–2000. [117671]

Mr. Timms: The revenue from excise duty on hydrocarbon oils for 1996–97 is published in Table K2 of HM Customs and Excise Annual Report. The table does not include VAT receipts. The figure for 1999–2000 is not available yet.

Petrol Taxes

Sir Sydney Chapman: To ask the Chancellor of the Exchequer what was the total tax levied on a litre of standard unleaded petrol on 1 May 1997; and what it is currently. [117672]

Mr. Timms: The total tax (excise duty plus VAT) levied on a litre of standard unleaded petrol on 1 May 1997 was about 46p and that levied at the end of March 2000 was about 61p. Most of the duty increase is accounted for by the operation of the fuel duty escalator, which is no longer being applied.

Charitable Shares Donations

Mr. Tom Clarke: To ask the Chancellor of the Exchequer if he will make a statement on his plans to change the tax treatment of shares donated to charity. [116604]

Miss Melanie Johnson: In his Budget speech the Chancellor of the Exchequer announced a radical package of measures aimed at Getting Britain Giving. The package included a new tax relief on gifts to a charity of certain qualifying investments.

Qualifying investments include:

shares or securities which are listed or dealt in on a recognised stock exchange;

units in an authorised unit trust;

shares in an open ended investment company; and

an interest in an offshore fund.

The donor will be able to claim a corporation tax or income tax deduction for the full market value of the gift, plus incidental expenses of transfer, less any consideration or benefit received. The new relief will be in addition to the existing relief for gifts of shares and other assets to a charity when calculating capital gains.

The new relief comes into effect for gifts made on or after 1 April 2000 for companies and 6 April 2000 for individuals.

Tax Benefit Reference Manual

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer when he will place the next edition of the Tax Benefit Reference Manual in the Library. [117827]

Dawn Primarolo: I refer the hon. Member to the answer I gave to the hon. Member for Havant (Mr. Willetts) on 29 March 2000, *Official Report*, column 150W.

Contributions Agency

Mr. Willetts: To ask the Chancellor of the Exchequer what checks are applied to confirm the identities of new employees in the Contributions Agency. [117721]

Dawn Primarolo: A series of checks were undertaken within the Contributions Agency.

Mobile Phone Licences

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if the estimates of Government receipts in his Budget statement include revenue raised from the sale of mobile phone licences; and if he will make a statement. [117369]

Dr. Cable: To ask the Chancellor of the Exchequer if he will make a statement on the Government's plans for utilising the receipts of the auction of mobile telephone licences. [118102]

Dawn Primarolo *[holding answer 4 April 2000]:* An estimate of the effect of proceeds from the auction of mobile phone licences is included in the Budget public finances forecast, and taken account of in the Budget tax and spending plans. The auction proceeds will have only a limited impact on the main fiscal aggregates such as the current surplus and public sector net borrowing because, in line with National Accounts conventions, the revenues raised are accrued evenly across the full length of the licence period.

HOME DEPARTMENT

Asylum Seekers

Mr. Burgon: To ask the Secretary of State for the Home Department in what circumstances immigration officers will be requesting passenger information from carriers under paragraph 27B of Schedule 2 to the Immigration Act 1971, as inserted by section 18 of the Immigration and Asylum Act 1999; and if he will make a statement. [118485]

Mrs. Roche: The types of information which may be requested are set out in the Schedule to the Immigration (Passenger Information) Order 2000. The information specified in Part 1 of the Schedule to the Order is contained in the machine-readable zone of passports and visas. Provision of this information is essential if we are

to be able to grant or refuse entry to passengers in advance of their arrival in the United Kingdom. We have set out what we propose by way of such flexibilities in the draft Immigration (Leave to Enter and Remain) Order laid before Parliament on 30 March 2000. We would expect to come to a mutual agreement with carriers as to the routes for which we might start to require Part I information and as to when the requirement would start. Beyond this, we would seek Part I information only on specific occasions for intelligence purposes. We would endeavour to keep such requests to a minimum. The information specified in Part II of the Schedule will be requested only where the carrier is in possession of it. However, we think it might take some time for carriers to put systems in place to allow them to provide us with any significant volume of information, so we will implement the new power gradually over the coming months. We will continue in this spirit of co-operation, but ultimately we reserve the right to insist upon the provision of passenger information under the new powers wherever we have good reason in the context of the immigration control.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department in each of the last two years for which figures are available, what was the total amount of funding for asylum seekers' support *(a)* in total, *(b)* per head of population, *(c)* per income tax payer, *(d)* per household and *(e)* as a percentage of total Government expenditure; what are the estimated figures for 2000–01; and if he will make a statement. [117982]

Mrs. Roche: In 1998–99, support for asylum seekers was the responsibility of the Department of Health and the Department of Social Security. The Department of Health states that the total payments for supporting asylum seekers were £190 million in 1998–99. The Department of Social Security estimate that, subject to audit, the total benefits paid to asylum seekers will be £285 million.

Since 1 April 1999, the Home Office has been responsible for a single budget for reimbursing local authorities for the costs of supporting adult asylum seekers and families. Reimbursement of local authority costs relating to unaccompanied children remained the responsibility of the Department of Health. Total payments to local authorities and reimbursement for the Department of Social Security costs for 1999–2000 are estimated to be £597 million subject to audit.

The information available is that the estimated population is 58.8 million, the estimated number of tax payers is 27.9 million and the estimated number of households is 24.2 million. The total managed public expenditure in 1998–99 is £331 billion, and in 1999–2000 it is £345.2 billion. On that basis, the breakdown of costs for 1998–99 and 1999–2000 requested is given in the table.

Asylum support costs	*1998–99*	*1999–2000*
Total	£475 million	£597 million
Per head of population	£8.08	£10.14
Per income taxpayer	£17.02	£21.38
Per household	£19.63	£24.64
As a percentage of total managed public expenditure	0.14	0.17

The Comprehensive Spending Review in 1998 set a provisional Home Office allocation for 2000–01 of £300 million for the cost of asylum support for adults and families and £3 million for the Department of Health. The total managed public expenditure in 2000–01 is £370.9 billion.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department if he will list the means by which those seeking asylum in the United Kingdom, who are currently outside the United Kingdom, can lawfully enter the United Kingdom to claim asylum without causing any others to commit any offence in assisting with their arrival in the United Kingdom; and if he will make a statement. [117995]

Mrs. Roche: A person who claims asylum on arrival in the United Kingdom and is subsequently granted leave to enter will, by definition, have entered the United Kingdom lawfully. A person who obtains leave to enter without disclosing an intention to claim asylum may, depending on the circumstances, be guilty of an offence of seeking leave to enter by deception. In either case, the actions of the asylum seeker do not of themselves cause any other person to commit an offence, but depending on the circumstances an offence may arise if the asylum seeker's entry was facilitated by another person.

Mr. Lidington: To ask the Secretary of State for the Home Department how many appeals were lodged by him against the granting of judicial review of asylum decisions in each of the last five years for which figures are available; how many appeals were upheld; what was the total cost to public funds in each year of such appeals; on how many occasions Queen's Counsel were employed by *(a)* him and *(b)* the respondent; and if he will make a statement. [115970]

Mrs. Roche *[holding answer 23 March 2000]:* The information requested is available only for the past three years and is shown in the table:

	1997	*1998*	*1999*
Number of cases	2	0	3
Appeal upheld	1	—	[1] —
Appeal dismissed	1	—	1
Queen's Counsel employed by both parties	Yes	—	Yes
Costs	£66,884	—	£63,104

[1] One appeal was withdrawn
[2] One appeal not yet heard

Dr. Harris: To ask the Secretary of State for the Home Department what estimates he has made of the cost of *(a)* vouchers, *(b)* accommodation for asylum seekers and *(c)* other administrative costs relating to them in each of the last three years. [117051]

Mrs. Roche: None.

The information available is that in 1997–98 and 1998–99 grant payments for the support of asylum seekers were the responsibility of the Department of Health. In 1997–98, the grant payment by the Department of Health was £139,202 million. Costs such as administrative costs are amalgamated into the actual payments made to Local Authorities.

The Department of Health is currently reconciling, in the light of the audit certificate now being provided, the amount claimed by authorities and the payments made to authorities in 1998–99. It is, therefore, not possible at the moment to give the information for 1998–99.

Since 1 April 1999, the Home Office has been responsible for reimbursing local authorities for the costs of supporting asylum seekers. Costs for the period 1 April-5 December 1999 are on the basis of a Special Grant. Local authorities may claim the costs incurred, within cost limits, in supporting asylum seekers. Local Authorities claimed a total of £183,177,970 for the period 1 April-5 December 1999. These claims will be subject to audit by District Auditors and may be subject to variation in the light of the findings of auditors. Full information for the period 6 December 1999–31 March 2000 is not yet available.

How these resources are allocated is a matter for each individual Local Authority.

Dr. Harris: To ask the Secretary of State for the Home Department what estimates he has made of the cost of police arrests and deportations of asylum seekers and illegal immigrants in each of the last three years. [117049]

Mrs. Roche: The costs of police arrests of asylum seekers and the costs of deportations of asylum seekers and illegal immigrants are not available.

Mr. Gardiner: To ask the Secretary of State for the Home Department how many asylum applications were received in 1999; and what proportion of those applicants came from Sri Lanka. [117643]

Mrs. Roche: The total number of asylum applications to the United Kingdom in 1999 was 71,160. 5,130 (7 per cent.) were from nationals of Sri Lanka.

Mr. Sanders: To ask the Secretary of State for the Home Department what mechanism is used for reimbursing local authorities for costs incurred in respect of the dispersal of asylum seekers. [117297]

Mrs. Roche: Since 1 April 1999, the Home Office has been responsible for reimbursing local authorities for the costs of supporting asylum seekers. Payment is by way of grant. Under the interim regulations, local authorities may claim the costs incurred in supporting asylum seekers. These claims will be paid within cost limits and are subject to audit by District Auditors. For those asylum seekers who will remain the responsibility of local authorities, these arrangements will continue.

For those asylum seekers now being dealt with under the new arrangements phased in from 3 April 2000, local authorities that sign contracts with the National Asylum Support Service will submit an invoice for payment.

Bingo Charges

Mr. Burgon: To ask the Secretary of State for the Home Department what plans he has to simplify the current system of bingo charges. [118484]

Mr. Mike O'Brien: I have laid an Order (The Gaming Clubs (Hours and Charges) Regulations 2000), in the House to simplify the current system of bingo charging.

The current system of charges is set out in section 3 of the Gaming Clubs (Hours and Charges) Regulations 1984. It prescribes the amount bingo operators may charge by way of admission and participation fees for games during any period of play of up to two hours (currently £10 exclusive of Value Added Tax). It also sets out how the charges should be displayed. The arrangements for the charging notices are, however, complex and in practice most players will not know in advance of deciding to play what charge is being made for an individual game.

The Home Office, therefore, proposes to make regulations that will establish a statutorily based notification system that will specify the form in which participation and any other charges must be notified so that they are transparent and easily understood. Notices will be displayed at the main point where payment for the charges is to be made.

The regulations will also allow a charge to be made for admission to a bingo club not exceeding £10 per day which will be displayed at, or near, the principal entrance to the premises and a charge to be made for participation in a game of bingo not exceeding £5 for each chance in playing the game. These are upper limits; in practice operators will set far lower charges than this.

The measure will extend to Scotland.

A copy of the Regulatory Impact Assessment has been placed in the Library.

Detective Keith Pedder

Mr. Mackinlay: To ask the Secretary of State for the Home Department, pursuant to his answer of 3 April 2000, *Official Report*, column 380W, on Keith Pedder (117016), for what reason he was unable to list the powers under which documents were seized. [117964]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis tells me that the circumstances surrounding the arrest and detention of Keith Pedder are currently under investigation. For this reason he does not consider it would be appropriate for him to comment on any aspect of the case.

Offshore Banking

Miss Widdecombe: To ask the Secretary of State for the Home Department what assessment he has made of the implications for *(a)* the Channel Islands and *(b)* the Isle of Man of the report of the Primarolo Group to the ECOFIN Council on 29 November 1999; what plans he has to implement the report's recommendations; and if he will make a statement. [117987]

Mr. Straw: The Report of the Code of Conduct Group on Business Taxation lists 66 tax measures in European Union member states and their dependent or associated territories which are considered to have harmful features. Fifteen of these are in the Channel Islands and the Isle of Man. The United Kingdom is committed to encouraging its dependencies to tackle unfair tax competition. The Code of Conduct on which the Group's work has been based is a voluntary non-legally binding agreement. We would expect to discuss the Report with the Channel Islands and the Isle of Man.

Crime Fighting Fund

Mr. Simon Hughes: To ask the Secretary of State for the Home Department, (1) pursuant to his answer to the hon. Member for Southwark, North and Bermondsey, of 15 March 2000, *Official Report*, columns 177–79W, following the Budget announcement on the Crime Fighting Fund, what estimate he has made of the *(a)* planned recruitment to, *(b)* expected wastage from and *(c)* change in police numbers in police forces, including transfers, including information provided in the bids for the Crime Fighting Fund and the allocation of Crime Fighting Fund money, (i) in total and (ii) in each of the next three years; what estimate he has made of the expected change in police numbers in each force and in total between March 1997 and the end of each of the first three years of the Crime Fighting Fund; and if he will make a statement; [117985]

(2) how much additional money has been allocated to the Crime Fighting Fund for *(a)* police recruitment and *(b)* each other area, in each of the three years following the Budget; what is the new total allocation to the Crime Fighting Fund for (i) police recruitment and (ii) each other area in total for each year and in total for those three years; and if he will make a statement. [117981]

Mr. Straw: I refer the hon. Member to the reply I gave my hon. Friend the Member for Coventry, South (Mr. Cunningham) on 27 March 2000, *Official Report*, columns 1–3W.

Assuming a minimum of 2,000 additional recruits in 2000–01 under the accelerated Crime Fighting Fund, and 3,000 the following year, the overall projections for total police numbers, given in my reply to the hon. Member on 15 March 2000, *Official Report*, columns 177–79W, would rise to 125,500 by March 2001 and 127,000 by March 2002.

My officials are consulting police service and police authority representatives on the revised allocation of new recruits under the Crime Fighting Fund to be made to forces following my announcement on 27 March that the programme would be brought forward to deliver all 5,000 recruits within two years. I will make a further announcement shortly.

Miss Widdecombe: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for Coventry, South (Mr. Cunningham) of 27 March 2000, *Official Report*, columns 1–3W, if the £21 million announced for the video recording of interviews will permit the video recording of all police interviews; if video recording facilities will be available in all interview rooms which currently have audio recording facilities; how the video recordings will be stored, and for how long; and if he will make a statement. [117997]

Mr. Straw: The £21 million allocation for the purchase of equipment by police forces for the video recording of interviews with suspects will be drawn on subject to the evaluation of an initial pilot scheme following the enactment of the necessary parliamentary legislation. Detailed questions of coverage and storage will be dealt with in the light of experience of the pilots.

Miss Widdecombe: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for Coventry South (Mr. Cunningham), of 27 March 2000, *Official Report*, column 1–3W, (1) how many additional recruits will be provided in 2000–01 as a result of the £11 million for doubling the number to be recruited during the coming financial year; what base he used to determine that recruitment would be doubled as a result of the additional £11 million; and if he will make a statement; [117992]

(2) what proportion of the £91 million will be used to assist police forces in England and Wales with recruitment and retention; what funding will be provided to each force, and for what purposes; and if he will make a statement; [117984]

(3) how many police recruits are to be recruited *(a)* in total and *(b)* using funding from the Crime Fighting Fund in each police force area in England and Wales in (i) 2000–01, (ii) 2001–02 and (iii) 2002–03, respectively; [117991]

(4) what proportion of the £91 million for modernising policing will be used to finance the national police recruiting campaign; when the campaign will begin; and if he will make a statement. [117990]

Mr. Straw: As a result of the budget announcement, we now anticipate recruiting at least 2,000 officers under the Crime Fighting Fund in 2000–01, with the remainder of the 5,000 in the following year. These numbers will be in addition to the projected recruitment notified to us by Chief Constables in their bids for a share of the Crime Fighting Fund.

Following my announcement on 27 March, my officials are consulting police service and police authority representatives on how the 5,000 additional recruits will be delivered over two years rather than three. I will make a further announcement shortly about this and other funding to assist forces who are having difficulties with recruitment and retention, including the development of a national recruitment campaign.

Miss Widdecombe: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for Coventry, South (Mr. Cunningham) of 27 March 2000, *Official Report*, columns 1–3W, if he will make a statement on the timetable for the establishment of the Government Technical Assistance Centre. [117998]

Mr. Straw: I announced in my earlier reply to my hon. Friend the Member for Coventry, South (Mr. Cunningham) that we will be using £25 million of capital modernisation funding to establish a Government Technical Assistance Centre (GTAC) to provide law enforcement agencies with the capability to derive intelligence and evidence from new information and communications technologies. This funding will be made available over this financial year and next and will pay for the design and development of a system for processing a wide range of computer-to-computer communications and stored data formats. GTAC will begin to operate in 2001–02 and reach full operating capability during 2002–03.

Miss Widdecombe: To ask the Secretary of State for the Home Department, pursuant to his answer to hon. Friend the Member for Coventry, South (Mr. Cunningham) of 27 March 2000, *Official Report*,

columns 1–3W, how the £40 million for modernising the prison estate is to be spent; and if he will make a statement. [117999]

Mr. Straw: The additional £40 million for prisons which I announced in my reply to my hon. Friend the Member for Coventry, South (Mr. Cunningham) on 27 March 2000, *Official Report*, columns 1–3W, will enable a start to be made on a programme to increase prison capacity to meet the projected increase in the prison population. The programme will include further building within existing prisons, and making better use of existing capacity by re-roleing prisons where the change in composition of the prison population makes this necessary. I will write to the right hon. Member with the details as soon as they are finalised.

Miss Widdecombe: To ask the Secretary of State for the Home Department, pursuant to Note 5 attached to Home Office Press Release 070/2000, what discussions he has had with the bodies mentioned in the Note about the way in which the £91 million for modernising policing is to be allocated; and if he will make a statement. [117988]

Mr. Straw: My reply to my hon. Friend the Member for Coventry, South (Mr. Cunningham) on 27 March 2000, *Official Report*, columns 1–3W, indicated the areas where the additional £91 million funds may be allocated. I will be consulting the Association of Chief Police Officers, the Association of Police Authorities, the Local Government Association and the police staff associations before announcing final decisions.

Miss Widdecombe: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for Coventry, South (Mr. Cunningham) of 27 March 2000, columns 1–3W, what plans he has to allocate the full amount of £34 million announced by the Prime Minister in September 1999 for the expansion of the DNA database. [117996]

Mr. Straw: The funding of £34 million is being allocated to police forces across England and Wales to enable them to double the number of submissions to the National DNA Database over the next two years. By April 2002, the database should hold approximately 1.5 million DNA offender profiles.

This funding represents a first step towards the Government's aim that the database should hold the DNA profiles of the whole of the active criminal population, estimated to be in the region of three million.

Public Safety Radio Communications Project

Miss Widdecombe: To ask the Secretary of State for the Home Department what proportion of funding for the Public Safety Radio Communications Project will be provided by a deduction from the police grant provision over each year of the project; what assessment he has made of the impact on police forces' budgets and on frontline service provision; what representations he has received on the matter; and if he will make a statement. [117989]

Mr. Charles Clarke: The cost of the core service for the Public Safety Radio Communications Project (PSRCP) represents approximately 80 per cent. of the total service charges for police forces in England and Wales. This is to be funded centrally by means of deduction from total police grant provision. The forecast core service charges for the period 2000–01 are estimated at £4.4 million. This estimate is currently under review in the light of current plans for the roll-out to forces. Other estimates were provided in the reply I gave to the hon. Member for Aylesbury (Mr. Lidington) on 13 March 2000, *Official Report*, columns 87–92W.

The impact on police forces' budgets and on frontline service provision will depend on the outcome of Spending Review 2000.

My right hon. Friend the Home Secretary and I have frequent discussions with police authority representatives and chief constables about police resources, including funding for PSRCP. In addition, my officials and I have had discussions with the Association of Chief Police Officers and the Association of Police Authorities about the funding of PSRCP.

Animal Experiments

Mr. Baker: To ask the Secretary of State for the Home Department how many animal (scientific procedures) inspectors appointed under section 18 of the Animals (Scientific Procedures) Act 1986 are in post; how many of them are former licence-holders under the Act; how many establishments under sections 6 and 7 they cover; and how many regulated procedures were carried out for the last year for which figures are available. [117802]

Mr. Mike O'Brien: Animals (Scientific Procedures) Inspectors are full-time civil servants. No inspector holds a licence. None has involvement in animal research. None has conflicts of interest linking him to places or persons regulated under the Act or his programmes of work. Twenty-one Inspectors are currently in post, 17 of whom have been previously licensed under the 1986 Act.

Annexe B of the Statistics of Scientific Procedures on Living Animals Great Britain 1998 confirms that of the 286 certificates of designation active on 31 December 1998, 284 were registered as user establishments, 170 as breeding establishments and 75 as supplying establishments. There is a disparity in these figures because a single establishment may hold its certificate of designation in more than one category. The Animals (Scientific Procedures) Inspectorate monitors all of these establishments.

Table 1 of the Statistics of Scientific Procedures on Living Animals Great Britain 1998 shows that 2,659,662 scientific procedures were carried out on animals during that year.

Figures for 1999 are currently being compiled and will be published in July.

Immigration Control

Dr. Harris: To ask the Secretary of State for the Home Department what estimates he has made of the cost of *(a)* staff, *(b)* premises and *(c)* detection equipment for the Immigration Service for immigration control in each of the last three years. [117047]

Mrs. Roche: The information on staff and premises costs for the operation of the on-entry immigration control is given in the table.

£ million

Financial Year	*Staff*	*Premises*
1997–98	76.11	7.58
1998–99	77.28	8.43
1999–2000	[1]80.25	[1]8.71

[1] Forecast

Over the last three years, the Immigration Service has spent over £300,000 on forgery detection equipment, over £110,000 on body detection dogs and associated equipment and, in the last year, £6,000 on CO_2 detectors.

Dr. Harris: To ask the Secretary of State for the Home Department what estimates he has made of the cost of immigration detention centres and prison places for immigration detainees in each of the last three years. [117050]

Mrs. Roche: The cost of operating the dedicated immigration detention centres is estimated to be in the region of £11.4 million in the current financial year. Previous years' figures are not available as the costs had not been recorded separately. The Prison Service Statistics (England and Wales) show the number of detainees held in prisons under the 1971 Immigration Act as at 30 June of each year. Figures for the last three years are: 30 June 1997—476; 30 June 1998—477; and 30 June 1999—490. The average total cost per prison place in each of these years was: 1997–98: £23,940; 1998–99: £25,096; 1999–2000: £25,567.

Deportation

Mr. Townend: To ask the Secretary of State for the Home Department how many deportation orders were made in 1999; and how many have been carried out. [117218]

Mrs. Roche: Provisional data indicate that 610 deportation orders were signed and 510 were enforced during 1999. It should be noted that a deportation order enforced in one year may have been signed in an earlier year. Deportation orders may not be immediately enforceable for legal reasons or because of other barriers to removal such as inadequate documentation. There are also cases where a deportation order has been signed but it is later decided that deportation is no longer appropriate.

Sex Offenders

Miss Widdecombe: To ask the Secretary of State for the Home Department how many prisoners subject to the provisions of the Sex Offenders Act 1997 have been released on the Home Detention Curfew Scheme to date; what offences they committed; what was the sentence *(a)* received and *(b)* served in each case; and if he will make a statement. [117718]

Mr. Straw *[holding answer 5 April 2000]:* As of 3 April, one prisoner subject to the provisions of the Sex Offenders Act 1997 has been released on the Home Detention Curfew scheme. The original offence of which the prisoner was convicted was unlawful sexual intercourse with a female aged 15. The prisoner received a sentence of six months and served a sentence of 35 days.

Sex offenders subject to the 1997 Act may be released on Home Detention Curfew only in exceptional circumstances and in all such cases only with the consent of the Director General. In this case, the requirement was not followed by the prison establishment concerned and the eligibility date was calculated wrongly; the prisoner was released after 35 days instead of the 46 days that should have been served.

I have asked the Director General for a report. He has advised me that, wholly contrary to the procedure put in place by Ministers, his approval was not sought in this case. Furthermore, the period of the sentence to be served was reduced by 11 days as a result of an administrative error. The administrative procedures have now been strengthened and the Director General has written to all establishments reminding them of the particular considerations that apply to sex offenders subject to the provisions of the 1997 Act and the requirement at all times to seek his consent.

While this failure to follow the correct procedures is highly regrettable, I am satisfied that in this case there was no risk to the public, nor has the offender concerned been arrested, charged or convicted of any further offence.

Korean Airlines Crash

Mr. Bob Russell: To ask the Secretary of State for the Home Department if he will compensate the Essex Police Authority for the costs incurred following the recent crash of a Korean Airlines plane at Stansted Airport. [117939]

Mr. Charles Clarke: No special payment will be made to Essex Police Authority for any costs incurred following the recent crash of a Korean Airlines plane at Stansted Airport. Essex Police Authority has sought assistance to meet the estimated cost of £343,000 for this exercise. Police forces are, however, funded and are expected to make provision for unexpected events of this size.

I have, however, provided a special grant of £2 million to the force towards the cost of policing the more recent hijack at Stansted.

Europol

Sir Richard Body: To ask the Secretary of State for the Home Department in what circumstances officers in Europol will be authorised to carry arms when engaged in operations in the United Kingdom. [117577]

Mr. Charles Clarke: Europol officers have no such operational powers and do not carry arms in the course of their duties.

Sir Richard Body: To ask the Secretary of State for the Home Department what operations have been carried out jointly by Europol and police in the United Kingdom. [117584]

Mr. Charles Clarke: There have been no such operations carried out in the United Kingdom.

Sir Richard Body: To ask the Secretary of State for the Home Department (1) where the training college for Europol will be established; [117579]

(2) if he will make a statement about the purpose of the training college for Europol. [117578]

Mr. Charles Clarke: There are no plans to establish a training college for Europol. The Tampere European Council in October 1999 agreed that a European Police College should be established for the training of senior law enforcement officials, starting as a network of existing national training institutes. Proposed objectives for the network include strengthening knowledge of existing European Union instruments in the area of law enforcement, improving co-operation and co-ordination between European Union law enforcement training institutes with regard to European and cross-border co-operation and providing training for law enforcement agencies of Accession states. The United Kingdom has offered to host the secretariat for the network. Its location is yet to be decided.

Sir Richard Body: To ask the Secretary of State for the Home Department if Europol officers operating in the United Kingdom will wear a uniform. [117583]

Mr. Charles Clarke: Europol staff have no such operational powers and do not wear uniforms in the course of their duties.

Sir Richard Body: To ask the Secretary of State for the Home Department under what circumstances a United Kingdom police force can refuse to carry out an operation proposed to be carried out under provisions of the Treaty of Amsterdam. [117575]

Mr. Charles Clarke: The United Kingdom's application to participate in the police co-operation provisions of the Schengen Implementing Convention, which has been incorporated by the Treaty of Amsterdam into the Treaty on European Union, is still under negotiation. Measures under Article 30 of the Treaty on European Union on joint teams involving Europol are still under discussion.

Police forces in the United Kingdom attach importance to assisting, and being assisted by, counterpart authorities abroad in criminal investigations and proceedings. The decision on whether to seek or provide such assistance is for individual chief officers of police. In general, assistance will be provided, in accordance with domestic law and procedures, but it may be withheld in exceptional circumstances, for example, on grounds of national security. The police co-operation provisions in the Schengen Implementing Convention and the Treaty on European Union will not affect this current practice.

Vivisection

Dr. Ladyman: To ask the Secretary of State for the Home Department what assessment he has made of the operation of the confidentiality agreement between his Department and the British Union for the Abolition of Vivisection in relation to offences committed under the Protection of Animals Act 1911. [117710]

Mr. Mike O'Brien: The main provisions of the confidentiality agreement stipulated that the material it covered should not be disclosed to anyone other than Home Office Ministers and officials without the prior written approval of the British Union for the Abolition of Vivisection (BUAV). I am advised that these provisions would have been unenforceable in law should any attempt have been made to use the agreement to suppress evidence of criminal offences or prevent its disclosure to the police authorities or Crown Prosecution Service.

The confidentiality agreement was entered into in July 1999 in order to obtain information to enable a full Home Office investigation of the allegations made by the BUAV against HarlandUK. I do not consider that it set a helpful precedent. The most careful consideration would be necessary before an agreement of this nature could be entered into again should similar circumstances arise in the future.

Although in evidence in the consultation on Freedom of Information, they made representations that the Home Office should have a presumption against enforcing such an agreement, the BUAV requested such an agreement in connection with this case.

Drug Laws

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what assessment he has made of the report of the Police Foundation Inquiry into the Misuse of Drugs Act 1971; and if he will make a statement. [117606]

Mr. Charles Clarke: The Government welcome the report by the Police Foundation. The report contains 81 recommendations which the Government will be considering over the coming months. However, the Government are not currently persuaded that the classification or overall legal framework for LSD, ecstasy or cannabis should be changed.

Somali Refugees

Ms Oona King: To ask the Secretary of State for the Home Department (1) how many Somali nationals previously granted exceptional leave to remain and who have submitted upgrade applications for full refugee status have received a decision on their case in each month since the House of Lords judgment on the Adan case; [117794]

(2) how many asylum applications received from Somali nationals in each of the years 1998 and 1999 were upgrade applications from an applicant previously granted exceptional leave to remain. [117795]

Mrs. Roche: Information on the number of decisions made or the number of applications lodged by Somali nationals requesting an upgrading to full refugee status is not held centrally. Such information would be obtained only by examining individual case papers at disproportionate cost.

Written Answers to Questions

Friday 7 April 2000

DEFENCE

Lightweight Mobile Artillery

Mr. Key: To ask the Secretary of State for Defence what progress has been made on the Lightweight Mobile Artillery Weapon System; and if he will make a statement. [117495]

Dr. Moonie *[holding answer 3 April 2000]:* This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to hon. Member.

Letter from Robert Walmsley to Mr. Robert Key, dated 7 April 2000:

I am replying to your question to the Secretary of State for Defence which asked about the Lightweight Mobile Artillery Weapon System. This matter falls within my area of responsibility as Chief Executive of the Defence Procurement Agency.

The Lightweight Mobile Artillery Weapon System (LIMAWS) programme will form a lightweight artillery capability for our rapid reaction forces, and is planned to consist of lightweight towed 155mm howitzer, lightweight rocket launcher, and a lightweight weapon locating radar. Both the weapon locating radar and the rocket launcher programmes are at the early concept phase of the smart procurement cycle. However, as part of our initial consideration of the rocket launcher programme, we invited tenders in January for a study to examine the technical risks to the development of a lightweight launch platform. The results of this study will inform the more detailed assessment phase in due course. We are currently examining options for the weapon locating radar, and intend to commence a formal assessment phase shortly. The gun programme is more advanced, and the United Kingdom continues to work closely with the United States on its lightweight 155mm howitzer development programme, the contract for which is with BAE Systems RO Defence. The information generated from this will assist in deciding the way forward on this element of the programme.

Cyprus Memorial

Mr. Bob Russell: To ask the Secretary of State for Defence if he will establish a memorial to the British servicemen killed during the Cyprus emergency in the 1950s; and if he will make a statement. [117937]

Dr. Moonie: It has been a long-standing policy of successive Governments that the cost of memorials is not usually met from public funds, but from private donations or public subscription. For this reason, my Department has no plans to erect a memorial to those British Service personnel who were killed during the Cyprus Emergency of the 1950s. However, should it be the case that the necessary funds were to be raised from public subscription or private donation, my Department would be happy to provide representation at any dedication ceremony which might take place.

EDUCATION AND EMPLOYMENT

Capitation Allowance

Mr. Sawford: To ask the Secretary of State for Education and Employment what the average capitation allowance is for *(a)* secondary school pupils and *(b)* pupils at city technology colleges. [117647]

Ms Estelle Morris: The average cost of a place in a maintained secondary school in England based on 1999–2000 Local Schools Budget figures was £2,917. This figure includes delegated funding and associated LEA costs. The estimated average amount per pupil delegated to schools, through the Individual Schools Budget and devolved Standards Fund, was £2,403.

The city of technology college (CTC) average recurrent grant unit cost for the 1999–2000 academic year is £3,502. This figure includes funding for some services which LEAs provide to maintained schools but CTCs have to provide for themselves.

As CTC funding does not have the same coverage as the LEA Local Schools Budget and is on an academic year basis these unit cost figures are not directly comparable.

NORTHERN IRELAND

Holding Centres

Mrs. McKenna: To ask the Secretary of State for Northern Ireland when he will publish Sir Louis Blom-Cooper's Seventh Annual report as Independent Commissioner for the Holding Centres. [118647]

Mr. Mandelson: I have today arranged for copies of Sir Louis Blom-Cooper's Annual Report for 1999 to be placed in the Library.

Sir Louis has welcomed the closure of Castlereagh holding centre on 31 December 1999; and the Government and the Chief Constable remain committed to the closure of the Strand Road and Gough Barracks holding centres as soon as practicable.

I welcome Sir Louis' Report and will respond as soon as I have had the opportunity to consider its content carefully.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Bilateral Air Service Agreements

Miss McIntosh: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has made to the US Government about *(a)* the fly American policy, *(b)* cabotage and *(c)* ownership of US carriers, in the context of bilateral air service agreements. [117617]

Mr. Mullin: The Government have consistently pressed for cabotage rights and the amendment of US policies on ownership and control of US carriers and 'Fly America' in bilateral talks with the US Government.

Special Advisers

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions (1) what was the total cost of special advisers employed in his Department in each of the years *(a)* 1997, *(b)* 1998 and *(c)* 1999; and what is his forecast for the current year; [114400]

(2) how many special advisers have been employed in his Department in each of the years *(a)* 1997, *(b)* 1998 and *(c)* 1999; and what is his forecast for the current year. [114399]

Mr. Hill *[holding answer 13 March 2000]:* In the financial year 1996–97, the cost of special advisers in the former Departments of Environment and Transport was £161,563.

The costs for the Department of the Environment, Transport and the Regions have been:

	£
1997–98	131,668
1998–99	143,957
1999–2000	163,231

There were three full-time and two part-time special advisers in the former Departments of Environment and Transport and there are three full-time and two part-time special advisers in the Department of the Environment, Transport and the Regions. One of these full-time advisers is specifically allocated to the Secretary of State in his role as Deputy Prime Minister. There are no plans to increase the number of special advisers.

Light Pollution

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions if he will make it his policy to replace the lighting on major roads with less light pollutant systems. [117089]

Mr. Hill: The Secretary of State has set the Highways Agency the objective of

> minimising the impact of the trunk road network on the natural and built environment.

With respect to light pollution, all new lighting is of the less polluting type. The HA is replacing existing lighting with less polluting systems when renewal is due or in association with other improvement works. Replacement in advance of this could not be justified in terms of cost or disruption to motorists.

Housing Improvement Projects

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what housing improvement projects are being financed by his Department in the Greater London area; and if he will list the boroughs where these projects are. [117407]

Mr. Mullin: The Government are financing a wide range of housing improvement projects through programmes in London boroughs.

London's Housing Investment Programme allocation for 2000–01 consists of a £613 million package of capital resources. All London boroughs have received an allocation which they may use for repairs to their own stock or for increasing supply. The Department does not hold details of individual projects.

In 2000–01 we are providing almost £48 million for schemes under the Estate Action programme in Brent, Ealing, Greenwich, Hackney, Hammersmith and Fulham, Haringey, Islington, Lambeth, Lewisham, Tower Hamlets, Waltham Forest and Westminster. Housing Action Trust schemes in Brent, Tower Hamlets and Waltham Forest are also being financed by the Government this year in the sum of £40 million. These are listed in the tables.

Estate Action schemes 1999–2005

Borough	*Estate Action schemes*	*Year scheme ends*
Brent	St. Raphaels	2000–01
Ealing	Golf Links	2000–01
Greenwich	Glyndon	2000–01
Hackney	Holly St.	2001–02
	New Kingshold	2001–02
	Nightingale	2002–03
Hammersmith	White City	2000–01
Haringey	Broadwater Farm III	2001–02
	Northumberland Park	2000–01
Islington	Harvist	2000–01
Lambeth	Angell Town	2003–04
	Myatts Field North	2000–01
	Penwith Manor II	2001–02
	Stockwell Park II	2004–05
	Thorlands	2001–02
Lewisham	Evelyn	2001–02
	Milton Court	2001–02
	Pepys	2000–01
Tower Hamlets	Barkentine Estate III	2000–01
	Wellington	2001–02
Waltham Forest	Priory Court	2000–01
Westminster	Lisson Green	2002–03
	Mozart	2000–01

Housing Action Trusts

Borough	*Housing Action Trust scheme*	*Year scheme ends*
Brent	Stonebridge HAT	2005–06
Tower Hamlets	Tower Hamlets HAT	2004–05
Waltham Forest	Waltham Forest HAT	2002–03

A number of Single Regeneration Budget schemes in London also have housing improvement projects. Details of these are not readily available by borough.

Urban White Paper

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to release his Urban White Paper. [117767]

Ms Beverley Hughes: When it is ready.

Trunk Road Network

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions if he will list (1) the 10 largest conurbations in England not linked to the trunk road network; [117596]

(2) the criteria used for determining which roads are *(a)* trunked and *(b)* de-trunked; and if he will make a statement. [117597]

Mr. Hill: The trunk road network constituting a national system of routes for through traffic was defined under the Trunk Roads Acts of 1936 and 1946. The network has altered over the years as new roads, including motorways, have superseded parts of the network which have in consequence been de-trunked. The Secretary of State is required to keep the trunk road network under review. In developing our integrated transport policies set out in the White Paper "A New Deal For Transport" (Cm 3950) we concluded that there were a number of existing trunk roads which mainly served local and regional traffic, that would be more appropriately managed by the local highway authorities to ensure integrated local transport and land use planning. We identified a core network of nationally important trunk roads in England taking the following factors into account:

linking main centres of population and economic activity;

accessing major ports, airports and rail intermodal terminals;

joining peripheral regions to the centre;

providing key cross-border links to Scotland and Wales;

classification as part of the UK Trans-European Road Network.

It is considered that this core network serves to provide for the needs of through traffic to all significant urban areas in England. It is proposed to de-trunk the non-core routes.

The 10 largest urban areas by population that are presently more than three miles distant from a trunk road are listed in the table.

Urban area	*Population (1991 census)*
1. Bournemouth	358,321
2. Southend	266,749
3. Aldershot	231,194
4. Mansfield	154,966
5. Thanet	116,745
6. Basildon	102,913
7. Torbay	102,576
8. Hartlepool	87,310
9. Weston-Super-Mare	71,451
10. Harrogate	66,178

Single Vehicle Approval Limits

Mr. John Smith: To ask the Secretary of State for the Environment, Transport and the Regions if the single vehicle approval limits have been lifted; and what the schedule is for their total abolition. [117558]

Mr. Hill: The limits for the "Very Low Volume" part of the scheme have not been lifted other than for equivalent single approvals granted by other member states of the European Economic Area. I am currently reviewing the schedule for their complete removal.

Invasive Species

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions if he will meet Plantlife to discuss its proposals to prevent the spread of invasive species; and if he will make a statement. [117587]

Mr. Mullin: My Department welcomes the work carried out by Plantlife identifying the problems caused by non-native invasive plant species. Next year, my Department plans to carry out a review of the effectiveness of current policies concerning non-native species which threaten native biodiversity. A meeting between myself and representatives from Plantlife could be arranged at the start of this review process.

Combined Heat and Power

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions (1) what progress he has made towards meeting the target for combined heat and power by the end of 2000; [117765]

(2) what is the current capacity for a combined heat and power plant in the United Kingdom; and whether the 5 GWe target for combined heat and power by the end of this year is likely to be met. [117764]

Mr. Meacher: Good progress is being made in the growth of Combined Heat and Power (CHP) in the UK.

There are currently over 4GW of CHP installed in the UK on nearly 1400 sites, providing around 6 per cent. of electricity generated in the UK. The interim 5GW target for CHP is likely to be achieved next year. Meanwhile, the Government have announced their new target of at least 10GW by 2010 and are actively working toward this.

A draft CHP strategy, including a range of measures to achieve the new target will be issued shortly. These measures will include exemption of good quality CHP from the Climate Change Levy and a new CHP Club.

Pedestrian Protection Directive

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what progress his Department has made with the publication of the European Directive on Pedestrian Protection; and what assessment he has made of the effect of its provisions on reducing road casualties. [117777]

Mr. Hill: We are currently awaiting the opportunity to examine the details of a European Commission proposal for a pedestrian protection Directive. We had expected the Commission to put forward their draft proposal in mid-March, and we were disappointed when this proved not to be possible. We are now urging the Commission to bring forward their proposal at the earliest opportunity.

New Houses (South-east)

Mr. Norman: To ask the Secretary of State for the Environment, Transport and the Regions how many houses his Department expects to be built in the South-East and East Anglia regions in *(a)* 2000, *(b)* 2001 and *(c)* 2002. [117786]

Mr. Raynsford: Planned levels of housing provision for these years is already set out in development plans. Proposed changes to the draft Regional Planning

Guidance for the South-East and East Anglia were published on 27 March and are now subject to consultation. Final RPG is likely to be in place in autumn 2000, following which local authorities will consider the need to review their development plans. Whether, and when, they need to make changes to their plans will depend on the rate of provision in existing plans, the period the plan covers and the revised rate of provision for their area for the future. For the South-East, the latter will be determined by the distribution of the total, on which I am consulting local authorities through SERPLAN.

Mr. Norman: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he had with South-east county council leaders before deciding that housing targets for the South-east would be set on a five yearly basis. [117793]

Mr. Raynsford: The intention to introduce a "plan, monitor and manage" approach to planning for housing at the regional level was announced in "Planning for the Communities of the Future" (Cmnd 3885) in February 1998. It has since been the subject of wide discussion and was reflected in the consultation draft of Planning Policy Guidance note 11 (Regional Planning) published in February 1999. Under this approach, the annual average rate of housing provision set out in the draft changes to the Regional Planning Guidance for the South-east is on-going but subject to monitoring and review at least every five years, and sooner if necessary. I am currently consulting local authorities, through SERPLAN, on the proposed changes to the draft RPG.

Mr. Norman: To ask the Secretary of State for the Environment, Transport and the Regions what forecast his Department has made of the effect on car traffic in the south-east in terms of mileage of journeys undertaken of the building of 215,000 additional dwellings by 2005. [117790]

Mr. Raynsford: It is not possible to provide a reliable forecast. The housing needs in the south-east region outside of London derive in very large part from the needs of the people who are already in the region and those migrating into it from London. Any forecast of the additional car journeys generated by an additional 215,000 dwellings to cater for these needs would have to take account of the additional journeys generated by separate rather than shared households. Our policy is for development to be located as far as possible within existing urban areas, with more mixed use development and using sites which have ready and convenient access on foot, by cycle and public transport, thereby reducing the dependency on car travel. The net effect could be a reduction in additional car journeys compared with what would otherwise be the case.

Mr. Norman: To ask the Secretary of State for the Environment, Transport and the Regions what forecast his Department has made of the effect on total water consumption in the south-east of the building of an additional 215,000 dwellings in the south-east by 2005. [117791]

Mr. Raynsford: The housing needs in the south-east region outside of London derive in very large part from the needs of the people who are already in the region and those migrating into it from London. Any forecast of water consumption associated with an additional 215,000 dwellings would need to take account of the additional consumption generated by households living separately rather than sharing accommodation while allowing for improved water conservation measures in new development. In view of the uncertainties involved my Department has made no forecast. However, draft Regional Planning Guidance for the south-east (RPG9) emphasises that local planning authorities need to take water resources into account when identifying land for development or redevelopment, working closely with the Environment Agency and the water industry.

Mr. Norman: To ask the Secretary of State for the Environment, Transport and the Regions what his Department estimates to be the available brownfield land for development in the south-east; and what proportion of this he expects to be available for housing development. [117785]

Mr. Raynsford: Provisional estimates from the National Land Use Database were published in the DETR/Government Statistical Service Press Notice of 20 May 1999 and reflect returns made for 1998. They show the total amount of previously developed land reported by local authorities and how much of this was allocated in plans, had planning permission for housing or was judged suitable for housing by local authorities. The estimates do not show how much of the land was available for development. They are a snapshot and take no account of the future supply of previously developed land or changes to planning policy introduced by the new Planning Policy Guidance note 3 on Housing. The relevant estimates for the SERPLAN (including London) region are 15,730 hectares of previously developed land of which 9,320 hectares (59 per cent.) were judged suitable for housing.

Planning

Mr. Norman: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his oral statement of 7 March 2000, *Official Report*, column 865, on planning, what number and density of dwellings was used in the calculations underlying his conclusion that his new housing targets would use no more land than the SERPLAN proposals. [117796]

Mr. Raynsford: Evidence submitted by SERPLAN at the public examination into the draft Regional Planning Guidance for the South-East indicated that for sites in progress or not started the average density of housing development was 26 dwellings per hectare (dph). Planning Policy Guidance note 3 (Housing) makes clear that local authorities should avoid planning for developments of less than 30 dph and encourage developments between 30 and 50 dph. It is also our policy to maximise the contribution that conversions can make to the dwelling stock. If local authorities in the South-East follow the guidance in PPG3, it will be possible for them to achieve the average annual rate of provision of 43,000 dwellings per annum without taking more land than implied by the SERPLAN total of 36,000 dwellings per annum.

GM Crops

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions what arrangements are in place for inspection of farm-scale trials and other trials of genetically-modified crops to ensure that licence conditions are observed. [118302]

Mr. Meacher: We carry out each year a thorough programme of inspections of trials to ensure that crops are being grown in accordance with the consents granted by the Secretary of State. Inspectors are fully trained and qualified in a relevant discipline. If the inspections show that a consent is not being followed, appropriate enforcement action is taken. This can include a formal instruction to remedy, revocation of consent, a prohibition notice or in some cases prosecution. Inspectors pay particular attention to new or inexperienced consent holders and those who have had previous non-compliance problems.

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions how often each site in which GM crops are grown will be inspected. [118301]

Mr. Meacher: We have recently reviewed the inspection and enforcement regime and under new arrangements we will be able to provide a larger team of inspectors than has been available in the past. This will ensure we can improve further our capacity to ensure compliance with release consents and underpin confidence in the regulatory process.

Our inspectors will visit every GMO release site during the growing season and supply inspection reports for each in a format ready for the Department's website. In addition, inspectors will conduct up to 20 audits of consent holders to ensure that they have effective lines of supervision of staff running the GM field trials and that GM material is disposed of safely in line with the consent.

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions how he will ensure that the specified separation distances for GM crops are observed *(a)* during the current planting season and *(b)* in future years. [118303]

Mr. Meacher: Inspectors are asked to examine separation distances when visiting trial sites and take any necessary remedial action if this aspect of the release consent has not been properly followed. Our comprehensive inspection programme for this year and future years will ensure that requirements for separation distances are rigorously enforced.

HEALTH

Specialist Treatments

Mr. Lilley: To ask the Secretary of State for Health (1) what timetable has been agreed for the establishment of service agreements for financing referrals for specialist neurology treatments; [116464]

(2) what funding mechanisms are available to cover referrals of patients for specialist treatments not as yet included in service agreements. [116463]

Mr. Denham: Specialist treatments offered by National Health Service trusts to populations within their host regions are in most cases already incorporated in service agreements. Regional directors have been asked to ensure that service agreements are reached during 2000–01 for any pan regional specialist treatments, including some specialist neurology treatments, that are not yet covered by a service agreement.

Any specialist treatment not yet included in a service agreement will be covered by the out of area treatments mechanism.

NHS Staff

Laura Moffatt: To ask the Secretary of State for Health what form the recent survey for assessing the views of people working in the NHS took. [116948]

Mr. Denham: All National Health Service employers are required under the NHS human resources framework, "Working Together", to have conducted an annual staff attitude survey by April 2000.

The NHS Executive has issued guidance for NHS employers on good practice in designing, administering and acting upon the results of employee opinion surveys. It describes core areas which all NHS employers should cover in their surveys, but it does not prescribe a particular survey which all NHS employers must use.

There are no current plans to develop a core employee opinion survey for use by all NHS employers.

Prostate Cancer

Mr. Llew Smith: To ask the Secretary of State for Health what extra resources have been allocated to support the meeting of the new target of referring patients suspected of suffering from prostate cancer to a specialist within two weeks. [116984]

Yvette Cooper: By the end of 2000, patients in England with a suspected cancer will be able to see a specialist within two weeks of their general practitioner deciding they need to be seen urgently and requesting an appointment. To support implementation of this standard we have made £10 million available for each of the financial years 1999–2000 and 2000–01. We are also making an additional £30 million available for each of the next two financial years to further support the two week standard and the modernisation of cancer services.

Mr. Hammond: To ask the Secretary of State for Health if he will increase Government funding for research into prostate cancer to the level of Government funding for research into breast cancer. [99893]

Yvette Cooper: Government funding for research is provided through a number of routes.

The Medical Research Council (MRC) is the main agency through which the Government support research on the causes and treatment of disease. The MRC receives most of its income via grant-in-aid from the office of my right hon. Friend the Secretary of State for Trade and Industry. The Department of Health funds research to support policy development in health and social care, and to support effective practice in the NHS. The Department also provides NHS support funding for research commissioned by the MRC and charities that takes place in the NHS.

The latest figures available for annual Government expenditure (Department of Health/NHS, MRC and other Government Departments—principally devolved Health Departments) on breast cancer and prostate cancer are £9.33 million and £1.55 million respectively. These figures underestimate the total Government research and development expenditure in these areas, as detailed estimates of NHS support funding are not collected routinely.

Since 1997, the Government have committed an extra £800,000 to new research projects on prostate cancer, through the Medical Research Council and through the Department of Health. The Department has actively sought to support such work in prostate cancer, and has not rejected any high quality proposals for work in this area.

The Department recently announced £1 million additional new funding for this financial year for urgent research studies into prostate cancer as a mark of its concern over this disease.

Following the seminar last year at No. 10, a "Cancer Research Funders' Forum" has been established to help improve the co-ordination of cancer research in the United Kingdom. It is being run by the MRC and includes DH representatives and the major cancer research charities. At the Department's request, the Forum considered the issue of prostate cancer at its first meeting on 10 January. They agreed to set up an expert group on prostate cancer, which will identify gaps in current research and suggest ways of filling them. The expert group met for the first time on 25 February, and expects to report within months.

We have appointed a National Cancer Director, Professor Mike Richards, who will spearhead our concerted drive on cancer. He will work in partnership with doctors, nurses, general practitioners, other health professionals and the voluntary sector to improve prevention and modernise cancer services to help ensure equitable access to high quality cancer care. This will include a close interest in the development and progression of research.

Meningitis Vaccination

Mr. Llew Smith: To ask the Secretary of State for Health what considerations were taken into account by his Department in deciding the scope and quantity of the information prepared and distributed by local health trusts to parents prior to the administration to children of vaccinations to combat meningitis. [116978]

Yvette Cooper: Before public information materials on the new meningococcal Group C conjugate vaccine and the immunisation programme were produced, the Heath Education Authority (HEA) conducted research into what the public and health professionals felt the materials should contain. Focus groups, representing a cross section of the community, were convened and asked what information they wanted and who should get the information. They stated that the leaflet should give information on what meningitis is, what the new vaccine protects against, safety and efficacy, contraindications, the programme and its implementation and the need to continue to be aware and alert to the signs and symptoms of meningitis. The leaflet for parents covers these issues and received strong support from the focus groups; plans for its widespread distribution were also endorsed.

About 11 million copies of the parents' leaflet have been printed and it has been mailed to general practitioner surgeries, pharmacies and schools for every parent to receive and also made widely available through high street pharmacies and post offices. The leaflet is available in Welsh and 11 other languages and has been awarded the Plain English Crystal Mark. In addition, a factsheet on the immunisation programme and the vaccine, which can be freely copied and made available, was sent to 30,000 health professionals and both the HEA's and Department of Health's websites include detailed information.

Smoking

Ms Church: To ask the Secretary of State for Health how much was spent in each of the last five years by the NHS on smoking cessation treatments. [117032]

Yvette Cooper: The information requested is not held centrally. Our White Paper "Smoking Kills" announced on 10 December 1998 the first ever national NHS smoking cessation programme, with advice and support for adults wanting to quit including one week's supply of nicotine replacement therapy free of charge for smokers entitled to free prescriptions. £10 million was allocated to health action zones for 1999–2000 to set up smoking cessation services and £16 million has been allocated for these services to be extended across England in 2000–01.

Waiting Lists (Essex)

Mr. Jenkin: To ask the Secretary of State for Health what was the inpatient hospital waiting list target for Essex Rivers Healthcare Trust for the year ending 31 March. [116841]

Mr. Denham *[holding answer 30 March 2000]:* Trust targets are agreed locally with the relevant health authorities.

GP Budgets (Durham)

Mr. Steinberg: To ask the Secretary of State for Health what estimate he has made of the amount of under-spend in the budgets of general practitioners in Durham in each of the last five years. [117212]

Mr. Denham: County Durham Health Authority has reported underspends as set out in the table.

£000

	1996–97	1997–98	1998–99	1999–2000
General Medical Services Cash Limited	535.7	1,206.2	1,274.7	1,451.5
General Medical Services Non Cash Limited				
Prescribing	0.5	79.6	946.6	500.0
Others	(259.0)	57.9	(344.4)	(620.0)
Total	(258.5)	1,375	602.2	[1]—
General Practitioner				
Fundholding:				
Hospital and Community	(363.0)	(371.0)	(894.0)	3.0
Health Services:				
Prescribing	561.0	896.0	2,658.0	[1]—
Management Allowance	319.0	254.0	(75.0)	[1]—
Total	517.0	779.0	1,689.0	3.0

[1] Indicates there are no figures available

Notes:

1. 1999–2000 is a forecast outturn position.
2. Figures in brackets show overspend.
3. Prescribing figures for 1999–2000 are now cash limited.
4. County Durham Health Authority was established in 1996–97. Previously the area was covered by three separate authorities for which data are not available.

Source:

County Durham Health Authority

Abortion

Fiona Mactaggart: To ask the Secretary of State for Health (1) if he will publish the audit of NHS and independent sector abortion services carried out by the Royal College of Obstetricians and Gynaecologists; and if he will make a statement on the measures he proposes to take on the results of the audit; [117682]

(2) when the next audit of abortion services will be carried out. [117683]

Yvette Cooper: The Royal College of Obstetricians and Gynaecologists will publish the final audit report later this year. This audit provides valuable data that will assist those carrying out audits locally and will also inform discussions on the sexual health strategy about future audit of services.

Works of Art

Mr. Brake: To ask the Secretary of State for Health how much has been spent on *(a)* the upkeep and *(b)* the purchase of works of art in his Department for each financial year since 1992. [117473]

Mr. Denham: The hon. Member is referred to the answer provided by the Department of Culture, Media and Sport on behalf of this and other Departments.

In addition to works of art on loan from the Government Art Collection, the Department spent £1,000 on purchasing framed prints as part of two refurbishment projects in 1995. No other funds have been spent on the purchase or upkeep of works of art since 1992.

Student Nurses

Mr. Cox: To ask the Secretary of State for Health how many student nurses were employed in the Merton, Sutton and Wandsworth Health Authority area on 1 March. [117408]

Mr. Denham: Student nurses undertaking training programmes are recruited by the local university, which holds an education contract with a consortium of National Health Service employers. This consortium includes health authorities and trusts. The joint faculty of health of Kingston University and St. George's Medical School holds an education contract with the South-West London and Epsom Education Consortium. Included within the membership of the consortium is the Merton, Sutton and Wandsworth Health Authority.

Student nurses are not employed by either NHS trusts or health authorities. They receive a bursary and are students like any other student attending a programme of study at a university. The number of nursing students undertaking a three year programme of study at the faculty currently numbers 1,073.

Salmonella

Mr. Cox: To ask the Secretary of State for Health how many cases of salmonella were reported during 1999 in the United Kingdom. [117409]

Yvette Cooper: Information on the numbers of cases of *Salmonellosis* within England and Wales is collected by the Public Health Laboratory Service (PHLS). Information on data for Northern Ireland and Scotland should normally be sought from their respective administrations.

However, in a recent paper to the Advisory Committee on the Microbiological Safety of Food from the Communicable Disease Surveillance Centre of the PHLS, the figures for the United Kingdom as a whole were given.

In 1999 in the United Kingdom, there were 19,798 (provisional data) cases of *Salmonellosis.*

Health Budgets (Buckinghamshire)

Mr. Lidington: To ask the Secretary of State for Health what were the estimated *(a)* deficits and *(b)* surpluses of Buckinghamshire Health Authority and NHS Trusts in Buckinghamshire at 31 March. [116557]

Mr. Denham *[holding answer 4 April 2000]:* The table shows the financial position of Buckinghamshire Health Authority and National Health Service trusts in Buckinghamshire at September 1999. This is the latest available published data.

£000

Organisation	1999–2000 Forecast
Buckinghamshire Health Authority	1,171
Aylesbury Vale Community Healthcare NHS Trust	0
Milton Keynes Community NHS Trust	−50
Milton Keynes General NHS Trust	−123
South Buckinghamshire NHS Trust	0
Stoke Mandeville Hospital NHS Trust	−309
Two Shires Ambulance NHS Trust	15
Total	704

Note:
An extra allocation to the NHS of £134 million was announced by Secretary of State for Health on 21 December 1999; £90 million of this has been allocated to health authorities in 1999–2000—to help meet the additional costs of generic drugs. Buckinghamshire Health Authority's share of this additional money was £974,000. The remaining £44 million will be allocated, as required, to meet the cost of clinical negligence claims.

The Q2 (September) 1999–2000 Forecasts were prepared before the additional allocations were announced. As a consequence the forecasts do not take account of the additional allocations.

Neonatal Hearing Screening

Mr. Burstow: To ask the Secretary of State for Health when he plans to make an announcement on the implementation of universal neonatal hearing screening following the recommendations by the National Screening Committee. [117609]

Yvette Cooper *[holding answer 6 April 2000]:* I expect to receive the United Kingdom National Screening Committee's proposals on implementing a universal neonatal hearing screening programme shortly. These will include details of the organisational and human resource implications of the proposed changes. I will make an announcement in due course.

NHS Spending (South East)

Mr. Caplin: To ask the Secretary of State for Health what estimate he has made of the change to levels of NHS spending in the South-East as a result of his Budget announcements. [116634]

Mr. Denham *[holding answer 6 April 2000]:* In his Budget speech, my right hon. Friend the Chancellor of the Exchequer announced an additional £2 billion for the National Health Service in the United Kingdom, including the confirmation of moneys from tobacco.

As part of the immediate allocation of £600 million for the NHS England, the South-East Region of the NHS Executive will receive an additional £107 million.

The new resources will put local hospital and general practitioner services on to a sound financial footing. They will help to put in place new high quality intermediate care services to provide a bridge between hospital and home for older people, helping the NHS better prepare for winter. The extra funding will also help to action recommendations by the National Institute for Clinical Excellence to tackle the postcode lottery of care. The extra resources will help to further reduce waiting times.

Waiting Times

Mr. Gordon Marsden: To ask the Secretary of State for Health what the average waiting time from GP referral is for *(a)* hearing aids, *(b)* bath rails and *(c)* artificial limbs (i) in Blackpool Community Health Services NHS Trust, (ii) in North-West Lancashire Health Authority and (iii) nationally. [117831]

Mr. Denham *[holding answer 6 April 2000]:* Data are not available nationally on the specific areas requested. However, Blackpool, Wyre and Fylde Community Health Services National Health Service Trust and North-West Lancashire Health Authority (NWLHA) have provided the following information:

(a) the average waiting time in NWLHA for hearing aids is 11.5 weeks;

(b) the average waiting time for bath rails is 19.5 weeks;

(c) the average waiting time for artificial limbs is four weeks.

Nits

Mr. Oaten: To ask the Secretary of State for Health what recent *(a)* guidelines to local education authorities and *(b)* advice to parents his Department has issued about the control of nits. [117965]

Yvette Cooper *[holding answer 6 April 2000]:* A new leaflet on the prevention and treatment of nits (head lice) has been launched, copies of which are widely available to parents through primary health care teams. Guidance is also available to local education authorities by accessing the "Wired for Health" website. The teachers' magazine "Spectrum", which circulates within education authorities and schools, recently featured guidance on head lice control and the new leaflet.

Surrey and Sussex NHS Trust

Mr. Peter Ainsworth: To ask the Secretary of State for Health what discussion he had with *(a)* representatives of Surrey and Sussex NHS trust, *(b)* East Surrey health authority and *(c)* other parties prior to the announcement that the Chief Executive of Surrey and Sussex NHS trust was leaving; and if he will make a statement. [118256]

Ms Stuart: The resignation of the chief executive is a matter for the Surrey and Sussex Healthcare National Health Service Trust Board.

The regional office of the National Health Service Executive will provide support to the trust until a new appointment has been made.

NHS Staff (East Surrey)

Mr. Peter Ainsworth: To ask the Secretary of State for Health if he will make a statement on current levels of *(a)* nursing and *(b)* cleaning staff at East Surrey hospital. [118255]

Ms Stuart: The latest available levels of nursing, midwifery and health visiting staff at Surrey and Sussex National Health Service Trust is given in the table.

NHS Hospital and Community Health Services (HCHS): Nursing, midwifery and health visiting staff within Surrey and Sussex Healthcare NHS Trust, as at 30 September 1998

	Whole time equivalent	Numbers (headcount)
All Nursing, Midwifery and Health visiting staff	1,240	1,670

Notes:
1. Figures are rounded to the nearest 10
2. Figures exclude learners and agency staff

Source:
Department of Health Non-Medical Workforce Census

The East Surrey health authority is responsible for ensuring that the quality of care for those being treated at East Surrey hospital is satisfactory. The Surrey and Sussex Healthcare National Health Service Trust is looking at ways of improving the recruitment and retention of nursing staff in line with national recruitment and retention strategy.

The number of whole time equivalent ancillary staff (which covers cleaning staff) is 269. The number of vacancies at March 2000 was 30.

New guidelines to ensure cleanliness on hospital wards—"Standards for Environmental Cleanliness in Hospitals"—will be issued to all National Health Service trusts shortly which complement the new framework for managing hospital acquired infection. The progress of NHS hospitals at meeting the new framework will be independently assessed locally by auditors, and nationally by the Commission for Health Improvement and the Audit Commission.

Parliamentary Questions

Mr. Field: To ask the Secretary of State for Health when he will give a substantive answer to the question from the right hon. Member for Birkenhead on the birth weight of babies, tabled on 12 January (Ref. 105430). [118230]

Yvette Cooper: I replied to my right hon. Friend on 5 April.

Dispensing

Mrs. Shephard: To ask the Secretary of State for Health when he intends to meet representatives of the Dispensing Doctors' Association and the Pharmaceutical Society to discuss dispensing arrangements; and if he will make a statement. [117861]

Ms Stuart: The bodies which represent pharmacies and dispensing doctors on National Health Service matters are the General Practitioners Committee of the British Medical Association and the Pharmaceutical Services Negotiating Committee. My noble Friend Lord Hunt of King's Health met representatives of both bodies on 21 December 1999 to discuss dispensing arrangements in rural areas.

TRADE AND INDUSTRY

Arms Exports (Uganda and Zimbabwe)

Mr. Austin: To ask the Secretary of State for Trade and Industry if he will list those arms and items of military equipment which were approved for export to Uganda and Zimbabwe in each of the years 1998–99 and 1999–2000. [117983]

Dr. Howells *[holding answer 6 April 2000]:* Details of export licensing decisions between 1 January and 31 December 1998 were set out in the Government's Annual Report on Strategic Export Controls published by the Foreign and Commonwealth Office in November 1999; copies are in the Library of the House.

The entry in the relevant legislation under which the export of goods is controlled is known as their rating. The Export Control Organisation's computer databases have been interrogated. Between 1 January 1999 and 28 March 2000, three Standard Individual Export Licences (SIELs) and no Open Individual Export Licences (OIELs) were issued covering the export to consignees or end-users in Uganda of goods subject to export control by being listed in Part III of Schedule 1 to the Export of Goods (Control) Order 1994, commonly known as the Military List. Individual licences may cover a range of goods with various ratings. Where this is so, the licence is included in the table in the total for all of the relevant ratings.

SIELs issued between 1 January 1999 and 28 March 2000 covering the export to Uganda of goods on the Military List

Rating	Number of SIELs issued covering goods with this rating
ML2	1
ML3	1
ML6	1
PL5031	1

Between 1 January 1999 and 28 March 2000, 22 SIELs and six OIELs were issued covering the export to consignees or end-users in Zimbabwe of goods on the Military List.

Individual Licences issued between 1 January 1999 and 28 March 2000 covering the export to Zimbabwe of goods on the Military List

Rating	Number of SIELs issued covering goods with this rating	Number of OIELs issued covering goods with this rating
ML1	5	1
ML2	6	1
ML3	1	0
ML5	0	1
ML6	2	1
ML10	7	0
ML11	0	2
PL5002	0	1
PL5018	1	2

The seven SIELs covering goods with the rating ML10 were issued on 24 February 2000 for the export of Hawk spares, as noted in the answer given by my hon. Friend the Minister of State for Foreign and Commonwealth Affairs (Mr. Hain) to my hon. Friend the Member for

Bethnal Green and Bow (Ms King) on 21 February 2000, *Official Report,* column 718W. These decisions were taken in line with the policy set out in the answer given by my right hon. Friend the Prime Minister to the hon. Member for Richmond Park (Dr. Tonge) on 9 February 2000, *Official Report,* columns 184–85W.

This information does not cover any Media OIELs that may have been issued during this period. Media OIELs authorise the export to all destinations of protective clothing, mainly for the protection of aid agency workers and journalists, when working in areas of conflict.This information should be considered in light of the answer I gave to my hon. Friend the Member for Kingswood (Mr. Berry) on 27 July 1999, *Official Report,* columns 307–08.

In addition, Uganda and Zimbabwe are permitted destinations on certain Open General Export Licences covering the export of goods on the Military List; copies of all Open General Export Licences are routinely placed in the Library of the House.

BAe Systems

Mr. Gibb: To ask the Secretary of State for Trade and Industry (1) what rate of return the Government expects to receive on the proposed loan to BAe Systems to develop the A3XX super jumbo jet, including the *(a)* applicable royalty rate and *(b)* interest rate; [118263]

(2) if he will provide the repayment schedule of the proposed loan to BAe Systems. [118261]

Mr. Alan Johnson: The detailed terms of the launch investment provided to BAe Systems for the A3XX are commercially confidential.

Mr. Gibb: To ask the Secretary of State for Trade and Industry what information was supplied to the United States Government under the 1992 Civil Aircraft Agreement in respect of the £530 million proposed loan to BAe Systems. [118262]

Mr. Alan Johnson: We have provided to the European Commission all the information required by the 1992 Agreement. It is for the Commission to transmit this to the United States Government.

Mr. Gibb: To ask the Secretary of State for Trade and Industry if he will list the Government's launch aid criteria for the proposed loan to BAe Systems. [118258]

Mr. Alan Johnson: Any applicant for launch investment must demonstrate that the project is technically and commercially viable; that Government investment is essential for the project to proceed in the UK on the scale and in the timescale specified in the application; and that the Government will recoup the investment with a fair share of reward for the risks they have borne. The applicant also has to prove that the investment will bring a significant strategic benefit to the UK that would not otherwise be available.

A3XX Project

Mr. Gibb: To ask the Secretary of State for Trade and Industry what steps he took to establish whether private finance would be available for development of the A3XX project; and what reasons were given for its not being forthcoming. [118259]

Mr. Alan Johnson: As part of the assessment of the BAe Systems application for launch investment, my Department received independent advice from PricewaterhouseCoopers (PWC). In their report, PWC looked at the case for Government investment in the A3XX, including the other alternatives open to BAe Systems. Although the details of the report are commercially confidential, the conclusion was that, in the absence of launch investment from the UK Government, BAe Systems would not undertake the A3XX work in the UK. This would have had a major impact on the UK civil aerospace industry, and would have put in jeopardy the tens of thousands of UK jobs which currently depend on Airbus work.

Rachel Sylvester

Mr. Gibb: To ask the Secretary of State for Trade and Industry if *(a)* he, *(b)* other Ministers in his Department and *(c)* officials in his Department briefed Rachel Sylvester of the *Daily Telegraph* on the contents of the Competition Commission report on car pricing. [117613]

Dr. Howells: No. Neither I, my right hon. Friend the Secretary of State or my ministerial colleagues nor my officials did so.

Mr. Gibb: To ask the Secretary of State for Trade and Industry if *(a)* he, *(b)* Ministers in his Department and *(c)* officials in his Department met Rachel Sylvester on (i) Monday 27 March and (ii) during the week beginning 20 March. [117614]

Dr. Howells: I met Rachel Sylvester on 27 March. The contents of the Competition Commission's report on new cars was not discussed. No other Ministers or officials met Ms Sylvester on the dates mentioned.

Car Pricing

Mr. Gibb: To ask the Secretary of State for Trade and Industry if he has ordered an internal inquiry into the leak of the contents of the Competition Commission report on car pricing to the *Daily Telegraph.* [117615]

Dr. Howells: No. The article was speculation and I propose to treat it as such.

Land Rover

Mr. John M. Taylor: To ask the Secretary of State for Trade and Industry what discussions he has held with potential buyers of Land Rover on the pension rights of former employees. [117692]

Mr. Byers: This issue has been raised with both BMW and Ford who are the potential purchasers.

Personal Computers

Mr. Wyatt: To ask the Secretary of State for Trade and Industry (1) if he will call upon the Office of Fair Trading to publish the research underlying the Office of Fair Trading's definition of the home personal computer market; [117320]

(2) if he will refer exclusive supply arrangements in the market for home personal computers to the Competition Commission; [117323]

(3) what is his definition of the market for home personal computers in relation to the review of this market undertaken by the Office of Fair Trading in 1999. [117327]

Dr. Howells: Under UK competition law in the first instance it is the responsibility of the Director General of Fair Trading (DGFT) to investigate allegations of anti-competitive behaviour and possible abuses of a dominant position. The Director General of Fair Trading has recently investigated the market for home personal computers and concluded that no individual retailer or manufacturer has market power in the home PC market, market entry to retailing is relatively easy and there is no evidence that supra-normal profits are being made.

It is a matter for the Office of Fair Trading (OFT) to set out the research behind the reasons for its decision. They are looking at ways of increasing transparency in merger decisions. I welcome that. I am today placing a copy of the OFT's press notice of 28 October 1999 announcing its conclusions in the Library of the House.

Meetings (Washington)

Mr. Matthew Taylor: To ask the Secretary of State for Trade and Industry how many meetings he held with members and officials of the United States Government during his visit to Washington on 10 to 12 September 1998; and if he will list the date of each meeting, the location of each meeting and the names of the US officials and members who took part in each meeting. [117060]

Mr. Byers: I did not visit Washington on the dates mentioned.

Packaging Waste

Mrs. Brinton: To ask the Secretary of State for Trade and Industry what assessment he has made of the effect on competition in the packaging waste compliance market of the volume discount structure applied to statutory registration fees for packaging waste compliance schemes. [117947]

Ms Hewitt: The registration fee structure for packaging waste compliance schemes is currently under review, and the effect on competition is among the issues being looked at. The Department of the Environment, Transport and the Regions plans to conduct a consultation exercise on the fee structure shortly.

Diamond Synchrotron

Mr. Gordon Prentice: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 3 April 2000, *Official Report*, column 277W, if, at the time when he took his initial decision to site the new synchrotron at Daresbury, he had been informed of the French Government's view, expressed in October 1999, that it should be sited in Oxfordshire. [117978]

Mr. Byers: Yes.

Computers

Mr. Ian Bruce: To ask the Secretary of State for Trade and Industry what effect the announcement by 3COM that they are to quit the high-end networking market will have on Government Departments' existing and planned computer systems. [R] [117624]

Ms Hewitt *[holding answer 4 April 2000]:* The Department of Trade and Industry's IT networking facilities are provided by Unitas (a consortium of ICL and CMG) under a Public Private Partnership. My officials have reviewed the 3Com announcement with Unitas and have confirmed that 3Com equipment is not currently used in the Department's network infrastructure and therefore no impact on the Department's IT systems is anticipated.

Correspondence

Mr. Green: To ask the Secretary of State for Trade and Industry when his Department will answer the letters of 7 September 1999, 13 October 1999, 24 November 1999, 22 December 1999 and 1 February 2000, from the hon. Member for Ashford, concerning regulations under the Employment Agencies Act 1973; and if he will make a statement. [118394]

Mr. Alan Johnson: My Department has no record of any such correspondence being received at the time. The hon. Gentleman provided copies on 6 April and I will now ensure this correspondence is dealt with promptly.

EU Structural Funds

Mr. Redwood: To ask the Secretary of State for Trade and Industry when he will announce the Structural Fund Objective 2 areas. [118088]

Mr. Byers: I refer the right hon. Member to the answer given by my right hon. Friend the Minister for Trade to my hon. Friend the Member for Wigan (Mr. Turner) on 5 April 2000, *Official Report*, columns 480–81W.

Unigate

Mr. Robertson: To ask the Secretary of State for Trade and Industry what assessment he has made of the likely impact on farmers' incomes of the proposed takeover of Unigate's milk production facility by Dairy Crest; and if he will make a statement. [118213]

Dr. Howells: On 6 April, I announced that I had decided not to refer Dairy Crest's proposed acquisition of the liquid milk and cheese business of Unigate to the Competition Commission for investigation.

My decision was in accordance with the independent advice of the Director General of Fair Trading who advised me that the merger did not raise competition concerns which would warrant reference to the Competition Commission under the provisions of the Fair Trading Act 1973.

The DGFT consulted widely before offering me his advice. I considered it very carefully, and was persuaded that the merger will not have an adverse effect on competition. While the merger will lead to increased concentration in the market for the procurement of raw milk, the parties will continue to face significant competition from alternative purchasers. Farmers and raw milk marketing groups will still have a good choice of customer.

CULTURE, MEDIA AND SPORT

Museums and Galleries

Mr. Dismore: To ask the Secretary of State for Culture, Media and Sport which museums and galleries in London provide free admission to pensioners. [117839]

Mr. Alan Howarth: As of 1 April 2000, all the national Museums and Galleries in London sponsored by my Department, with the exception of the Cabinet War Rooms and HMS Belfast, provide free admission to the over 60s. As for other Museums and Galleries in London, practice varies from institution to institution.

Stonehenge

Mr. Key: To ask the Secretary of State for Culture, Media and Sport what representations *(a)* he, *(b)* his Ministers or *(c)* his officials have received from Councillor Ricky Rogers concerning the ACT Parker plan to remove the A303 (T) from the Stonehenge World Heritage Site; and if he will make a statement. [118233]

Mr. Alan Howarth: No such representations have been received by my Department at either ministerial or official level.

LORD CHANCELLOR'S DEPARTMENT

Conditional Fees

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on progress in implementing the extension of conditional fees. [118212]

Mr. Lock: On 1 April, sections 27, 29 and 30 of the Access to Justice Act 1999 were commenced by the Access to Justice Act (Commencement No. 3; Transitional Provision and Savings) Order 2000 (2000/774). On the same day, the Conditional Fee Agreements Order 2000 (2000/823), the Conditional Fee Agreements Regulations 2000 (2000/692) and the Access to Justice (Membership Organisations) Regulations 2000 (2000/693) came into effect together with the Access to Justice Act (Transitional Provision) Order 2000 (2000/900) relating to existing agreements. Rules of Court providing guidance on the recovery of success fees, disclosure of the success fee, information to be provided to clients, and other issues will be published after Easter and come into force shortly after that.

The reformed scheme for conditional fees will make access to justice more affordable to more people who wish to assert their legal rights, will encourage the early settlement of disputes and will protect consumers of legal services. In particular it will make sure that damages awarded to people winning cases are not significantly reduced by having to pay their solicitors' success fees, or the cost of litigation insurance. It will make the use of conditional fee agreements and insurance suitable for defendants or those who are not claiming money, or only modest sums, by making the costs involved recoverable from the losing party. It will also enable membership organisations, such as trade unions which provide legal services to members and their families, to recover a sum for legal costs to reflect the provision of legal help for members and their families. Making success fees and insurance premiums recoverable for everybody is a major improvement in access to justice.

SOCIAL SECURITY

Helplines

Mr. Willetts: To ask the Secretary of State for Social Security what the telephone numbers are for each of the helplines run by his Department; how many people work on each helpline; and how much each helpline has cost to run on a monthly basis. [117714]

Angela Eagle *[holding answer 2 April 2000]:* The information is not available in the format requested. Such information as is available is in the table.

Helpline	*Telephone number(s)*	*Number of people working on the helpline*	*Cost to run on a monthly basis (£)*
Benefit Enquiry Line[1]	0800 882200 Textphone 0800 243355	149	163,000
CSA National Enquiry Line[2]	0845 7133 133	85	95,726
Child Benefit Enquiry Line[3]	08701 555540	over 300	288,207
Minimum Income Guarantee[4]	0800 0281111	69	49,818
War Pensions Helpline[5]	01253 858858	23	27,818
Winter Fuel Helpline[6]	08459 151515	up to 70	570,000 per year

[1] Staffing figures include part-time staff and equates to 132.8 full-time staff.

[2] Staffing includes casual and part-time and equates to 79.4 full-time staff. Average monthly cost as at February 2000.

[3] Staffing figure includes part-time staff.

[4] This Helpline opened on 29 March 2000. The running costs are based only on average staffing costs for 69 staff.

[5] Running costs do not include accommodation, as this is not available. The staffing and running costs also cover internal DSS callers.

[6] This Helpline is seasonal with a maximum of 70 at peak times of the year when casual staff are employed. The costs, therefore, vary considerably according to the time of year. They also include the Helpdesk which is for internal DSS callers.

Notes:

1. Overseas Telephone Liaison is just a switchboard; they do not give advice.

2. Pensions Direct (0191 203 0203) is a Teleservice not a Helpline. They take change of circumstances over the phone. They do not offer general advice.

3. Working Family Tax Credit and Disabled Person's Tax Credit Helplines are now the responsibility of the Inland Revenue.

4. Disability Living Allowance (main number 08457 123456/textphone 08457 224433) is a Teleservice not a Helpline.

BEST COPY AV

Fraud

Mr. Willetts: To ask the Secretary of State for Social Security in each of the last five years how many national insurance numbers and accounts there were where a fraud was detected. [117704]

Mr. Rooker: The information is not available in the format requested. Such information as is available is as follows.

Since it was established in 1997, the Identity Fraud Unit has confirmed and recorded 1,314 false National Insurance numbers and accounts.

Mr. Field: To ask the Secretary of State for Social Security if he will estimate the number of cases of *(a)* confirmed fraud, *(b)* high suspicion fraud and *(c)* low suspicion fraud for each benefit his Department administers in each of the last five years. [118206]

Mr. Rooker: The information is not available in the format requested. Such information as is available is contained in the following reports, copies of which are available in the Library.

Title	*Date of publication*
Benefit Review	
(Income Support and Unemployment Benefit) Report on Methodology and Findings	July 1995
Retirement Pension—Final Report	March 1996
Invalid Care Allowance—Report on Main Study	July 1996
Disability Living Allowance—Report on Main Study	February 1997
Income Support—(Second Exercise) Report on Methodology and Findings	July 1997
The Review of Child Benefit and Child Benefit (Lone Parent) 1996/97—Report on Methodology and Findings	July 1998
Fraud and Error in Claims to Jobseeker's Allowance (Contributory)[1]	October 1998
The Results of Six Months of Area Benefit Review Fraud and Error in Claims for Income Support and Jobseeker's Allowance (Income—Based)[1]	November 1998
The Results of the Area Benefit Review from April 1998 to March 1999 and Measurements for the Public Service Agreement Fraud and Error in Claims for Income Support and Jobseeker's Allowance[1]	January 2000

[1] These reports were published by the Government Statistical Service, the remainder were Departmental publications.

Mr. Field: To ask the Secretary of State for Social Security if he will set out for each counter-fraud programme funded by his Department and its agencies in the last five years *(a)* the annual cost and savings and *(b)* the cost and savings since the programme began. [118207]

Mr. Rooker: Measures to stop and prevent fraud and error are all aimed at reducing the rate of overpayment. Their overall effect can be measured by reviewing representative samples of cases in payment, as we do to track progress towards meeting our Public Service Agreement fraud target. It is not possible, however, to give a precise figure for the separate contribution made by each individual initiative because, for example, several initiatives may be directed towards addressing a single goal.

Disability Living Allowance

Ms Walley: To ask the Secretary of State for Social Security if he will list for each region the number of *(a)* outstanding claims for Disability Living Allowance and *(b)* staff employed at each medical centre; and how many applicants he estimates will not have their claim resolved before the expiry date of their existing entitlement. [117592]

Mr. Bayley: The information is in the tables

Outstanding claims for Disability Living Allowance for each Disability Benefit Centre and the Central Disability Benefits Unit at Blackpool

Location	*New claims outstanding*	*Renewal claims outstanding*
Edinburgh	3,178	43
Newcastle	4,020	67
Leeds	6,156	57
Manchester	3,387	34

Outstanding claims for Disability Living Allowance for each Disability Benefit Centre and the Central Disability Benefits Unit at Blackpool

Location	*New claims outstanding*	*Renewal claims outstanding*
Bootle	4,637	45
Midlands	13,749	179
Bristol	5,103	148
Wales	3,513	59
Wembley	10,128	83
Sutton	10,060	228
Glasgow	3,793	76
Disability Benefits Unit	46	45,319
Total	67,770	46,338

Notes:

1. Figures are given for both new claims and renewal claims outstanding at 31 March 2000

2. At 31 March 2000 there were 2,903 applicants whose renewal claim had not been resolved by the date that their existing entitlement expired

Breakdown of the number of staff employed in each centre

Location	*Number of staff*
Newcastle	67
Leeds	95
Edinburgh	58
Glasgow	67
Bootle	80
Manchester	71
Warbreck	16
Birmingham	63
Bristol	76
Wales	95
Wembley	107
Sutton	84
Nottingham	74

Note:

SEMA are contracted by the DSS to provide medical services

ILABLE

Benefit Interviews

Mr. Field: To ask the Secretary of State for Social Security (1) what powers he uses to compel claimants of *(a)* Income Support and *(b)* Jobseeker's Allowance, whose claim is selected for inspection by the area benefit review to give an interview to a Benefits Agency review officer; [118276]

(2) what proportion of those claimants of *(a)* Income Support, *(b)* Jobseeker's Allowance and *(c)* Housing Benefit whose claim was selected for inspection by the area benefit review refused to give an interview to the Benefits Agency review officer in each of the last three years. [118210]

Angela Eagle: There is no specific power to compel a person to give an interview to an Area Benefit Review Officer. However, under Claims and Payments Regulations 7 and 8 a person who claims Income Support is required to supply the Department with information in connection with their claim and to attend interviews if so requested. There are equivalent provisions in Regulations 23 and 24 of the Jobseeker's Allowance Regulations. The Department has no record of any benefit claimant having refused to be interviewed under the Area Benefit Review programme.

Housing Benefit

Mr. Field: To ask the Secretary of State for Social Security how many local authorities have been inspected for the Area Benefit Review of housing benefit. [118211]

Angela Eagle: The Area Benefit Review is a continuous monthly rolling programme of measurement in which 195 local authorities are participating. As at 29 February, sample cases had been selected from a total of 175 local authorities since the start of the project. Sample cases will be selected from the remaining local authorities as the rolling programme continues.

Remote Access Terminals

Mr. Field: To ask the Secretary of State for Social Security how many local authorities have installed remote access terminals in the last five years. [118209]

Angela Eagle: The Remote Access Terminal implementation programme started in August 1998. There are currently 392 local authorities with at least one Remote Access Terminal (RAT) installed, and 427 terminals in use.

In this financial year we plan to install a RAT into 14 of the 17 local authorities currently without one.

Credit Industry Fraud Avoidance System

Mr. Field: To ask the Secretary of State for Social Security what plans he has for his Department to become a member of the Credit Industry Fraud Avoidance System; and if he will make a statement. [118205]

Mr. Rooker: This Department is an associate member of the Credit Industry Fraud Avoidance System (CIFAS). Staff involved in the investigation of organised fraud receive information from CIFAS and attend regional quarterly meetings.

Family Statistics

Mr. Gerald Howarth: To ask the Secretary of State for Social Security how many divorced or separated women *(a)* have and *(b)* have not received from their ex-husbands or husbands their full CSA-assessed entitlement in the most recent year for which figures are available. [117528]

Angela Eagle: The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to the hon. Member.

Letter from Faith Boardman to Mr. Gerald Howarth, dated 6 April 2000:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about the Child Support Agency.

The latest published Child Support statistics show that in the quarter to November 1999 there are a total of 346,500 cases where maintenance is arranged and collected through the Agency. Of these 162,900 parents with care receive their full maintenance, 79,800 receive partial maintenance and 103,800 receive no maintenance.

155,100 have a full maintenance assessment made by the Agency with the liability paid through a private agreement between the Parent With Care and the Non-Resident Parent. In these cases full compliance is assumed.

Therefore, 318,000 of parents with care receive their full maintenance award through either the Agency's collection service or a private agreement. A further 79,800 receive partial maintenance.

A total of 445,000 live cases are assessed at nil liability. A percentage of Non-Resident Parents assessed at nil liability who claim Income Support and Job Seekers Allowance (income-based) may be required to make a contribution to maintenance.

The Department's Analytical Services Division produces a CSA Quarterly Summary of Statistics that is available in the House of Commons Library and you may find the information it contains of further interest.

I hope this is helpful.

FOREIGN AND COMMONWEALTH AFFAIRS

British Embassies

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs how many political party events have been held in British Embassies since 1 May 1997. [115340]

Mr. Robin Cook: It is established policy that Government property should not generally be used for party activities. We have no record of any such event being held at a British Embassy in the period since 1 May 1997.

British Embassies do, of course, assist and advise MPs, Members of the devolved assemblies and MEPs, as appropriate.

Europe Roadshow

Mr. Nicholls: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received about the "Your Britain, Your Europe", roadshow; and if he will make a statement. [117335]

Mr. Vaz: There have been several parliamentary questions about the purpose, funding and itinerary of the "Your Britain, Your Europe" roadshow. Some members of the public and the Democracy Movement have written to me asking the same questions.

Mr. Nicholls: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the contribution of the "Your Britain, Your Europe", roadshow to his Department's performance target of increasing public support for EU activities. [117334]

Mr. Vaz: It is impossible to measure precisely the contribution that last year's "Your Britain, Your Europe" roadshow made to our performance target to increase public support for our EU activities. But I am confident that the event helped to inform the public better about the Government's EU policy and to stimulate debate about the benefits of our membership of the EU.

Mr. Nicholls: To ask the Secretary of State for Foreign and Commonwealth Affairs what costs were incurred by the Your Britain, Your Europe, roadshow on *(a)* travel and *(b)* publicity and promotional material. [117322]

Mr. Vaz: Travel costs were approximately £15,295. The bill for design of the roadshow logo and printing of publicity materials came to £6,162.

Former EU Commissioners

Mr. Nicholls: To ask the Secretary of State for Foreign and Commonwealth Affairs how many of the commissioners from the former European Commission are in receipt of EU allowances. [117312]

Mr. Vaz: Details of pay and allowances for both serving and former Commissioners are set out in Regulation number 422/67/EEC. A copy of this is available in the Library of the House and on the internet at http://europa.eu.int/eur-lex/en/lif/dat/1967/en_367/R0422.html

Arms Exports (Azerbaijan)

Mr. Savidge: To ask the Secretary of State for Foreign and Commonwealth Affairs if the UK will continue to uphold the OSCE embargo on the export of weapons and military equipment to Azerbaijan. [118646]

Mr. Vaz: The UK remains committed to the OSCE arms embargo against both Azerbaijan and Armenia, which the UK interprets as covering all goods and technology controlled under entries in Part III of schedule 1 to the Export of Goods (Control) Order 1994 (commonly known as the military list).

We have recently approved the export of 60 protective vests for demining operations to Azerbaijan. These will be used by the United Nations Development Programme during humanitarian land mine clearance operations. While the grant of this licence constitutes an exception to the UK's interpretation of the scope of the embargo, it is in no way inconsistent with the purpose of the embargo and our continuing commitment to uphold it. It also reflects the determination of the Government to eliminate the scourge of land mines.

HOME DEPARTMENT

MBDB

Mr. Lidington: To ask the Secretary of State for the Home Department if he will make a statement on his policy in respect of the synthetic drug MBDB. [118072]

Mr. Boateng: N-Methyl-a-ethyl-3, 4-methylendioxy phenethylamine (MBDB) is controlled under the Misuse of Drugs Act 1971 as a Class A drug. It is covered by the definition for ring-substituted Phenethylamines in Schedule 2, Part 1 paragraph 1 (c) of the Act.

Euro (Counterfeiting)

Mr. Lidington: To ask the Secretary of State for the Home Department (1) if he will make a statement on the agreement reached at the EU Justice and Home Affairs Council meeting on 27 March to introduce an EU-wide minimum prison sentence for counterfeiting the euro; what plans he has to implement that decision; what estimate he has made of the cost to public funds; and if he will make a statement; [118075]

(2) if he will place in the Library a copy of the framework decision on the protection of the euro against counterfeiting discussed at the EU Justice and Home Affairs Council meeting on 27 March; [118068]

(3) what were the accompanying measures aimed at supporting the objectives of the framework decision in respect of the criminal sanctions against counterfeiting of the euro, announced by Commissioner Vitorino at the EU Justice and Home Affairs Council meeting on 27 March; [118069]

(4) what plans Her Majesty's Government have to make it a criminal offence in *(a)* England and Wales, *(b)* Scotland and *(c)* Northern Ireland to counterfeit the euro; and if he will make a statement. [118078]

Mr. Boateng: I am placing in the Library a copy of the draft framework decision as deposited for Scrutiny.

Article 6(2) of the draft framework decision provides that offences of fraudulent making, shall be

> punishable by terms of imprisonment, the maximum being not less than eight years.

The maximum term of imprisonment already provided for these offences under existing United Kingdom legislation is 10 years. Article 6 of the framework decision will not, therefore, require new legislation or result in any additional costs. In all parts of the United Kingdom it is already a criminal offence to counterfeit any currency which is customarily used as money, including the euro.

The Commission has indicated that it plans to bring forward a number of accompanying measures aimed at supporting the objectives of the framework decision in the area of judicial co-operation, exchange of information and training. The Commission hopes to make a formal proposal to this effect during the Portuguese Presidency.

Mr. Lidington: To ask the Secretary of State for the Home Department what amount has been spent under the National Changeover Plan in connection with measures to combat the counterfeiting of the euro; and if he will make a statement. [118076]

Mr. Boateng: Measures to combat the counterfeiting of the euro do not come within the scope of the National Changeover Plan.

Criminal Investigations

Mr. Lidington: To ask the Secretary of State for the Home Department what the Government's policy is on the adoption of a legally binding instrument for setting up joint investigative teams to conduct criminal investigations in one or more member states of the EU. [118070]

Mr. Boateng: As the deployment of joint investigation teams is currently permitted under United Kingdom law, we do not require the adoption of a legally binding instrument to allow the setting up of joint investigative teams. However, some of our European Union partners have problems with this type of co-operation in the absence of such an instrument. The Government therefore support the initiative as a welcome extension of our co-operative ability. The adoption of a joint instrument will not affect the existing arrangements concerning joint investigation teams that are currently used on a regular basis by United Kingdom law enforcement authorities such as the police service and Her Majesty's Customs and Excise. The Government do not consider that the initiative should in any way detract from the need to agree the existing draft European Union Mutual Assistance Convention which itself contains a provision on joint investigation teams.

Asylum Seekers

Mr. Lidington: To ask the Secretary of State for the Home Department (1) if he will make it his policy to ask each local authority in England and Wales to provide him with a regular report on the number of asylum seekers registered with that local authority; and if he will make a statement; [118238]

(2) what is his estimate of the cost to his Department of asking each local authority in England and Wales how many asylum seekers are registered with that authority. [118237]

Mrs. Roche: The Home Office launched an exercise last year to ascertain from local authorities exactly how many asylum seekers they were supporting, together with the status of those asylum seekers, and where they are being accommodated. Further checks are required on much of the information so far submitted. We estimate that it will cost around £44,000 to complete the exercise in full. The information requested will be available once it is completed.

Miss Widdecombe: To ask the Secretary of State for the Home Department when he intends to implement in full the new support arrangements for asylum seekers under the Immigration and Asylum Act 1999; what discussions he has had with local authorities and regional consortiums regarding the current partial implementation; what representations he has received from them; and if he will make a statement. [118293]

Mrs. Roche: It is our intention to implement further stages of the new support arrangements as soon as possible, hopefully bringing all the remaining new asylum applicants onto it over the course of the next six months.

I and my officials have received many representations from local authorities concerning the dispersal of asylum seekers, in response to proposals which we published last year as part of our consultation process.

The National Asylum Support Service has also been in extensive consultation with the Local Government Association and regional local authority consortiums about the operation of both the interim dispersal scheme and the main dispersal scheme.

Organised Crime

Mr. Lidington: To ask the Secretary of State for the Home Department if he will place in the Library a copy of the action plan on organised crime which was discussed at the EU Justice and Home Affairs Council meeting on 27 March. [118071]

Mr. Boateng: Two papers on organised crime were adopted at the Justice and Home Affairs Council of the European Union on 27 March. Those were "The Prevention and Control of Organised Crime: A European Union Strategy for the Beginning of the New Millennium (CRIMORG 36, reference 6611/00)" and "The Draft European Action Plan on common action for the Russian Federation on combating organised crime (CRIMORG 39, reference 6698/00)". Copies of these documents have been placed in the Library.

Correspondence

Mr. Lidington: To ask the Secretary of State for the Home Department if he will make a statement on asylum case L304287 about which the hon. Member for Aylesbury has written to his Department. [118073]

Mrs. Roche: This application has been decided and the applicant has been notified accordingly. The Integrated Casework Directorate wrote to the hon. Member on 6 April about the case.

Alternative Voting

Miss Widdecombe: To ask the Secretary of State for the Home Department if he will list the companies that have been contracted to provide advice and services to local authorities in connection with the pilot projects for alternative voting to be conducted at the May 2000 local elections under section 10 of the Representation of the People Act 2000, indicating, for each local authority, the nature of the advice and services to be provided by each company and the cost to public funds. [118239]

Mr. Mike O'Brien: Local authorities which made applications under section 10 of the Representation of the People Act 2000 to run pilot schemes were asked to estimate the likely additional costs (or savings) which these schemes would involve. They were not asked whether any additional costs would arise from payments to contracting companies, but I am aware that of the three local authorities which are piloting electronic voting, Bury and Salford will be using technology supplied by Trilogy Information Systems Ltd. and Stratford on Avon will be using the Nedap Powervote System.

Antisocial Behaviour Orders

Miss Widdecombe: To ask the Secretary of State for the Home Department (1) how many persons subject to an antisocial behaviour order have committed a criminal offence that *(a)* did and *(b)* did not constitute a breach of the order; what offences were committed; and if he will make a statement; [118081]

(2) how many antisocial behaviour orders have been breached; what measures have been taken in respect of each breach; and if he will make a statement. [118080]

Mr. Straw: Information is not available which identifies those who have committed a criminal offence, other than a breach of an antisocial behaviour order, as the subject of such an order.

Provisional 1999 court data identifying defendants proceeded against for the offence of "breach of an anti-behaviour order" since the order was introduced in April 1999 will be available this summer, with provisional data for the first quarter of 2000 available in the autumn. The data will not identify the circumstances of the breach. The breach of an antisocial behaviour order is an arrestable criminal offence carrying a maximum penalty of five years imprisonment.

Regional Crime Reduction Directors

Miss Widdecombe: To ask the Secretary of State for the Home Department how many regional crime reduction directors have been appointed in total; when each director was appointed; what the pay scale is for regional crime reduction directors; and what is the total additional *(a)* cost to date and *(b)* projected cost to public funds of the appointment of regional crime reduction directors. [118082]

Mr. Straw: The recruitment of regional crime reduction directors is still in train but the appointment of nine directors in England, and a tenth post in Wales is expected to be made over the next three months. The salary range for the posts is £40,000-£60,000 and starting salary will depend upon relevant skills and experience. The main cost to date has been the placing of advertisements in the national press and consultancy costs for organising the processing and sifting of the applications: these amount to £46,000. The directors will be located in the existing Government Offices for the Regions or in offices for the National Assembly for Wales. In addition to the salary costs, the accommodation, Information Technology, secretarial support and other overhead costs would be about £300,000 in a full year.

Crime and Disorder Reduction Partnerships

Miss Widdecombe: To ask the Secretary of State for the Home Department if he will place in the Library the progress reports submitted by crime and disorder reduction partnerships referred to on page 10 of the Government's Crime Reduction Strategy. [118083]

Mr. Straw: The 376 crime and disorder reduction partnerships in England and Wales have been asked to provide progress reports on their first year in operation and their proposals for the year ahead. We will be assessing those reports and preparing a summary, which we will place in the Library.

Home Detention Curfew Scheme

Miss Widdecombe: To ask the Secretary of State for the Home Department what the success rate is of the Home Detention Curfew scheme; how the success rate is determined; if it is determined with reference to re-offending after completion of the scheme; and if he will make a statement. [118084]

Mr. Straw: The success rate for Home Detention Curfew (HDC) has been consistently over 90 per cent. since the scheme began. It is calculated by dividing the number of prisoners who successfully complete their HDC period by the total number placed on HDC.

Information about curfewees re-offending after completion of the scheme is not held centrally. The HDC period concludes at the point at which the prisoner would otherwise have been released from prison. Offending after this period is, therefore, not a factor in defining the success rate. One purpose of the HDC is to secure a better transition between custody and the community for those offenders for whom HDC is deemed appropriate.

The definition of successful completion is a curfewee who completes the curfew period of his licence and who does not breach the conditions of the curfew; can be monitored electronically for the duration of the curfew period; does not present a risk of serious harm to the public; and is not notified to the Prison Service as having been charged with an offence or having breached any requirement of probation supervision.

Miss Widdecombe: To ask the Secretary of State for the Home Department if he will list for the period between the commencement of the Home Detention Curfew scheme on 28 January 1999 and 31 March 2000, inclusive, *(a)* the total number of prisoners who were released on the scheme, *(b)* the number of prisoners convicted of each specific offence who were released, on the scheme, including a breakdown of the specific offences committed by prisoners normally classified under the categories (i) other homicide and attempted homicide, (ii) other violence against the person, (iii) drug offences, (iv) assaults, (v) other theft and (vi) other motoring offences, *(c)* the average sentence (i) received and (ii) served for each specific offence prior to release, *(d)* the average period spent on the scheme in respect of the prisoners convicted of each specific offence, *(e)* the number of prisoners released who (i) breached the conditions of the curfew, (ii) disappeared and were recaptured, (iii) disappeared and remain unlawfully at large and (iv) had their licences revoked, *(f)* the reasons why prisoners released on the scheme had their licences revoked, *(g)* the specific offences committed by prisoners released on the scheme while on the scheme and *(h)* the specific offences committed by prisoners released on the scheme who committed an offence similar in character to that for which they were originally convicted; and if he will make a statement. [117986]

Mr. Straw *[holding answer 6 April 2000]:* As of 31 March 2000, a total of 18,736 prisoners had been released on Home Detention Curfew since the scheme commenced on 28 January 1999.

The original offences committed by prisoners released under the scheme during that period, the number of prisoners convicted of each specific offence, the average sentence received and served for those offences, and the average period spent on the scheme in respect of the prisoners convicted of each specific offence, are shown in table 1. The data are taken from the Prison Service's Inmate Information System based on the data recorded by each prison. The table provides as detailed a breakdown of offences as is possible from central records.

As of 31 March 2000, 661 prisoners place on the Home Detention Curfew scheme had breached the conditions of the curfew.

On 31 March, there were 42 curfewees who remained unlawfully at large. This represents less than five per cent. of the total number of revocations. In the vast majority of cases, when a curfewee's licence is revoked, he or she can expect to be quickly apprehended and returned to custody. While the priority to be given to pursuing individual cases will be an operational matter for local police forces, Home Office Circular 1/1999 made clear that Home Detention Curfew recalls should be regarded as "urgent action" cases. In addition, the National Identification Service at New Scotland yard issues "The Police Gazette" weekly to all police forces, including details of curfewees who are unlawfully at large. When curfewees are apprehended following a period unlawfully at large, they are required to serve the period of time outstanding at the point their licence was revoked.

As of 31 March 2000, 897 curfewees had their licences revoked, using the powers available to the Secretary of State under Sections 38A(1) and 39 of the Criminal Justice Act 1991. The reasons why licences were revoked were:

for breach of the curfew;

because the curfewee's whereabouts could no longer be electronically monitored;

because it was necessary to protect the public from serious harm; and

because the curfewee had committed an offence or breached any requirement of probation supervision.

Curfewees who are charged with new offences may also be recalled on any of the preceding grounds depending on the circumstances of the case.

As of 31 March 2000, the Prison Service had received notifications of 190 curfewees who had been charged with an offence committed while subject to the Home Detention Curfew scheme. A breakdown of the offences with which the curfewees were charged is shown in table 2. This breakdown has been prepared from information supplied by police forces and drawn from the Police National Computer. Further analysis of re-offending by those subject to Home Detention Curfew, including the procedures for notification of further charges to the Prison Service by the police, is currently underway as part of a long term evaluation of the scheme.

Of the 190 curfewees charged with a further offence, a manual check of Prison Service records shows that in 74 cases, the curfewees have been charged with offences similar in nature to their original offence. A breakdown of these offences is in table 3.

Table 1: HDC discharges by offence type—28 January 1999 to 31 March 2000

Offence type	*Number of prisoners*	*Average sentence (month)*	*Average served (month)*	*Average on scheme (month)*
Total	18,736	14.3	5.6	1.5
Manslaughter	49	33.5	15.0	1.9
Other homicide and attempted homicide	158	23.0	9.9	1.8
Attempted murder	5	25.8	11.0	1.9
Making threats to kill	32	19.9	8.4	1.8
Conspire, aid, incite murder	1	42.0	19.1	1.9
Death by reckless driving	120	23.6	10.2	1.9
Wounding	2,373	15.8	6.3	1.6
Wounding (inflicting GBH)	1,455	19.7	8.1	1.8
Assault occasioning ABH	867	9.3	3.3	1.3
Assault with intent to cause GBH	51	14.6	5.9	1.5
Assaults	472	7.3	2.5	1.1
Assault with intent to resist arrest	8	5.9	2.0	1.0
Other assault	359	8.2	2.9	1.2
Obstruct/resist constable	8	5.9	2.0	1.0
Assault on police officer	97	4.5	1.4	0.9
Cruelty to children	22	14.4	5.9	1.3
Other violence against the person	245	15.6	6.3	1.6
Cause explosion, place explosive	2	33.0	15.0	1.5
Possess firearms with intent	138	19.0	7.9	1.7
Possess offensive weapon	87	11.1	4.2	1.4
Other violence against the person	18	9.3	3.4	1.4

Table 1: HDC discharges by offence type—28 January 1999 to 31 March 2000

Offence type	*Number of prisoners*	*Average sentence (month)*	*Average served (month)*	*Average on scheme (month)*
Buggery	1	6.0	1.6	1.4
Indecent assault	17	11.6	4.4	1.4
Unlawful sexual intercourse	1	6.0	1.2	1.9
Abduction	1	36.0	17.3	1.2
Bigamy	10	7.5	2.5	1.2
Burglary	1,779	19.3	7.3	1.8
Robbery	757	26.0	11.3	1.9
Taking and driving away	221	10.0	3.8	1.3
Other theft	1,724	11.1	4.1	1.4
Handling stolen goods	584	13.5	5.2	1.6
Fraud	1,544	13.0	5.0	1.6
Forgery	80	11.3	4.2	1.4
Drugs offences	3,063	20.2	8.4	1.7
Production	108	15.3	6.1	1.6
Supply	1,021	21.8	9.2	1.7
Possession with intent	1,288	20.1	8.4	1.7
Possession	414	15.7	6.3	1.6
Unlawful import/export	196	24.9	10.9	1.8
Other drugs offences	36	13.8	5.2	1.7
Arson	120	22.9	9.8	1.8
Criminal damage	85	12.4	4.8	1.4
In charge of driving under the influence of drink or drugs	643	4.4	1.3	0.9
Reckless driving	314	8.9	3.1	1.4
Other motoring offences	1,307	4.6	1.4	0.9
Drunkenness	68	4.8	1.4	0.9
Blackmail	56	20.1	8.3	1.7
Kidnapping	28	19.0	7.8	1.8
Affray	489	9.5	3.4	1.4
Violent disorder	212	14.0	5.4	1.7
Perjury/libel/pervert the course of justice	282	9.9	3.6	1.4
Threat/disorderly behaviour	84	8.6	3.1	1.2
Breach of Court Order	198	9.2	2.9	1.8
Other offences	1,034	12.4	4.7	1.6
Offence not recorded	715	11.6	4.4	1.4

Table 2: Offences with which curfewees charged

Offence type	*Number*
Burglary, robbery, theft and theft from shops (including taking without consent/taking and driving away)	67
Assault (including wounding)	31
Driving and Traffic Offences	20
Drug Offences	15
Breach of the peace (including Drunk and Disorderly and Affray)	14
Handling Stolen Goods/Deception	10
Criminal Damage	11
Threatening Behaviour (including threats to kill)	9
Possession of an offensive weapon	3
Breach of court injunction or Restraining Order	3
Rape	2
Harassment	1
Going Equipped	1
False Imprisonment	1
Arson	1
Indecent Exposure	1
Total	190

Note:

The table excludes those where, following initial notification, the Prison Service was informed that the charges had been withdrawn. Where a curfewee was charged with more than one offence, they appear in the table next to the most serious offence. See note to table 3.

Table 3: Offences with which curfewees charged similar to their original offence

Offence type	*Number*
Burglary	20
Theft	16
Driving/motoring offences	12
Assault	9
Drug offences	5
Deception	3
Wounding	3
Robbery	2
Breach of probation order	1
Threats to kill	1
False imprisonment	1
Affray	1
Total	74

Note:

This table includes charges which, in cases where there was more than one charge, were not necessarily the most serious charge. See Note to table 2.

Consultants

Mr. Heald: To ask the Secretary of State for the Home Department what consultancy contracts the Smith Group has entered into with his Department since May 1997. [116775]

Mr. Charles Clarke *[pursuant to the reply, 30 March 2000, c. 215–16W]:* The Smith Group is reporting to the Home Office on a consultancy study to examine the technical and costs implications of interception at Internet Service Providers. The Smith Group is also reporting to the Home Office on some technical aspects of the proposed Government Technical Assistance Centre which will be responsible for complex processing (including decryption) of intercept produce. However, these consultancy studies are not funded by the Home Office. The costs are being met by the intercepting agencies using a joint budget for the strategic development of the interception capability.

Metropolitan Police Service

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what was the revenue cost of *(a)* Rotherhithe, *(b)* Tower Bridge, *(c)* Southwark, *(d)* Walworth, *(e)* Camberwell, *(f)* Peckham and *(g)* East Dulwich police stations in each year for the years 1990–91 to 1999–2000. [113822]

Mr. Charles Clarke *[pursuant to his reply, 13 March 2000, c. 94W]:* The Receiver for the Metropolitan Police District tells me that the figures requested for the financial year 1994–95 are not held centrally. The revised revenue costs for each of the police stations within Southwark Divisions from 1994–95 to date are given in the table.

	1994–95	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*[1]
Camberwell	80,902	151,767	101,582	168,512	88,911	38,536
Walworth	239,546	244,126	281,200	265,272	260,652	167,572
Peckham	225,157	353,337	310,582	350,333	301,601	142,366
Rotherhithe	178,522	426,663	81,135	66,910	107,672	41,359
Southwark	392,504	334,247	354,665	327,201	299,317	115,746
Tower Bridge	153,142	247,566	105,650	103,901	77,480	37,412
East Dulwich	144,414	144,420	165,915	217,071	188,978	91,912

[1] Expenditure only up to November 1999

AGRICULTURE, FISHERIES AND FOOD

Gelatine

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food (1) what steps he has taken to ensure that gelatine *(a)* as part of a food product and *(b)* as a separate ingredient imported into the United Kingdom is (i) produced by manufacturers certified according to ISO 9000 international standard, and (ii) has not been contaminated with brain, spinal cord and ocular tissues of cattle (A) born, (B) reared and (C) finished in countries where incidents of BSE have been reported; [117009]

(2) what guidance he gives to consumers seeking to obtain gelatine, *(a)* as part of a food product and *(b)* as a separate ingredient, that is free of BSE infectivity; [117026]

(3) what steps he is taking to ensure that gelatine *(a)* as part of a food product and *(b)* as a separate ingredient imported into the United Kingdom (i) has not been produced using hides from cattle that have shown signs of neurological diseases and (ii) is produced using bones and hides from countries (1) with no incidence of BSE and (2) which meet the OIE standards; [117010]

(4) what steps he is taking to ensure that gelatine *(a)* as part of a food product and *(b)* as a separate ingredient, imported into the United Kingdom is (i) free of BSE and (ii) accurately labelled with the country of origin and production. [117003]

Mr. Nick Brown *[holding answer 30 March 2000]:* There is a legal ban on the use of bovine raw materials of UK-origin to make gelatine for use in food. My Department carries out regular inspections of gelatine manufacturers in the UK to ensure compliance with the requirements.

There is no EU requirement for gelatine manufacturers to be certified according to the ISO 9000 standard, which is an audit standard to provide quality assurance guarantees.

In line with OIE guidelines, the Specified Risk Material Order 1997 requires imported gelatine and related products intended for human or animal consumption and which may come from countries with a significant risk of BSE, to be accompanied by official veterinary certification confirming that they do not contain and were not derived from Specified Risk Material. These import controls will remain in place until EU SRM controls are agreed.

In addition, imported bovine hides and skins which have not been pickled limed or tanned must be derived from animals which have passed ante- and post-mortem examinations and showed no signs of serious diseases communicable to man or animals. All such imports must be accompanied by veterinary health certification in accordance with EU requirements.

Food labelling rules, which are agreed at EU level, require prepacked foods to carry an ingredients list. These generally require gelatine to be listed as an ingredient.

INDEX TO THE

PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 347**

SESSION 1999–2000

27th March—7th April 2000

Printed indexes to Hansard

The volume index is one of three printed indexes to Commons Hansard produced from the House of Commons Library's Parliamentary On-Line Indexing Service (POLIS). It contains references to material in the bound volumes of Hansard. The other indexes produced are:

- The fortnightly index to Hansard. This covers the same date range as the volume index but references are to the column numbering in the daily parts and weekly edition of Hansard.
- The sessional index to Hansard. This contains references to material in the bound volumes for a whole session.

Indexes on the Parliamentary website

Fortnightly, volume and sessional indexes covering material from the beginning of the 1999/2000 session will also appear on the Parliamentary website at http://www.parliament.uk with links to the full text of Hansard.

SCOPE

The indexes include entries covering:

- The content of all material recorded in Hansard, including debates, procedural motions and questions.
- The names of all Members contributing to the Parliamentary business recorded in Hansard.
- The names of some types of Parliamentary business whenever they occur in Hansard. These are 'Ministerial statements', 'Business statements', 'Opposition days' and 'Estimates days'.

ARRANGEMENT

- All headings are in one word-by-word alphabetical sequence, with Members' contribution entries distinguished from other entries by italics.
- Where a Member contributes to Parliamentary business and is the subject of Parliamentary business there are separate contribution and subject entries, the subject entry coming first.
- Entries beginning 'Mac' and 'Mc' are sorted in one sequence as 'Mac'.
- 'St', when abbreviated for Saint, is filed as 'Saint'.
- Numbers are filed as if spelt out, e.g. '10 Downing Street' as if 'Ten Downing Street'.

HEADINGS

Choice of headings

- *Specificity*—Entries summarise the overall content of a debate or question as specifically as the various POLIS thesauruses allow. For example, Education, Higher education, Universities or the name of a particular university is used depending on the breadth of the item.
- *Name headings*—Specific entries are included for the names of people, places, institutions, organisations, committees, programmes, initiatives, publications and legislation when these constitute the overall subject of an item.
- *Organisations and subjects*—Organisation entries are preferred for material about the general performance, administration and staffing of an organisation (for example, United Kingdom Passports Agency, Standards). Subject entries are preferred for what organisations do as part of their duties (for example, Passports, Fees and charges).

Geographical coverage

- *Subject headings*—Subject headings are assumed to refer to the whole of England, Great Britain or the United Kingdom unless otherwise stated.
- *Scotland, Northern Ireland and Wales*—Material relating to the whole of Scotland, Northern Ireland and Wales is indexed under these headings.
- *Places within the UK*—Material about specific towns, areas and institutions is entered under the name of the specific town, area or institution.
- *Foreign countries*—Most material relating to foreign countries is collected under the name of that country. Some additional material may be found under the names of—groups of countries, areas within countries, geographical features, place names associated with particular issues, politicians and heads of state, international bodies, and institutions and companies operating in those countries.
- *EC/EU material*—General material about the European Communities and European institutions as bodies is entered under 'European Communities' and 'EC institutions'. Organisational material about specific communities and institutions is entered under the name of the body, for example 'European Coal and Steel Community' or 'European Parliament'. Material about what the Communities and institutions are doing or propose to do is entered under various subject headings beginning 'EC' such as 'EC environmental policy'.

Parliamentary material and business

- *Material about Parliament*—This is indexed under 'Parliament', the names of the two Houses, the 'Palace of Westminster' and parts of the Parliamentary estate (such as 'Portcullis House').
- *Committees*—Material about committees is indexed under 'Committees', types of committee (such as 'Select committees') and the names of individual committees (such as 'Home Affairs Select Committee').
- *Parliamentary proceedings/procedures*—Material discussing these is indexed under the specific type of proceeding (such as 'Parliamentary questions' or 'Oral questions'), procedure (such as 'Calling of Members') or issue (such as 'Unparliamentary expressions').
- *Legislation*—Entries for Parliamentary proceedings on bills and statutory instruments are entered under their titles. Where the lead word of the bill or statutory instrument does not provide a full or clear indication of the subject there are additional subject entries when the bill or instrument is debated. For example, debates on the 'Child Support Pensions and Social Security Bill' have entries under 'Pensions' and 'Social security benefits' as well as under the title of the Bill.
- *Members' names*—These are given in the form by which the Member prefers to be known.
- *Speaker and Chair*—Contributions by the Speaker and deputies are brought together under the heading 'Speaker and deputies'. Contributions from the chair during Committees of the Whole House are brought together under 'Chairman of Committee of the Whole House'. Significant rulings and statements (as opposed to routine comments) are indicated by the sub-heading 'Rulings and statements' in both cases.

Guidance on headings

- *Cross references*—'See' references indicate all the material has been entered under another heading. 'See also' references indicate that additional information may be found under another heading.
- *Concept thesaurus*—A copy of the subject thesaurus to POLIS, listing the concept entries used in the index, is available on the Parliamentary website. A hard copy is available from the Head of the POLIS Unit, House of Commons Library, 1 Derby Gate, London, SW1A 2DG (020 7219 6456).

REFERENCES

- References in the indexes are to columns rather than pages.
- References to debates, but not questions, are accompanied by the date of the item.
- There are separate sequences in Hansard for the material taken on the floor of the House, Westminster Hall sittings and written questions:
  - References consisting of a number by itself indicate material taken on the floor of the House.
  - References ending in 'wh' indicate Westminster Hall sittings.
  - References ending in 'w' indicate written questions.
- References under all headings except the names of Members contributing to Parliamentary business and the titles of legislation are listed in one numerical sequence irrespective of whether the material is taken on the floor of the House, is discussed at a Westminster Hall sitting or is a written question.
- References under the names of Members contributing to Parliamentary business and the titles of legislation are listed in numerical sequence under the following headings:
  - *Debates etc.* (which includes interventions and points of order as well as significant contributions to debates);
  - *Sittings in Westminster Hall* (covering all debates held as part of the Westminster Hall sittings); and
  - *Questions* (which includes written, oral and private notice questions).

ABBREVIATIONS

The following abbreviations are used in connection with the progress of bills:

- 1R=First reading
- 2R=Second reading
- Com=Committee stage
- Rep=Report stage
- 3R=Third reading
- res=resolution
- amendt(s)=amendment(s)
- *=matter taken formally without debate or division.

Parliamentary background

- The Parliamentary website at http://www.parliament.uk contains a range of information about Parliament and the full text of some Parliamentary papers and proceedings including Hansard.
- Information on current Parliamentary business is provided in the House of Commons Information Office *Weekly Information Bulletin*, available on the website and from The Stationery Office (020 7873 8499).
- Further information on Parliamentary proceedings and procedures is available from the House of Commons Information Office (020 7219 4272).

Abbott, Ms Diane
Debates etc.
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 676, 690–3
Sittings in Westminster Hall
Immigration, Administrative delays (29.03.00) 109–14wh

Abolition of Feudal Tenure Bill (SP)
Questions
115w

Abortion
615w

Absent voting
376–7w

Access funds
Northern Ireland 94–5w

Access to work programme
74w, 294w

Accident and emergency departments
120w, 218–20

Accidents
Roads 545–6w
Stansted Airport 600w

Acute beds
Mental patients 59–60w

Additives
Animal feed 579–80w
Petrol 132w, 324–5w

Administration of justice
Customs and Excise 468–9w

Adoption
55–6w, 119w

Adult education
Northern Ireland 97–8w

Advantage West Midlands
430w

Advertising
Cabinet Office 198w
Dept for Education and Employment 40w

Aerials
Planning permission 429w

Affordable warmth programme
483–4w

Africa
AIDS 179w, 324–5
Primary education 178–9w

Agriculture
see also Farmers
249w, 339
Environment protection 252w, 457–8w, 560w
Petitions (29.03.00) 465–6
Waste disposal 81w, 326–7w

Agriculture Select Committee
(03.04.00) 782

AIDS
Africa 179w, 324–5
Children 179w
Zimbabwe 325–6

Ainger, Mr Nick
Questions
Milk, Imports 251w, 500–1w
Prescription drugs, Prices 202–3

Ainsworth, Mr Peter
Debates etc.
Documents, Points of order (05.04.00) 975
Questions
Arts Council of England, Manpower 153w
East Surrey Hospital, Nurses 618–9w

Ainsworth, Mr Peter*—*continued
Film 14–5
London Film Commission 359w
National Endowment for Science Technology and the Arts 261w
National Lottery 11–2
New Millennium Experience, Contracts 358w
News 24 359w
Oxted and Limpsfield Hospital 61w
Regional arts boards, Manpower 153w
Sportsgrounds, Belgium 471w
Surrey and Sussex NHS Trust, Resignations 618w

Air force
Military bases 29w

Air pollution
Fees and charges 224–5w

Air Quality (England) Regulations 2000
Debates etc.
(29.03.00) 464

Air routes
Heathrow Airport 427–8w
USA 604w

Air traffic
London airports 969

Aircraft
Essex 232w
Noise 232w
Seating 431w
Violence 421–2w

Aircraft carriers
Procurement 209w

Airports
St Helena 182–3w

Alcoholic drinks
Smuggling 462–3w, 492–3w

Aldershot
Military bases 207w

Alexander, Mr Douglas
Questions
Developing countries, Uruguay Round 185w

All party groups
42–3w

Allan, Mr Richard
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 516, 527, 539–46, 566
Sittings in Westminster Hall
Colombia, Peace negotiations (28.03.00) 4wh
Questions
New deal for young people 40–1w, 206w
POLIS 42w

Allowances
EC staff 631w

Alternative energy
239–40w, 477–8w
Dept of Health 219w
Landfill tax 260–1w
Waste disposal 227–8w

Alternative medicine
EC law 125–6w

Amber Valley
Schools 291–3w

Ambulance services
Durham County 353w
Standards 351w

Amess, Mr David
Debates etc.
Warm Homes and Energy Conservation Bill, Money res (04.04.00) 945
Zoo Licensing (Amendment) Bill, 1R (29.03.00) 344–6
Questions
Iran, Capital punishment 267–8w
Primary care groups, Public appointments 128w
Standard spending assessments, Southend 795
State retirement pensions, Uprating 624

Ammunition
323w
Procurement 160w

Analgesics
Death 114–5w, 123–4w

Ancillary staff
East Surrey Hospital 618–9w
NHS 136w, (05.04.00) 259–68wh

Anderson, Mr Donald
Questions
Kosovo, Construction 563–4w
Kosovo, Overseas aid 582w
Kosovo, Police 564w
UNMIK 556w

Anderson, Janet, Parliamentary Under-Secretary of State, Dept for Culture Media and Sport
Debates etc.
Wireless Telegraphy (Television Licence Fees) (Amendment) Regulations (28.03.00) 296–301, 303, 306, 308
Questions
Film 13–5, 64w
Members, Correspondence 67w
Millennium Exhibition, Attendance 64w
Millennium Exhibition, Parliamentary questions 358w
Millennium Exhibition, Tickets 357–8w
New Millennium Experience, Contracts 358w
Regulation, Dept for Culture Media and Sport 392w
Television, Disability aids 1–2
Tourism 65–6w
Tourism, Coastal areas 4–5, 67w

Animal experiments
369–70w
Disclosure of information 213–4w, 601–2w
Dogs 435–6w
Huntingdon Life Sciences 436–7w
Inspections 598w
Licensing 437w
Primates 436w
Rodents 369w, 437w
Wickham Research Laboratories 369w

Animal feed
Additives 579–80w
Genetically modified organisms 325w, 502w

Animal Procedures Committee
213–4w

Animal products
Beef 560–2w, 641–2w
Vaccination (28.03.00) 37–46wh
Waste disposal 36–7w

Animal welfare
Quarantine 37w

Anniversaries
European Communities, 157w
Korean War 25w

Antenatal care
Screening 218w

Antidepressants
Costs 394w

Antisocial behaviour orders
634–5w

Appeals Service
Standards 273w

Appointments Commission
Public appointments 407w

Apprentices
Rover Group 74w

Arachnoiditis
Research 191w

Areas of outstanding natural beauty
411w

Argentina
Beef 173–4w

Armagh
Flags 280–1w

Armed conflict
Democratic Republic of Congo 564w
Sri Lanka 465w

Armed forces
Cadets 25–6w, 162w
Catering 305w
Conduct 295w
Financial services 35w
Higher education 161w
Housing 29w
Israel 397w
Manpower 304w
St Helena 467w
Scotland 29w
Sri Lanka 488–9w

Armed Forces Discipline Bill (HL) 1999/2000
Debates etc.
Rep and 3R (06.04.00) 1164–209

Arms trade
Azerbaijan 631w
Pakistan 188–9w
Sub-Saharan Africa 183–4w
Uganda 620–1w
Zimbabwe 194–5w, 620–1w

***Armstrong, Rt Hon Hilary**, Minister of State for Local Government and Housing, Dept of the Environment Transport and the Regions*
Questions
Council tax, Second homes 808–9
Local government, Reform 791–3
Millennium Exhibition, Valuation 320w
Regional development agencies 412w
Standard spending assessments 412–3w
Urban aid 412w, 482w
Urban Task Force 804–5

Army
Reserve forces 396–7w
Scotland 28–9w
Training 28–9w

Arrears
Mortgages 473w

Arson
Crime prevention 137–8w

Art works
Cabinet Office 385–6w
Dept for Culture Media and Sport 392–3w
Dept of Health 615w
Dept of Social Security 531w
Dept of the Environment Transport and the Regions 484–5w

***Art works**—continued*
Dept of Trade and Industry 479w
EC action 480w
Lord Chancellor's Dept 472w
Ministry of Agriculture Fisheries and Food 560w
Ministry of Defence 556w
Treasury 496w

Artillery
Procurement 603w

Arts Council of England
Manpower 153w

Assembly Cabinet
see NAW Assembly Cabinet

Assisted areas
Scotland 110w, 249w

Astra Holdings
Company investigations 188w

Asylum
see Refugees

Atherton, Ms Candy
Debates etc.
Sign language (05.04.00) 1126
Questions
Drift nets, Dolphins 455w

Athletics
Sportsgrounds 540w

Atkins, Charlotte
Questions
Textiles 236w
Theatre, Young people 64–5w

Atkinson, Mr David
Questions
Chechnya, Overseas aid 331

Atkinson, Mr Peter
Questions
Schools, Northumberland 973–4

Atomic Weapons Establishment
159–60w, 486–7w, 552w

Austin, Mr John
Debates etc.
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 693–4, 703
Questions
Arms trade, Uganda 620–1w
Democratic Republic of Congo, Armed conflict 564w
Health services, Technicians 55w
NHS, Pay 342w

Australia
State retirement pensions 35w

Automated credit transfer
Social security benefits 454w, 532w

Average earnings
Scotland 47–8w

Aviation
Excise duties 459–60w
Freight 233w
Government assistance 241w, 488–9
Ministers 248w, 391w, 465w
Prime Minister 279w

Avon Health Authority
Finance 61w
Waiting lists 60w

Azerbaijan
Arms trade 631w
Overseas investment 106w

Babies
619w

***Babies**—continued*
Hearing 617w

Baker, Norman
Sittings in Westminster Hall
Vaccination, Animal products (28.03.00) 37–42wh, 45wh
Questions
Advertising, Cabinet Office 198w
Alternative energy, Waste disposal 227–8w
Animal experiments, Dogs 435–6w
Animal experiments, Inspections 598w
Animal experiments, Primates 436w
Children, Abuse 435w
China, Human rights 285w
Dogs, Exports 501w
Horses 35w
Huntingdon Life Sciences, Animal experiments 436–7w
Intelligence services, Surveillance 389w
Interception warrants 280w
Landfill tax, Alternative energy 260–1w
Levy, Lord 25w, 76w, 245w, 261–2w, 489w, 574w
Members, Surveillance 279w
Millennium Exhibition, Parliamentary questions 358w
Millennium Exhibition, Tickets 357–8w
Non-departmental public bodies, Public appointments 523w
Primates, Infectious diseases 357w
Prozac 62w
Quarantine, Animal welfare 37w
Royal prerogative 143w
Sexual offences, Males 4w
Social services, Finance 228w, 259w
Social services, Local government finance 217w
Visits abroad, Prime Minister 574w

Ballard, Jackie
Debates etc.
Criminal Justice and Court Services Bill, 2R (28.03.00) 225, 241, 273–9
Questions
MMR vaccine 349w

Ballistic missile defence
400w
Israel 398w, 488w
USA 209w, 408–9w, 487w, 563w

Bananas
EC external trade 46w

Bangladesh
Public order 267w

Bank services
152–3w
Competition 256w
Scotland 152–3w
Social security benefits 152w, 331–2w

Bankruptcy
Farmers 250w
Pensions 111w
Scotland 111w

Banks
Closures (29.03.00) 70–91wh
Rural areas 47w, 68w

Banks, Mr Tony
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1313, 1321, 1329

Banner Committee
see Animal Procedures Committee

Barclays Bank
47w
Suffolk (29.03.00) 70–91wh

Barmac
406–7w

Barnes, Mr Harry
Sittings in Westminster Hall
Barclays Bank, Suffolk (29.03.00) 76wh, 83–4wh
Questions
Beta-interferon 202
Business questions 1158
Social security benefits, Post offices 613–4

Barron, Mr Kevin
Debates etc.
Industrial injuries, Compensation (30.03.00) 600–4
Questions
Meningitis, Yorkshire and Humberside 212

Basic education
Overseas aid 185–6w

Basildon
Family credit 473–5w
Pensioners 473w

Bass
Fishing catches 82w

Baton rounds
Northern Ireland 89–90w

Battle, Mr John, Minister of State, Foreign and Commonwealth Office
Sittings in Westminster Hall
Colombia, Peace negotiations (28.03.00) 9wh, 16–22wh
USA, Overseas trade (29.03.00) 106–8wh
Questions
Brazil, Deputy Prime Minister 409w
British dependent territories, Homosexuality 170w
Burma, Overseas investment 465w
Chechnya, Terrorism 267w
China, Human rights 285w
China, State visits 52–3w
Diplomatic relations 54w
East Timor, Refugees 54w
Indonesia, Human rights 170–1w
Indonesia, Kidnapping 29w
Nyima, Gedhun Choekyi 54w
Parking, Foreign and Commonwealth Office 268w
St Helena, Armed forces 467w
St Helena, Economic situation 468w
St Helena, Employment 467w
St Helena, Fisheries 467w
USA, Scotland 103w, 169–70w

Bayley, Mr Hugh, Parliamentary Under-Secretary of State, Dept of Social Security
Sittings in Westminster Hall
Disability living allowance (05.04.00) 246–51wh
Questions
Children, Poverty 333–4w, 449–50w
Disability living allowance 163–4w, 449w
Disability living allowance, Administrative delays 627–8w
Disability living allowance, Appeals 337–8w
Disability living allowance, Mentally ill 164w
Disabled, Employment 334w
Incapacity benefit 162–3w
Incapacity benefit, Administrative delays 34w
Income support, Capital rules 453–4w
Income support, Mortgages 341w, 454w
Industrial injuries disablement benefit 34w
Industrial injuries disablement benefit, Statistics 531w

Bayley, Mr Hugh—continued
Invalid vehicles 451w
Parking, Dept of Social Security 272w
Pensioners, Income support 166w, 448w, 473w, 531–2w
Poverty, Leeds 115–7w
Social security benefits, Capital rules 617–9
Social security benefits, Children 117w
Social security benefits, Refugees 115w, 452w, 612–3
Social security benefits, Scotland 115w
Social security benefits, Take-up 626–8
War pensions 453–4w
War pensions, Radiation exposure 164–5w

Beard, Mr Nigel
Debates etc.
Budget March 2000 (27.03.00) 97–100, 119
Questions
Theatre 65w

Beckett, Rt Hon Margaret, President of the Council and Leader of the House of Commons
Questions
Appointments Commission, Public appointments 407w
Business questions 496–511, 1152–63
Business statements 495–511, 1151–63
Orders and regulations 582–3w
Privy Council Office Judicial Committee, Scotland 361–2w

Beef
Animal products 560–2w, 641–2w
Argentina 173–4w
Imports 249w, 560–2w

Begg, Miss Anne
Debates etc.
Wireless Telegraphy (Television Licence Fees) (Amendment) Regulations (28.03.00) 304–6
Questions
Television, Disability aids 2

Begging and vagrancy
Refugees 439w

Beith, Rt Hon A J
Sittings in Westminster Hall
River Tyne, Shipbuilding (04.04.00) 158wh
Questions
Lindisfarne Gospels 246w

Belgium
Sportsgrounds 471w

Bell, Mr Martin
Debates etc.
Armed Forces Discipline Bill (HL), Rep and 3R (06.04.00) 1184–5, 1205

Bell, Mr Stuart, Second Church Estates Commissioner
Questions
Church of England, Finance 17–8, 20
Churches, VAT 16–7
Clergy, Manpower 52w
Redundant churches, Property transfer 52w

Benefits Agency
see Social Security Benefits Agency

Benn, Mr Hilary
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 561
Questions
Adult education, Northern Ireland 97–8w
Burma, Overseas investment 465w
Business questions 1152–3

Benn, Mr Hilary—continued
Neighbourhood nuisance, Rented housing 414w
Poverty, Leeds 115–7w
Utilities, Prices 107–8w, 479w

Benn, Rt Hon Tony
Debates etc.
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 680–1, 699
Freedom of Information Bill, Rep and 3R (05.04.00) 999–1001, 1008, 1022
Questions
Pensioners, Income 610
Rover Group 640–2

Bercow, Mr John
Debates etc.
Armed Forces Discipline Bill (HL), Rep and 3R (06.04.00) 1164
Budget March 2000 (27.03.00) 43
Child Support Pensions and Social Security Bill, Rep (29.03.00) 364, 366, 371, 373, 378–9, 384, 432–3, 440
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 646, 651, 671
Criminal Justice and Court Services Bill, 2R (28.03.00) 227–30, 233, 240, 249
Freedom of Information Bill, Rep (04.04.00) 861, 864–5, 869, 894–5, 904
Freedom of Information Bill, Rep and 3R (05.04.00) 985, 1040, 1042
Grammar schools, Points of order (03.04.00) 643
Housing (04.04.00) 822
Ministers, Points of order (28.03.00) 221–2, (05.04.00) 978–80
Telecommunications, Petitions (29.03.00) 466
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1268–9, 1272–4, 1276, 1282, 1286, 1310
Questions
Business questions 510, 1161–2
Employment, Discrimination 73w
European Communities, Anniversaries 157w
Mental health services, Racial discrimination 209
National Lottery 6
Small businesses, Regulation 481w
Social Exclusion Unit 963–4
Social security benefits, Abuse 335w
Textiles 484
Urban Task Force 804–5

Beresford, Sir Paul
Questions
Home improvement agencies, Contracts 228w
Regional airports, South East region 228–9w

Berkshire
Hospitals 508w

Berry, Mr Roger
Questions
Access to work programme 74w
Education, Disabled 204w
Mergers 186–7w

Beta-interferon
201–2, 510–1w

Better government programme
Elderly 76w, 527w, 964–5

Bingo
Fees and charges 593–4w

Birds
Special protection areas 112w

Blackman, Mrs Liz
Questions
Electricity generation, Safety 106w
Heart diseases, Health services 119w

***Blair, Rt Hon Tony**, Prime Minister, First Lord of the Treasury and Minister for the Civil Service*
Debates etc.
Lisbon Summit (EC), Ministerial statements (27.03.00) 21–36
Questions
Air traffic, London airports 969
Aviation, Ministers 248w, 391w
Aviation, Prime Minister 279w
BMW 339
British Nuclear Fuels 390w
Cancer, Health services 339
Cash dispensing, Fees and charges 335
Clinton, Bill 280w
Council of Ministers, Disclosure of information 389–90w
Disability aids 336
Ethiopia, Famine 972–3
Fiscal policy 970–1
Genetic engineering, Patents 247–8w
Grammar schools, Trafford 973
Intelligence services, Surveillance 389w
Interception warrants 280w
Internet, Prime Minister 38–9w
Kashmir 968
Levy, Lord 245–6w, 574w
Liddle, Roger 39w
Lindisfarne Gospels 246w
Lisbon Summit (EC) 248w, 390w
Local Government Act 1988, Homosexuality 337–9
Maintenance, Tax allowances 969–70
Members, Surveillance 279w
Ministerial policy advisors 280w
NATO, Nuclear weapons 247w
Nelson, Rosemary 171–2w
NHS, Finance 104w
Non-departmental public bodies, Prime Minister 244–5w
North American Free Trade Agreement 279w
Nuclear disarmament 247w
Nurses, Recruitment 332, 965–6
Official engagements, Prime Minister 171w, 471w
Organic farming 339–40
Paternity leave 389w
Pensioners, Income 968–9, 971–2
Pensioners, Income support 337
Pensioners, Married personal allowance 965
Pensioners, Scotland 973
Pigs 39w
Post offices, Cash dispensing 340
Post offices, Rural areas 340–2
Prescott, John, Correspondence 390w
Primary education, Conferences 573–4w
Primary education, Equal opportunities 574w, 974
Radiation, Research 38w
Refugees 970, 972
Roll-on roll-off ships, Procurement 339
Rover Group, Longbridge 332–5, 966–8
Schools, Northumberland 973–4
Sellafield, Quality control 335–6
Telecommunications 38w
United Nations, Conferences 38w
Visits abroad, Prime Minister 574w
Wind power, Planning permission 336–7

Blizzard, Mr Bob
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 514, 519

***Blizzard, Mr Bob**—continued*
Sittings in Westminster Hall
Barclays Bank, Suffolk (29.03.00) 70–3wh, 79–80wh
Questions
Aircraft, Seating 431w
British Nuclear Fuels, Public private partnerships 193w
Business, Regulation 240w
Gas fired power stations 406w
Nurses, Recruitment 965–6
Schools, Standards 388w
State retirement pensions, Uprating 334–5w

Blue Arrow
Company investigations 187–8w

***Blunkett, Rt Hon David**, Secretary of State for Education and Employment*
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 513–23, 531
Questions
Education, Finance 205w, 519–20w
Students, Fees and charges 153–4w
Training, Expenditure 539w

Blunt, Mr Crispin
Debates etc.
Armed Forces Discipline Bill (HL), Rep and 3R (06.04.00) 1164–6, 1170, 1172–3, 1176–8, 1183, 1186–7, 1190, 1205–6
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1267–8, 1271, 1283, 1287, 1312, 1319, 1323
Questions
Child Support Agency, Reform 337w
Housing, Surrey 414w
Migration, Greater London 257–8w
Ministerial policy advisors 522w

BMW
196w, 339
Retail trade 196w

Board of Inland Revenue
see Inland Revenue

***Boateng, Rt Hon Paul**, Minister of State, Home Office*
Debates etc.
Criminal Justice and Court Services Bill, 2R (28.03.00) 228, 232, 237, 242, 268, 274, 285–90
Sittings in Westminster Hall
Voluntary work (05.04.00) 256–8wh
Questions
Domestic violence 377–8w
Drugs, Abuse 631–2w
Drugs, Screening 12w
Euro, Forgery 632w
Home detention curfews 9–12w, 85–6w, 139–40w, 144–5w, 446w
Organised crime, EC action 634w
Police, EC countries 633w
Portland Young Offender Institution, Abuse 440w
Prison Service, Females 380–1w
Prison Service, Standards 213–4w
Prisoners, Handbooks 141w
Prisoners, Rehabilitation 13w
Prisoners on remand 142w
Prisoners' release 365–6w
Prisons, Drugs 86w, 370w
Prisons, Overcrowding 6–9w
Probation and aftercare, Information technology 5w
Probation and aftercare, Public appointments 12–3w
Segregation of prisoners 370w

Body, Sir Richard
Debates etc.
Livestock, Exports (07.04.00) 1340
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1308, 1311, 1326
Questions
EC law 562w
European Police Office 600w
European Police Office, Firearms 600w
European Police Office, Training 600–1w
European Police Office, Uniforms 601w
Genetically modified organisms, Crops 18w
Police, EC countries 601w

Bone diseases
Children 356w

Boswell, Mr Tim
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 514, 542–3, 547, 558–9, 568, 570, 572–3, 587–91
Questions
Civil servants, Equal opportunities 523w
Disability aids 386w
Disability living allowance 163–4w
Employers' Forum on Disability, Government departments 566w
Higher education, Finance 157w
Higher education, Overseas students 387w
Incapacity benefit 162–3w
Individual learning accounts 295w
Internet, Disabled 72–3w
Pre-school education, Hearing impaired 387w
Rover Group, Apprentices 74w
Social security benefits, Post offices 615
Socrates programme 289–90w
Students, Fees and charges 520w
Teachers, Hearing impaired 387w
Vocational guidance, Standards 293w
World Education Forum 181–2w

Bottomley, Mr Peter
Debates etc.
Warm Homes and Energy Conservation Bill, Money res (04.04.00) 946
Wireless Telegraphy (Television Licence Fees) (Amendment) Regulations (28.03.00) 299, 303, 305–9, 311

Bottomley, Rt Hon Virginia
Debates etc.
Matrimonial proceedings (04.04.00) 947–52
Questions
Hospitals, Waiting lists 135w
NHS, Voluntary work 136w, 220w
Public appointments, NHS 523w
Public libraries, Voluntary work 358–9w
Social services, Voluntary work 347w

Bovine spongiform encephalopathy
558w
EC countries 174w
Waste disposal 250w

Bovine Spongiform Encephalopathy and Creutzfeld Jakob Disease Inquiry
174w

Bradley, Mr Peter
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 449, 454
Questions
Blue Arrow, Company investigations 187–8w
Business questions 506
Civil Service College 360–1w
Internet, Rural areas 238w

Bradley, Mr Peter—*continued*
Roads, Rural areas 17w

Bradshaw, Mr Ben
Debates etc.
Lisbon Summit (EC) (27.03.00) 35–6
Questions
Operating costs, Ministry of Agriculture Fisheries and Food 250–1w

Brady, Mr Graham
Debates etc.
Armed Forces Discipline Bill (HL), Rep and 3R (06.04.00) 1164
Learning and Skills Bill (HL), 2R (30.03.00) 567, 576–9
Public appointments, Points of order (30.03.00) 512
Sittings in Westminster Hall
Radiation, Research (29.03.00) 47–51wh, 54wh, 66wh
Questions
Business questions 508, 1155–6
Councillors 18–9w
Employment, Football 42w, 586w
Foreign investment in UK, North West region 240w
Grammar schools, Trafford 539w, 973
Married personal allowance, Pensioners 1141–2
Members, Correspondence 140w
Migration, Urban areas 458w
New deal for lone parents 336w
NHS, Public appointments 220w
Parliamentary questions, Treasury 330w
Press releases, Cabinet Office 76w, 526w
Radiation, Research 38w

Brake, Mr Tom
Debates etc.
Warm Homes and Energy Conservation Bill, Money res (04.04.00) 940
Questions
Art works, Cabinet Office 385–6w
Art works, Dept for Culture Media and Sport 392–3w
Art works, Dept of Health 615w
Art works, Dept of Social Security 531w
Art works, Dept of the Environment Transport and the Regions 484–5w
Art works, Dept of Trade and Industry 479w
Art works, Lord Chancellor's Dept 472w
Art works, Ministry of Agriculture Fisheries and Food 560w
Art works, Ministry of Defence 556w
Art works, Treasury 496w
Housing, South East region 321w
Incinerators 306–9w
London Regional Transport, Consultants 310w
London Underground, Escalators 310–1w
London Underground, Standards 309–10w
Migration 233–5w, 254–5w
National Institute for Clinical Excellence 122w
Population 321w
Water treatment, Drinking water 320–1w

Brand, Dr Peter
Sittings in Westminster Hall
NHS Direct (06.04.00) 269wh, 272–3wh, 275–6wh, 281wh, 286wh, 292–6wh, 299wh, 301wh, 303–5wh
Questions
Health action zones 205

Brazier, Mr Julian
Debates etc.
Lisbon Summit (EC) (27.03.00) 34
Questions
Child care tax credit 330w

Brazier, Mr Julian—*continued*
Pensioners, Income 609–10
Social services 206

Brazil
Deputy Prime Minister 409w

Breed, Mr Colin
Questions
Ambulance services, Standards 351w
Animal products, Waste disposal 36–7w
Bovine spongiform encephalopathy 558w
Fishing vessels, Safety measures 800
Ministerial Group on Rural Affairs 958–9
Teachers, Computers 40w

Brinton, Mrs Helen
Questions
Convention on International Trade in Endangered Species, Ivory 806
Recycling, Packaging 623w

British dependent territories
Homosexuality 170w

British Leyland
see Rover Group

British Nuclear Fuels
390w, 404w, 479w
Directors 105–6w
Public private partnerships 193w

British Transport Police
486w, 521–2w

Brooke, Rt Hon Peter
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 580–4
Questions
Business questions 502–3, 1156
Employment 235w
Social security benefits, Abuse 335–6w

Broomfield Hospital
Hospital beds 62–3w

Brown, Rt Hon Gordon, Chancellor of the Exchequer
Questions
Pensioners, Income 1135–8
Tax allowances, Manufacturing industries 1147–9
Working families tax credit 1133–5

Brown, Rt Hon Nicholas, Minister of Agriculture, Fisheries and Food
Questions
Agriculture 249w
Beef, Animal products 560–2w, 641–2w
Food Standards Agency 83–4w
Local authorities, Correspondence 35w

Brown, Mr Russell
Debates etc.
Budget March 2000 (27.03.00) 113
Questions
Pensioners, Scotland 973
Scottish Power, Debts 113–4w
Valuation Office, Standards 459w

Browne, Mr Desmond
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 408, 432, 445–6
Wireless Telegraphy (Television Licence Fees) (Amendment) Regulations (28.03.00) 293, 303, 311–4
Sittings in Westminster Hall
Colombia, Peace negotiations (28.03.00) 1–6wh
Questions
Business questions 503–4
Developing countries, Debts 327–8

Browne, Mr Desmond—*continued*
Maintenance, Children 623
Moldova, Russia 267w

Browning, Mrs Angela
Debates etc.
Documents, Points of order (30.03.00) 598
Oral question time intervention (30.03.00) 478
Rover Group, Points of order (27.03.00) 37, (29.03.00) 343
Sittings in Westminster Hall
Radiation, Research (29.03.00) 51wh, 64–6wh, 68wh
Questions
Rover Group 629–32
Rover Group, Longbridge 479–80, 491–2

Bruce, Mr Ian
Questions
Computers, Dept of Social Security 475–6w
Computers, Dept of Trade and Industry 623–4w
Computers, Ministry of Defence 489w
Computers, Treasury 499w
Electronic commerce 483
Members, Correspondence 522w
Mongolia, Overseas aid 180w
Telecommunications, Regulation 239w

Bruce, Mr Malcolm
Debates etc.
Budget March 2000 (27.03.00) 46
Questions
Disaster relief 178w
Military bases, Aldershot 207w
Non-domestic rates, Scotland 540–2w

BSE Inquiry
see Bovine Spongiform Encephalopathy and Creutzfeld Jakob Disease Inquiry

Buck, Ms Karen
Debates etc.
Housing (04.04.00) 823
Questions
Early years development plans 41w
Housing benefit, Child care tax credit 271w
Pupil exclusions 206w
Urban aid 412w, 482w
Working families tax credit 146w

Buckinghamshire
Cleft palate 218w
NHS trusts 617w

Buckinghamshire Health Authority
Finance 507w, 617w

Budget March 2000
(27.03.00) 41–184

Burden, Mr Richard
Questions
Rover Group 632–3
Rover Group, Longbridge 109–10w, 476, 481w

Burgon, Mr Colin
Debates etc.
Budget March 2000 (27.03.00) 84–5
Questions
Bingo, Fees and charges 593–4w
Gaming clubs, Opening hours 383w
Immigration controls, Disclosure of information 590–1w

Burma
Human rights (05.04.00) 201–21wh
Overseas investment 465w
Refugees 471–2w

Burnett, Mr John
Questions
Nursing homes, Fees and charges 124–5w
Taxation, Companies 149w

Burns, Mr Simon
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 351–3, 358, 362–3, 402–5, 407, 409, 415–7
Questions
Broomfield Hospital, Hospital beds 62–3w
Class sizes, Essex 75w
Housing, Chelmsford 111w, 807–8
Maintenance, Children 621–2
Mid Essex Hospital Services NHS Trust, Private sector 217w
Mozambique, Disaster relief 328–9
Winter fuel payments, Chelmsford 118w

Burnt Oak
Flood control 560w

Burstow, Mr Paul
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 425–8, 430, 457–61
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 670–3, 679, 706, 711, 739–40, 744–5, 769
Pain, Health services (29.03.00) 467–70
Questions
Babies, Hearing 617w
Better government programme, Elderly 964–5
Chronic fatigue syndrome 395w
Class sizes 296–7w
Elderly, Institutional care 63w
Fares, Concessions 805
Hospital beds 351w
Income support, Capital rules 453–4w
Income support, Mortgages 341w
Social security benefits, Overpayments 447w
Sub-Saharan Africa, Arms trade 183–4w
Television, Disability aids 1–2

Bus lanes
M4 313–4w

Bus services
481–3w
Greater London 414w

Buses
Disabled 491w

Business
Information technology 413–4w
Regulation 203–4w, 240w
Tax exemption certificates 491–2w
Taxation 496w

Business statements
495–511, 1151–63

Butterfill, Mr John
Debates etc.
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 748–9, 755–60, 763–4, 766

By-election writs
Romsey (06.04.00) 1133

***Byers, Rt Hon Stephen**, Secretary of State for Trade and Industry*
Questions
Aviation, Government assistance 241w, 488–9
BMW 196w
BMW, Retail trade 196w
Buildings, Dept of Trade and Industry 108w
EC grants and loans 624w
Export credit guarantees, Romania 533w
Future large aircraft, Government assistance 487–8
Government assistance, EC law 242w
Land Rover 240w
Land Rover, Pension rights 622w
Longbridge Task Force 534–5w
Manufacturing industries, West Midlands 490–1
Milk, Competition 236–7w
National Weights and Measures Laboratory, Standards 191–3w
NAW Assembly Cabinet, Dept of Trade and Industry 108–9w
Performance and Innovation Unit, Post offices 238w
Post Office 236w
Radiation, Research 45–6w, 194w, 277w, 533w, 623w
Regional development agencies, Small businesses 43–4w
Regional selective assistance 189–90w
Regulation, Dept of Trade and Industry 534w
Rover Group 629–42
Rover Group, Longbridge 109–10w, 190w, 197w, 475–80, 481w, 491–2
Rover Group, Retail trade 190–1w, 196–7w
Science, International cooperation 45–6w
Sellafield 533w
Small businesses, Company accounts 405–6w
USA 623w

C17 aircraft
Kosovo 300w

Cabinet of the National Assembly for Wales
see NAW Assembly Cabinet

Cabinet Office
Advertising 198w
Art works 385–6w
Economic and monetary union 70w
Ministerial policy advisors 525–6w
Parking 565w
Press releases 76w, 526w
Regulation 385w

Cable, Mr Vincent
Debates etc.
Graffiti (27.03.00) 191–3
Sittings in Westminster Hall
Barclays Bank, Suffolk (29.03.00) 84–6wh
River Tyne, Shipbuilding (04.04.00) 167–8wh
Questions
Cellular phones, Licensing 590w
Civil servants, Ministry of Agriculture Fisheries and Food 80w
Employee share ownership schemes 1139–40
Export credit guarantees, Turkey 476–7w
Hospitals, Hygiene 122w
Mental patients, Acute beds 59–60w
Mentally disturbed offenders, Inquiries 56–7w
Microsoft, Telewest Communications 194w
Rover Group 633–4
Rover Group, Longbridge 477
School libraries, Computers 154w
Schools, Internet 205–6w
Secure psychiatric units, Greater London 126w
Telecommunications 38w

***Caborn, Rt Hon Richard**, Minister for Trade, Dept of Trade and Industry*
Questions
Bananas, EC external trade 46w
EC grants and loans 480–1w
EC grants and loans, Departmental coordination 481w
Export credit guarantees, Turkey 476–7w
Foreign investment in UK, North West region 240w
Fujitsu, Government assistance 476w
Global enterprise initiative 46w
Hydro Agri (UK), Redundancy 44w
Overseas investment, Azerbaijan 106w
Overseas trade, India 484–5
Phoenix Fund 188w
Radiation, Research 481
Rover Group 489–90
Rover Group, Longbridge 489
Science, Departmental coordination 480–1
Small businesses, Government assistance 241–2w
Textiles 236w
Trade promotion, Sri Lanka 406w

Cadets
Armed forces 25–6w, 162w

Campbell, Mr Alan
Sittings in Westminster Hall
River Tyne, Shipbuilding (04.04.00) 157–61wh

Campbell, Mrs Anne
Questions
Appeals Service, Standards 273w
Education, Standard spending assessments 293–4w
Health, Females 130w
Income tax, Tax yields 150w
Standards, Dept of Social Security 274–6w

Campbell, Rt Hon Menzies
Debates etc.
Armed Forces Discipline Bill (HL), Rep and 3R (06.04.00) 1167–8, 1171–2, 1175–6, 1182–3, 1192–3, 1202–3

Campbell, Mr Ronnie
Debates etc.
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 699

Campbell-Savours, Mr Dale
Debates etc.
Freedom of Information Bill, Rep and 3R (05.04.00) 1057
Lisbon Summit (EC) (27.03.00) 32
Questions
Business questions 1154
Economic and monetary union 486–7
Kosovo, Overseas aid 176w
National Audit Office 19
NHS, Information technology 511–3w
Prosecutions, Fraud 468w
Sport action zones 65w
Teachers, Pensions 204–5w

Camperdown Garden Village
Planning permission 98w

Canada
Habitual offenders 376w

Cancer
Health services 123w, 339
Low incomes 344w
Surgery 350–1w

Capital Modernisation Fund
258w
NHS 509w

Capital punishment
Iran 267–8w

Capital rules
Income support 453–4w
Social security benefits 617–9

Capitation allowances
Secondary education 604w

Caplin, Mr Ivor
Questions
Freedom of Information Bill 1999/2000 435w
NHS, Finance 617–8w

Cars
Prices 404w, 622w

Cash, Mr William
Questions
Developing countries, Debts 175w

Cash dispensing
Fees and charges 335
Post offices 340

Catering
Armed forces 305w

Caton, Mr Martin
Questions
Inland Revenue, Personal records 500w

Cellular phones
Health hazards 580w
Licensing 590w

Census (Amendment) Bill (HL) 1999/2000
Debates etc.
2R order read (07.04.00) 1335

Centre for Management and Policy Studies
360–1w

Chancellor of the Exchequer
see Treasury

Channel Islands
Taxation 594w

Chapelcross power station
Tritium 303w

Chapman, Mr Ben
Questions
Modernising government programme 525w

Chapman, Sir Sydney
Questions
Chechnya, Overseas aid 331
Excise duties, Fuels 589w
Excise duties, Petrol 589w
Horn of Africa, Famine 182w
Listed buildings, Greater London 547–8w
Planning permission 317w
Sports, Greater London 9

Charities
Shares 589–90w
Tax allowances 589–90w

Chatham Dockyard
Correspondence 397w

Chaytor, Mr David
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 514, 527–8, 530–1, 552
Questions
Business questions 507–8
EC institutions, Operating costs 101–2w
EC institutions, UK delegations 102–3w
Genetically modified organisms, Food 501w
Ionizing radiation, EC law 19w
Mixed oxide fuel, Health hazards 349w
NHS, Complaints 513–4w
Nuclear power stations, Industrial health and safety 108w
Radioactive materials, Food 63w

Chaytor, Mr David*—*continued
Radioactive materials, Japan 476w
Radioactive wastes, Waste disposal 18w, 485w
Sellafield, Quality control 105w

Chechnya
Overseas aid 330–1
Terrorism 267w

Chelmsford
Housing 111w, 807–8
Winter fuel payments 118w

Chemical and biological warfare
206–7w
Iraq 264–5w
Research 488w, 553–5w

Chemists' shops
Rural areas 619w

Cheshire
Education 316w

Chidgey, Mr David
Debates etc.
Lisbon Summit (EC) (27.03.00) 36
Questions
Business questions 504–5

Child benefit
30w

Child care tax credit
328–30w, 583w
Housing benefit 271w
Norwich 49w
Scotland 145–6w
Southwark 146w

Child support
Maintenance 33w

Child Support Agency
Compensation 337w
Computers 621–2
Reform 337w

Child Support Pensions and Social Security Bill 1999/2000
Debates etc.
Rep adjourned (29.03.00) 347–464
Rep and 3R (03.04.00) 644–781

Children
497–8w
Abuse 60w, 435w
AIDS 179w
Bone diseases 356w
Cycling 19w
Day care 41w
Maintenance 336–7w, 449w, 621–4, 630w
Museums and galleries 15–6
Poverty 333–4w, 449–50w
Social security benefits 117w

Children in care
Crimes of violence 62w
Prescription drugs 59w

Children's rights
60w

China
Human rights 285w
State visits 52–3w

Chope, Mr Christopher
Questions
Business questions 1154
Pensioners, Income 1137
Phoenix Fund 188w
Rover Group 642

Chronic fatigue syndrome
395w

Chronically sick
Health services (29.03.00) 92–100wh

Church, Ms Judith
Questions
Smoking, Health education 614w
Smoking related diseases, Medical treatments 351w

Church of England
Finance 17–8, 20

Churches
VAT 16–7, 583–4w

Circuses
Licensing (29.03.00) 344–6

City of London (Ward Elections) Bill 1998/99
Debates etc.
Order for further consideration read (29.03.00) 323, (05.04.00) 957

City of Newcastle upon Tyne Bill (HL) 1998/99
Debates etc.
3R order read (28.03.00) 201, (04.04.00) 791

Civil servants
Age 80w
Equal opportunities 523w
Ethnic groups 525w
Ministry of Agriculture Fisheries and Food 80w
Resignations 361w

Civil service
Modernising government programme 524w
Secondment 198–201w

Civil Service College
360–1w

Clapham, Mr Michael
Questions
Business questions 1159
Health action zones 203–4

Clappison, Mr James
Questions
Advertising, Dept for Education and Employment 40w
Children, Day care 41w
Education action zones 73w
Teachers, Dismissal 72w
Teachers, Recruitment 206w

Clark, Rt Hon Dr David
Debates etc.
Freedom of Information Bill, Rep (04.04.00) 842, 925, 931
Freedom of Information Bill, Rep and 3R (05.04.00) 1012–3, 1019, 1102
Sittings in Westminster Hall
River Tyne, Shipbuilding (04.04.00) 161–4wh

Clark, Mr Paul
Questions
Planning Inspectorate 227w
Water abstraction 420w

Clarke, Mr Charles, Minister of State, Home Office
Debates etc.
Graffiti (27.03.00) 195–200
Questions
Children, Abuse 435w
Consultants, Home Office 640–1w
Corporate manslaughter 140w
Crimestoppers 142–3w
Crooks, Roger 379–80w
Domestic violence 141w
Drugs, Abuse 602w
Drugs, Kent 380w
Essex Police, Compensation 600w
European Police Office 600w

Clarke, Mr Charles*—*continued
European Police Office, Firearms 600w
European Police Office, Training 600–1w
European Police Office, Uniforms 601w
Fines, Personal income 373w
Fines, Speed limits 370–3w
Firearms, Licensing 381–3w
Genetics, Databases 381w
Green, Keith 379w
Habitual offenders, Canada 376w
Metropolitan Police, Inquiries 380w
Metropolitan Police, Private finance initiative 381w
Ministry of Defence Police 521–2w
Nickell, Rachel 379w
Parliament, Demonstrations 141w, 360w
Pedder, Keith 380w, 594w
Police, EC countries 601w
Police, Hampshire 378w
Police, Sick leave 214w
Police stations, Greater London 642w
Public safety radio communications project 597–8w
Sex offender orders 88w
Sexual offences, Males 4w
Smuggling, Criminal investigation 379w
Trials 365w

Clarke, Rt Hon Kenneth
Questions
Performance and Innovation Unit, Post offices 238w

Clarke, Rt Hon Tom
Debates etc.
Budget March 2000 (27.03.00) 70–2
Questions
Film 14
Tax allowances, Charities 589–90w

Class sizes
296–7w
Essex 75w

Cleaning services
NHS 354w

Cleft palate
Buckinghamshire 218w

Clergy
Manpower 52w

Clifton-Brown, Mr Geoffrey
Debates etc.
Armed Forces Discipline Bill (HL), Rep and 3R (06.04.00) 1168, 1172
Questions
Areas of outstanding natural beauty 411w
Council tax, Second homes 809
Film 13–4
National Audit Office 19
Nurses, Recruitment 332

Climate change levy
112w, 260w, 587w
Horticulture 586–7w
Northern Ireland 113w
Tax collection 112–3w

Clinton, Bill
280w

Clothing
236w

Clwyd, Ann
Questions
Chechnya, Overseas aid 331
East Timor, Refugees 54w
Ethiopia, Famine 972–3
Indonesia, Kidnapping 29w
Social security benefits, Take-up 626–8

Coaker Mr Vernon
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1274, 1294, 1302
Questions
Africa, AIDS 179w
Electronic government 360w
Housing benefit, Housing occupancy 446–7w
Metropolitan Police, Private finance initiative 381w
Textiles 483–4
Transport, Local plans 412w

Coastal areas
Tourism 4–5, 67w

"Code of Audit Practice for Local Authorities and the National Health Service in England and Wales"
(29.03.00) 464

Cohabitation
Pensions 343w

Cohen, Mr Harry
Debates etc.
Freedom of Information Bill, Rep and 3R (05.04.00) 981–7, 991
Questions
Arms trade, Pakistan 188–9w
Astra Holdings, Company investigations 188w
Cancer, Health services 123w
Chechnya, Overseas aid 330–1
Civil servants, Ethnic groups 525w
Corporate manslaughter 140w
London Regional Transport, Management 793
London Underground, Public private partnerships 544w
Mayor of London, Elections 433–4w
Military aircraft, Mozambique 299w, 552–3w
Military aircraft, Procurement 299–300w
Military aircraft, Transport 300w
Mines, Research 160w
NATO, Nuclear weapons 247w
NHS, Finance 507w, 575–9w
Nuclear disarmament 247w
Overseas investment, Azerbaijan 106w
Piccadilly line, Rolling stock 544–5w
Refugees, Housing 366w
Tax avoidance, Self-employed 489w

Coleman, Mr Iain
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 553–7
Questions
Education, Refugees 538w
NHS trusts, Finance 341w

Collins, Mr Tim
Debates etc.
Budget March 2000 (27.03.00) 109–12
Learning and Skills Bill (HL), 2R (30.03.00) 526, 557–62
Lisbon Summit (EC) (27.03.00) 33
Questions
Business questions 504

Colman, Mr Tony
Debates etc.
Budget March 2000 (27.03.00) 107–9
Questions
Local authorities, Pension rights 414–5w
Public Trust Office 79w

Colombia
Peace negotiations (28.03.00) 1–22wh

Combined heat and power
477w, 608w

Common fisheries policy
79–81w

Commonwealth Ministerial Action Group
Zimbabwe 265w

Community Legal Service
Hendon 556w

Community relations
Students 93w

Companies
Taxation 149w

Company accounts
Small businesses 405–6w

Company cars
317w

Company investigations
Astra Holdings 188w
Blue Arrow 187–8w

Competition
Bank services 256w
Computers 622–3w
Ice cream 191w, 403w
Milk 236–7w

Comptroller and Auditor General
see National Audit Office

Computers
Child Support Agency 621–2
Competition 622–3w
Dept of Social Security 475–6w
Dept of Trade and Industry 623–4w
Inland Revenue 499w
Ministry of Defence 489w
School libraries 154w
Teachers 40w
Treasury 499w

Conditional fee agreements
625–6w

Conditions of employment
Dept for Education and Employment 154–7w
NHS 120–1w

Conduct
Armed forces 305w

Congo (Kinshasa)
see Democratic Republic of Congo

Conservation
Energy (04.04.00) 936–46

Consultants
Home Office 215–6w, 640–1w
Hospitals 127w
London Regional Transport 310w
Ministry of Agriculture Fisheries and Food 249w
Neurology 120w

Consumer protection
Trade associations 240w

Contract compliance
EC law 195–6w
Electronic commerce 196w

Contracting Out (Functions Relating to Social Security) Order 2000
Debates etc.
(27.03.00) 187

Contracts
Home improvement agencies 228w
Hospices 345–6w
New Millennium Experience 358w
Slaughterhouses 172–3w
Welding Institute 44–5w

Contracts for services
Social security benefits (27.03.00) 187

Contributions Agency
see Social Security Contributions Agency

Convention on International Trade in Endangered Species
Ivory 806

Cook, Frank
Debates etc.
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 694–6

***Cook, Rt Hon Robin**, Secretary of State for Foreign and Commonwealth Affairs*
Questions
Embassies, Corporate hospitality 630w
Lisbon Summit (EC) 465–6w
Regulation, Foreign and Commonwealth Office 409w

***Cooper, Ms Yvette**, Minister for Public Health, Dept of Health*
Sittings in Westminster Hall
Vaccination, Animal products (28.03.00) 42–6wh
Questions
Abortion 615w
Analgesics, Death 123–4w
Antenatal care, Screening 218w
Babies 619w
Babies, Hearing 617w
Cancer, Health services 123w
Cancer, Low incomes 344w
Cancer, Surgery 350–1w
Cellular phones, Health hazards 580w
Drugs, Labelling 509w
Food, Radioactive materials 63w
Genetics, Insurance 349–50w
Head lice 618w
Heart diseases, Health services 119w
Hospices, Contracts 345–6w
Hospices, Finance 346w
Hospitals, Infectious diseases 345w, 354w
In vitro fertilisation 502w
Meningitis, Vaccination 218–9w, 395w, 613–4w
Meningitis, Yorkshire and Humberside 211–2
Methicillin resistant staphylococcus aureus 345w
Miscarriage 124w
Mixed oxide fuel, Health hazards 349w
MMR vaccine 349w
NHS, Rationing 120w
NHS, Research 216–7w
Prostate cancer, Research 612–3w
Prostate cancer, Waiting lists 612w
Salmonella 616–7w
Smoking, Health education 614w
Smoking related diseases, Medical treatments 351w
Tuberculosis, Vaccination 353w
Vaccination 219w
Vaccination, Correspondence 357w
World Health Organisation, Tobacco 342–3w

Corbett, Mr Robin
Debates etc.
Criminal Justice and Court Services Bill, 2R (28.03.00) 232–3, 243, 247–54, 281
Questions
Ammunition 323w
Firearms, Licensing 381–3w
NHS, Finance 104w
Rover Group 638
Rover Group, Longbridge 332–3

Corbyn, Mr Jeremy
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 460
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 678, 683–7
Housing (04.04.00) 822
Sittings in Westminster Hall
Immigration, Administrative delays (29.03.00) 111wh, 115wh
Western Sahara, Referendums (04.04.00) 184–8wh, 190wh
Questions
Council housing, Greater London 803
Minimum wage 237w
Nelson, Rosemary 171–2w

Corporate hospitality
Embassies 630w

Corporate manslaughter
140w

Corporation tax
EC countries 1146–7

Cotter, Mr Brian
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 541, 559
Questions
Avon Health Authority, Finance 61w
Avon Health Authority, Waiting lists 60w
Bovine spongiform encephalopathy, Waste disposal 250w
Incapacity benefit, Administrative delays 34w
Learning disability, Weston-super-Mare 60–1w
Public expenditure, Dept of Health 63–4w
Regulation, Dept for Culture Media and Sport 392w
Regulation, Dept for Education and Employment 387w
Regulation, Dept for International Development 582w
Regulation, Dept of Health 509w
Regulation, Dept of Social Security 453–4w
Regulation, Dept of the Environment Transport and the Regions 415w
Regulation, Dept of Trade and Industry 534w
Regulation, Foreign and Commonwealth Office 409w
Regulation, Lord Chancellor's Dept 401w
Regulation, Ministry of Defence 397w
Regulation, Northern Ireland Office 407w
Regulation, Office of the Secretary of State for Wales 458w
Regulation, Scotland Office 402w
Regulation, Treasury 461w

Council housing
412–3w
Greater London 803–4
Northern Ireland 50–1w

Council of Ministers
99–101w
Disclosure of information 389–90w

Council tax
Second homes 808–9

Councillors
18–9w

Countryside stewardship scheme
559–60w

Courts
(28.03.00) 225–91

Cousins, Mr Jim
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 433–4
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 717–8
Sittings in Westminster Hall
River Tyne, Shipbuilding (04.04.00) 166–7wh
Questions
Business questions 500, 1155

Cox, Mr Tom
Questions
Beef, Argentina 173–4w
Bovine spongiform encephalopathy, EC countries 174w
Company cars 317w
Diplomatic relations 54w
Domestic violence 141w
Gibraltar, Spain 562w
Hong Kong, Ministry of Defence 27w
Hospitals, Waiting lists 575w
Housing improvement, Greater London 605–6w
Illegal immigrants 84w
Industrial injuries disablement benefit 34w
Invalid vehicles 451w
Land, Ministry of Defence 27w
Lone parents 150w
Low pay, Greater London 151–2w
Ministers, Official cars 201w
Motor vehicles 431w
Motor vehicles, Testing 431w
Nurses, Training 615–6w
Prisoners, Handbooks 141w
Prisons, Drugs 370w
Radioactive wastes, Waste disposal 17–8w
Salmonella 616–7w
Segregation of prisoners 370w
Sri Lanka, Overseas aid 177w
Transport, Disabled 485–6w
Unified Appeal Tribunal, Public appointments 401w

Craigie Hall
398–400w

***Cranston, Mr Ross**, Solicitor-General*
Questions
Customs and Excise, Administration of justice 468–9w
Prosecutions, Fraud 468w

Credit unions
330w

Crime
Finance 1–3w

Crime and disorder partnerships
635w

Crime prevention
Arson 137–8w

Crimes of violence
Children in care 62w

Crimestoppers
142–3w

Criminal investigation
Smuggling 379w
United Kingdom Atomic Energy Authority Constabulary 403–4w

Criminal Justice and Court Services Bill 1999/2000
Debates etc.
2R and Money res* (28.03.00) 225–91
Questions
365–6w

Crooks, Roger
283–4w, 304w, 379–80w

Crops
Genetically modified organisms 18w, 37–8w, 131w, 314–5w, 327w, 419–20w, 434w, 611w

Cross border cooperation
Northern Ireland government 97w

Crown Committee
see Prescribing Supply and Administration of Medicines Review Team

Cryer, Mrs Ann
Sittings in Westminster Hall
Developing countries, Females (30.03.00) 135wh
Questions
Local authorities, Manpower 158–9w
Museums and galleries, Children 15–6
NHS, Rationing 120w

Cryer, Mr John
Debates etc.
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 684
Questions
Business questions 1162–3
Income tax, Construction 24–5w
Unemployment benefits, Construction 338w

Cuba
EC aid 183w

Cultural heritage
National Lottery 470–1w

Cumbria
NHS Direct 123w
Working families tax credit 48w

Cummings, Mr John
Questions
Business questions 1159–60
Members, Correspondence 26w
World Health Organisation, Tobacco 342–3w

Cunningham, Rt Hon Dr Jack
Questions
Barclays Bank 47w
British Nuclear Fuels, Directors 105–6w
Rural areas, Banks 68w
Working families tax credit, Cumbria 48w

Cunningham, Mr Jim
Debates etc.
Budget March 2000 (27.03.00) 52, 57, 88–90
Questions
Crime, Finance 1–3w
New deal schemes, Ethnic groups 287–9w
Overseas trade, India 484–5
Pensioners, Income 335w
Sports, Schools 66w

Cunningham, Ms Roseanna
Questions
Privy Council Office Judicial Committee, Scotland 361–2w

Curry, Rt Hon David
Debates etc.
Lisbon Summit (EC) (27.03.00) 31

Curtis-Thomas, Ms Claire
Questions
Death rate, Liverpool 255w
Lighting, Pollution control 432w, 605w
Pensioners, Income support 448w
Small Business Service 239w
Social security benefits, Widowed people 272w, 339w

Curtis-Thomas, Ms Claire—continued
Widowed people 271–2w

Customs and Excise
Administration of justice 468–9w
Pakistan 496–7w

Customs officers
Manpower 259w

Cycling
316w
Children 19w

Cyprus
Monuments 603w

Dairy Crest
Unigate 624w

Dairy products
Exports 174w

Dalyell, Mr Tam
Debates etc.
Freedom of Information Bill, Rep (04.04.00) 832, 839–40, 844, 920
Freedom of Information Bill, Rep and 3R (05.04.00) 984, 989, 1016, 1051
Kosovo, Points of order (03.04.00) 643
Lisbon Summit (EC) (27.03.00) 33
Sittings in Westminster Hall
Colombia, Peace negotiations (28.03.00) 13–4wh, 20wh
Questions
Business questions 1153–4
Drugs, Labelling 509w
Iraq 281–2w
Iraq, Chemical and biological warfare 264–5w
Iraq, Ethnic groups 264w
Iraq, Missing persons 264w
Iraq, Mustard gas 281–2w
Iraq, Oil 265w
Iraq, Public expenditure 1149
Iraq, Temporary immigrants 410w
Kosovo, Radioactivity 555w
Kosovo, Uranium 555w
Madagascar, Disaster relief 180w
Military exercises, South Korea 161–2w
Sellafield 533w
Transplant surgery, Research 127–8w

***Darling, Rt Hon Alistair**, Secretary of State for Social Security*
Debates etc.
Budget March 2000 (27.03.00) 41–50, 52, 57
Questions
Housing benefit, Abuse 332w
Pensioners, Income 609–11
Pensioners, Income support 447–8w
Social security benefits, Post offices 613–5
Standards, Dept of Social Security 274–6w
State retirement pensions, Uprating 620–1

Databases
Genetics 381w, 597w

Davey, Mr Edward
Debates etc.
Graffiti (27.03.00) 193–5
Sittings in Westminster Hall
Voluntary work (05.04.00) 252–7wh
Questions
Bus services 481–3w
Excise duties, Gaming machines 1150
Housing, Greater London 17w
Institutional care, Local government services 509w
Negligence, Compensation 394–5w
Park and ride schemes 17w
Social Security Benefits Agency, Administrative delays 338w

Davey, Mrs Valerie
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 584–5

Davidson, Mr Ian
Questions
Social security benefits, Abuse 620

Davies, Rt Hon Denzil
Debates etc.
Lisbon Summit (EC) (27.03.00) 30

Davies, Mr Geraint
Questions
Construction, Sustainable development 323w
Electronic commerce 482–3
Greater London Authority, Property transfer 420–1w
Housing, Single people 798–9

Davies, Mr Quentin
Debates etc.
Armed Forces Discipline Bill (HL), Rep and 3R (06.04.00) 1188–9
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 648–50, 652, 748, 773
Freedom of Information Bill, Rep (04.04.00) 834–6, 929
Freedom of Information Bill, Rep and 3R (05.04.00) 1080–1, 1102–3, 1114–5, 1117–8, 1122–3
Sittings in Westminster Hall
Rutland College, Tresham College (28.03.00) 26–8wh
Questions
Military aircraft, Iraq 27w

Davis, Rt Hon David
Debates etc.
Budget March 2000 (27.03.00) 45, 72–4, 76
Freedom of Information Bill, Rep (04.04.00) 862, 874–5, 899–900
Freedom of Information Bill, Rep and 3R (05.04.00) 998, 1006–10, 1016, 1028, 1100
Questions
Hospitals, Private finance initiative 216–7

Dawson, Mr Hilton
Debates etc.
Criminal Justice and Court Services Bill, 2R (28.03.00) 235, 245–6, 250, 257–62, 280–1

Day, Mr Stephen
Debates etc.
Criminal Justice and Court Services Bill, 2R (28.03.00) 265, 276
Royal Ulster Constabulary (06.04.00) 1228
Questions
Business questions 1157
Standard spending assessments, Stockport 413w

Day care
Children 41w

Death
Analgesics 114–5w, 123–4w
Methicillin resistant staphylococcus aureus 345w
Surgery 63w

Death rate
Liverpool 255w

Debts
Developing countries 175w, 181w, 326–8, 460w
NHS 130w, 343–4w, 515w
Scottish Power 113–4w

Debts written off
Developing countries 472w, 584w

Defence
Diversification 303w

Defence Evaluation and Research Agency
397–8w

Defence Geographic and Imagery Intelligence Agency
395–6w

Defence Vetting Agency
Standards 550–1w

Democratic Republic of Congo
Armed conflict 564w

Demonstrations
Parliament 141w, 360w

***Denham, Mr John**, Minister of State, Dept of Health*
Debates etc.
Nurses, Pay (28.03.00) 319–22
Sittings in Westminster Hall
Chronically sick, Health services (29.03.00) 96–100wh
NHS, Ancillary staff (05.04.00) 263–8wh
Questions
Art works, Dept of Health 615w
Avon Health Authority, Waiting lists 60w
Beta-interferon 201–2, 510–1w
Bone diseases, Children 356w
Broomfield Hospital, Hospital beds 62–3w
Buckinghamshire Health Authority, Finance 507w, 617w
Disability aids, Waiting lists 618w
Essex Rivers Healthcare NHS Trust, Waiting lists 351–2w, 614w
General practitioners, Durham County 614–5w
Health authorities, Yorkshire and Humberside 59w
Health services, Technicians 55w
Hospital beds 351w
Hospital wards, West Sussex 509–10w
Hospitals, Consultants 127w
Hospitals, Hygiene 122w
Hospitals, Waiting lists 62w, 119w, 135w, 508w
Inflammatory bowel disease 214–5
Intensive care 352w
Intensive care, Hospital beds 341–2w
Junior doctors, Working hours 575w
Medical profession, Disciplinary proceedings 347–8w
National Blood Authority, Personnel management 503w
National Institute for Clinical Excellence 122w
Neurology, Consultants 120w
Neurology, Medical treatments 611–2w
NHS, Ancillary staff 136w
NHS, Capital Modernisation Fund 509w
NHS, Complaints 513–4w
NHS, Conditions of employment 120–1w
NHS, Debts 130w, 343–4w, 515w
NHS, Finance 61w, 121–2w, 209–11, 502–3w, 507w, 575–9w, 617–8w
NHS, Job satisfaction 612w
NHS, Pay 342w, 504w
NHS, Pensions 343w
NHS, Voluntary work 136w
NHS trusts, Finance 341w
NHS trusts, Public appointments 514w
Nurses 127–8w
Nurses, Greater London 58w
Nurses, Training 123w, 355w, 615–6w
Oxted and Limpsfield Hospital 61w
Paediatrics, Nurses 504–7w
Prescription drugs, Prices 202–3
Prescription drugs, Waste disposal 393w

***Denham, Mr John**—continued*
Primary care groups, Public appointments 128w
Primary care trusts 122–3w
Public appointments, Dept of Health 136w
Severalls Hospital 136–7w
Transplant surgery, Research 127–8w

Dental services
217–8, 349w
Lincolnshire 124w
Shropshire 507–8w

Departmental coordination
EC grants and loans 481w
Science 480–1

Departmental expenditure limits
Dept of the Environment Transport and the Regions 223–4w

Departmental responsibilities
Families 77–8w

Deployment
Roll-on roll-off ships 208–9w
Warships 28w

Deportation
367w, 599w
Refugees 437–8w, 593w

Dept for Culture Media and Sport
Art works 392–3w
Empty property 359–60w
Internet 391–2w
Regulation 392w

Dept for Education and Employment
Advertising 40w
Conditions of employment 154–7w
Empty property 297w
Parking 295w
Public appointments 151w
Regulation 387w

Dept for International Development
Empty property 287w
Internet 286w
Parking 254w
Regulation 582w

Dept of Health
Alternative energy 219w
Art works 615w
Empty property 353–4w
Parking 217w
Public appointments 136w
Public expenditure 63–4w
Regulation 509w

Dept of Social Security
Art works 531w
Computers 475–6w
Empty property 340–1w
Information technology 115w
Internet 272–3w
Parking 272w
Proof of identity 529w
Regulation 453–4w
Standards 274–6w

Dept of the Environment Transport and the Regions
Art works 484–5w
Departmental expenditure limits 223–4w
Internet 415–9w
Ministerial policy advisors 605w
Public appointments 319w
Public inquiries 311–3w
Regulation 415w

Dept of Trade and Industry
Art works 479w
Buildings 108w
Computers 623–4w
Empty property 278w
Internet 278w

***Dept of Trade and Industry**—continued*
NAW Assembly Cabinet 108–9w
Parking 278w
Public appointments 277w
Regulation 534w

Deputy Prime Minister
Brazil 409w

Deregulation
528w
Government departments 522w

Derelict land
North West region 411w

Detainees
599w

Detention and training orders
138–9w

Developing countries
see also Heavily indebted poor countries initiative
Debts 175w, 181w, 326–8, 460w
Debts written off 472w, 584w
Drugs 184w
Education (04.04.00) 192–200wh
Females (30.03.00) 117–56wh
Uruguay Round 185w
Voluntary work 177–8w

Dial-a-ride
324w

Diesel fuel
Tanks 554w

Dietary supplements
35–6w

Digital broadcasting
Electronic government 524w

Diplomatic relations
54w

Diplomatic service
Political impartiality 103w
Zimbabwe 266w

Dir90/220/EEC
502w

Dir96/29/EURATOM
19w

Dir98/30/EC
242–3w

Directors
British Nuclear Fuels 105–6w

Disability aids
336, 386w
Employment Service 41–2w
Lancashire 618w
Television 1–2
Waiting lists 618w

Disability living allowance
163–4w, (05.04.00) 243–51wh, 449w
Administrative delays 627–8w
Appeals 337–8w
Mentally ill 164w

Disabled
Buses 491w
Driving 21–2w
Education 204w
Employment 334w
Housing improvement 324w
Internet 72–3w
Northern Ireland (04.04.00) 935
Safety belts 411–2w
Social security benefits 454w
Tax allowances 491w
Transport 485–6w

Disabled person's tax credit
South Yorkshire 50w

Disaster relief
178w
Madagascar 180w
Mozambique 176–7w, 328–30

Disciplinary proceedings
Medical profession 347–8w

Discrimination
Employment 73w

Diseases
Expenditure 346–7w

Dismissal
Teachers 72w

Dismore, Mr Andrew
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 350, 352, 403
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1299
Questions
Community Legal Service, Hendon 556w
Conditional fee agreements 625–6w
Flood control, Edgware 560w
Iran, Jews 282w, 564w
Metropolitan Police, Police areas 211–2w
Metropolitan Police, Standards 212–3w
Mill Hill School 538–9w
Museums and galleries, Fees and charges 625w
Social Exclusion Unit 963
Thameslink, Planning 432w
War pensions 453–4w

Distribution
Natural gas 242–3w

Dobbin, Mr Jim
Questions
Ministerial Group on Rural Affairs 957
New deal schemes, Local authorities 537w
Railways, Freight 483w

Dobson, Rt Hon Frank
Debates etc.
Housing (04.04.00) 818

Docks and Harbours (Rateable Values) (England) Order 2000
Debates etc.
(28.03.00) 291

Doctors
Greater London 58w

Doctors' list of patients
Elderly 121w

Dogs
Animal experiments 435–6w
Exports 501w

Dolphins
Drift nets 455w

Domestic violence
141w, 377–8w

Donaldson, Mr Jeffrey M
Debates etc.
Royal Ulster Constabulary (06.04.00) 1231, 1240–2
Questions
Foreign investment in UK, Lisburn 569w
Nelson, Rosemary 244w
Schools, Northern Ireland 570w

Doran, Mr Frank
Questions
Natural gas, Distribution 242–3w

Dounreay
Inspections 403w
Nuclear fuel reprocessing 533–4w

Drew, Mr David
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 440–2
Questions
NHS, Conditions of employment 121w

Drift nets
Dolphins 455w

Drinking water
Water treatment 320–1w

Driver and Vehicle Licensing Agency
Proof of identity 321–2w

Driving
Disabled 21–2w

Driving under influence
EC action 430–1w

Drown, Ms Julia
Sittings in Westminster Hall
NHS, Ancillary staff (05.04.00) 259–63wh
Questions
Debts written off, Developing countries 584w
Rover Group, Longbridge 477

Drug prevention schemes
68w

Drug seizures
259–60w

Drugs
Abuse 602w, 631–2w
Developing countries 184w
Expenditure 129w
Kent 380w
Labelling 509w
Prisons 86w, 370w
Screening 12w
Young people 961–3

Duchy of Lancaster
Magistrates 524w

Duncan, Mr Alan
Sittings in Westminster Hall
Rutland College, Tresham College (28.03.00) 23–6wh, 28wh
Questions
Contract compliance, EC law 195–6w
Rover Group 489–90

Duncan Smith, Mr Iain
Debates etc.
Armed Forces Discipline Bill (HL), Rep and 3R (06.04.00) 1168
Private Members' bills, Points of order (07.04.00) 1264
Questions
Aircraft carriers, Procurement 209w
Armed forces, Manpower 304w
Hospital ships 207w
Household Division, Correspondence 51w
Israel, Armed forces 397w
Israel, Ballistic missile defence 398w, 488w
Israel, Ministry of Defence 397w
Korean War, Anniversaries 25w
Navy, Hydrography 207–8w
Orders and regulations 582–3w
Property, Ministry of Defence 27w
SA80 rifle 298–9w
Tankers, Procurement 79w
Task forces 565–6w
Type 45 destroyers 208w
Warships, Deployment 28w

Dunwoody, Mrs Gwyneth
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 452
Questions
Pedestrians, Safety 608w

Durham County
Ambulance services 353w
General practitioners 614–5w
Nursing homes 508w

Dyslexia
294–5w

***Eagle, Angela**, *Parliamentary Under-Secretary of State, Dept of Social Security*
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 358–63, 370, 373–6, 379, 392–4, 403, 407–13, 420–1, 428–9, 455–6, 459–60
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 666–7, 742–4, 769–71, 778
Social security benefits, Widowed people (06.04.00) 1257–62
Questions
Appeals Service, Standards 273w
Child benefit 30w
Child support, Maintenance 33w
Child Support Agency, Compensation 337w
Child Support Agency, Computers 621–2
Child Support Agency, Reform 337w
Computers, Dept of Social Security 475–6w
Employment schemes 34–5w
Family credit 340w
Family credit, Basildon 473–5w
Housing benefit, Abuse 118w, 629w
Housing benefit, Child care tax credit 271w
Housing benefit, Expenditure 332w
Housing benefit, Housing occupancy 446–7w
Information technology, Dept of Social Security 115w
Internet, Dept of Social Security 272–3w
Maintenance, Children 336–7w, 449w, 621–4, 630w
Maternity payments, South Yorkshire 165–6w
Mortgages, Arrears 473w
New deal for lone parents 336w, 626
Rents, Rebates 32–3w, 325w
Social Fund 339w
Social security benefits, Abuse 117–8w, 335–6w, 629w
Social security benefits, Lone parents 270w
Social security benefits, Overpayments 447w
Social security benefits, Postal services 269w
Social security benefits, Telephone services 626–7w
Social security benefits, Widowed people 272w, 339w
Social Security Benefits Agency, Administrative delays 338w
Social Security Benefits Agency, Employment Service 339–40w
Social Security Benefits Agency, Home visits 166–7w
Unemployment benefits, Construction 338w
Widowed people 271–2w
Winter fuel payments, Chelmsford 118w
Winter fuel payments, Inverclyde 334w

Eagle, Angela—*continued*
Winter fuel payments, Morecambe 33w

Eagle, Maria
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 364

Early day motions
Correspondence 135w

Early retirement
Farmers 82–3w

Early years development plans
41w

Earnings limits
489–90w

East Anglia
Housing 608–9w
Planning permission 22–3w

East Surrey Hospital
Ancillary staff 618–9w
Nurses 618–9w

East Timor
Military aircraft 552–3w
Refugees 54w

Eastern Europe
Economic situation 323–4

EC action
Art works 480w
Driving under influence 430–1w
Hemp (03.04.00) 782
Organised crime 634w
Treaties 285w

EC aid
180–1w
Cuba 183w
Zimbabwe 254w

EC common foreign and security policy
563w

EC countries
Bovine spongiform encephalopathy 174w
Corporation tax 1146–7
Police 601w, 633w
Trade competitiveness 238–9w

EC defence policy
563w

EC Draft 12992/99
(03.04.00) 782

EC external trade
Bananas 46w

EC Foreign Affairs Council
167–9w

EC grants and loans
480–1w, 624w, 1145–6
Departmental coordination 481w
Wales 1141
West Midlands 638

EC institutions
Operating costs 101–2w
UK delegations 102–3w
Vocational training 53w, 167w

EC Internal Market Council
106–7w

EC justice and home affairs
520w

EC law
562w
Alternative medicine 125–6w
Contract compliance 195–6w
Government assistance 242w
Ionizing radiation 19w
Redundancy 492–4

EC law—*continued*
Regulatory impact assessments 268–9w

EC staff
Allowances 631w

EC Transport Council
230–2w

Economic and monetary union
486–7, 585w
Cabinet Office 70w

Economic situation
Eastern Europe 323–4
St Helena 468w

Edgware
Flood control 560w

Edinburgh
Military bases 398–400w

Education
Cheshire 316w
Developing countries (04.04.00) 192–200wh
Disabled 204w
Finance 205w, 298w, 519–20w
Refugees 538w
Standard spending assessments 293–4w

Education action zones
73w

Edwards, Mr Huw
Questions
Methicillin resistant staphylococcus aureus 345w
National Council for Education and Training in Wales 539–40w
NHS, Ancillary staff 136w
Nutrition 353w, 357w
Organic farming, Government assistance 456w
Social Exclusion Unit 523–4w

Efford, Mr Clive
Questions
Bus services, Greater London 414w
Millennium Exhibition, Attendance 64w
Utilities, Pre-payment 402w

Elderly
Better government programme 76w, 527w, 964–5
Doctors' list of patients 121w
Health 130w
Health services 355–6w
Institutional care 63w, 581w
Residential homes (03.04.00) 783–90

Elections
Local government 634w
Mayor of London 433–4w
Zimbabwe 265w

Electoral Commission
Costs 3–4w

Electoral register
89w

Electricity
North Yorkshire 108w

Electricity generation
Safety 106w

Electricity Supply Industry (Rateable Values) (England) Order 2000
Debates etc.
(28.03.00) 291

Electronic commerce
482–3
Contract compliance 196w

Electronic government
203w, 360w, 524–5w, 959–61

Electronic government—*continued*
Digital broadcasting 524w
Post offices 237w

Electronic voting
Greater London Authority 112w

Ellman, Mrs Louise
Sittings in Westminster Hall
Radiation, Research (29.03.00) 57wh, 60–1wh
Questions
Non-departmental public bodies 314w
Non-departmental public bodies, Accountability 959
Regional assemblies 17w

Embassies
Corporate hospitality 630w

Employee share ownership schemes
1138–40

Employers' Forum on Disability
Government departments 566w

Employment
235w
Disabled 334w
Discrimination 73w
Football 42w, 386w
St Helena 467w
South East region 586w

Employment agencies
Correspondence 624w
Regulation 236w

Employment schemes
34–5w

Employment Service
Disability aids 41–2w
Social Security Benefits Agency 339–40w

Employment tribunals
Northern Ireland 517w

Empty property
482w
Dept for Culture Media and Sport 359–60w
Dept for Education and Employment 297w
Dept for International Development 287w
Dept of Health 353–4w
Dept of Social Security 340–1w
Dept of Trade and Industry 278w
Home Office 445–6w
Housing 324w
Lord Chancellor's Dept 364w
Scotland Office 285w
Treasury 330w

Energy
Conservation (04.04.00) 936–46

Energy from Waste Plants (Rateable Values) (England) Order 2000
Debates etc.
(28.03.00) 291

Ennis, Mr Jeff
Questions
Disabled person's tax credit, South Yorkshire 50w
Employee share ownership schemes 1138–9
Maternity payments, South Yorkshire 165–6w
Pensioners, Income support 447–8w

Entry clearances
440–5w

Environment protection
Agriculture 252w, 457–8w, 560w
Landfill tax 499w
Natural gas 107w
Overseas aid 175w

Environmental Audit Select Committee
(30.03.00) 598

Equal opportunities
Civil servants 523w
Northern Ireland 518–9w, 569–70w
Northern Ireland Office 518w
Primary education 574w, 974
Public appointments 76–7w

Equality Commission for Northern Ireland
see Northern Ireland Equality Commission

Equality (Disability Etc) (Northern Ireland) Order 2000
Debates etc.
(04.04.00) 935

Escalators
London Underground 310–1w

Essex
Aircraft 232w
Class sizes 75w
Police 214w

Essex Police
Compensation 600w

Essex Rivers Healthcare NHS Trust
Private sector 217w
Waiting lists 351–2w, 614w

Ethiopia
Famine 972–3
Forests 286–7w

Ethnic groups
Civil servants 525w
Iraq 264w
New deal schemes 287–9w

EU Justice and Home Affairs Council
373–6w

Euro
Forgery 632w

European Aviation Safety Authority
232–3w

European Communities
see also EC and EU headings
Anniversaries 157w

European Monitoring Centre on Racism and Xenophobia
214–5w

European Police Office
600w
Firearms 600w
Training 600–1w
Uniforms 601w

European Scrutiny Committee
(30.03.00) 599

Euxton
Railways 802–3

Evans, Mr Nigel
Questions
Business questions 499, 1159
Derelict land, North West region 411w
Drugs, Young people 962–3
Eastern Europe, Economic situation 323–4
Exservicemen 160–1w
Information officers, Office of the Secretary of State for Wales 472w, 573w
Internet, Trade marks 236w
Ministerial policy advisors, Office of the Secretary of State for Wales 473w
Operating costs, Office of the Secretary of State for Wales 158w
Social security benefits, Refugees 612
Swimming, Schools 2–3
Task forces, Wales 158w

Ewing, Mrs Margaret
Questions
Bankruptcy, Pensions 111w
Climate change levy 112w, 260w
Climate change levy, Tax collection 112–3w
Manufactured goods, Imports 193–4w
Pension funds 31–2w

Exchange rates
329w

Excise duties
496w
Aviation 459–60w
Fuels 497w, 585w, 589w
Gaming machines 1149–50
Lorries 433w
Petrol 114w, 589w, 1143–5

Exhibitions
UK membership of EC 630–1w

Export credit guarantees
Romania 533w
Turkey 476–7w

Export of Farm Animals Bill 1999/2000
Debates etc.
2R order read (07.04.00) 1334

Exports
Dairy products 174w
Dogs 501w
Livestock (07.04.00) 1336–42
Sri Lanka 478–9w
Sudan 286w

Exservicemen
160–1w

Faber, Mr David
Questions
Athletics, Sportsgrounds 540w
National Lottery 10–1
Wembley Stadium 104–5w

Fabricant, Mr Michael
Debates etc.
Ministers, Points of order (28.03.00) 221
Oral question time intervention (30.03.00) 489
Sittings in Westminster Hall
USA, Overseas trade (29.03.00) 101–6wh, 108wh
Questions
Business questions 509–10
Child Support Agency, Computers 621–2
North American Free Trade Agreement 278–9w, 285w, 361w, 524w
Rover Group, Longbridge 475–6
Southern Africa, Overseas aid 183w

Fair Employment Tribunal for Northern Ireland
Finance 517w

Families
Departmental responsibilities 77–8w

Family credit
340w
Basildon 473–5w
Southwark 49w

Family Law Act 1996
Debates etc.
(04.04.00) 947–56

Famine
Ethiopia 972–3
Horn of Africa 182w

Fares
Concessions 805–6

Farmers
see also Agriculture

Farmers—continued
Bankruptcy 250w
Early retirement 82–3w
Zimbabwe 265w

Farms
Hedges and ditches 132w, 172w, 325w, 327–8w
Valuation 83w

Fearn, Mr Ronnie
Questions
Alternative medicine, EC law 125–6w
Dietary supplements 35–6w
Farms, Hedges and ditches 132w, 172w
Medicines Control Agency 126–7w
World class performance programme 469–70w

Females
Developing countries (30.03.00) 117–56wh
Health 130w
Politics and government 535–6w
Prison Service 380–1w

Field, Rt Hon Frank
Debates etc.
Budget March 2000 (27.03.00) 50
Child Support Pensions and Social Security Bill, Rep (29.03.00) 351–3, 363, 368–9, 384–5, 433, 435–7, 440, 447, 454
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 681–3, 695, 697, 749, 762
Royal Ulster Constabulary (06.04.00) 1219–20, 1239–40
Questions
Babies 619w
Credit unions 330w
Family credit 340w
Housing benefit, Abuse 629w
Housing benefit, Expenditure 332w
In vitro fertilisation 502w
Income support, Mortgages 454w
Low birthweight babies 461w
NHS, Pensions 343w
Radiation, Research 194w
Social security benefits, Abuse 336w, 627–9w
Social security benefits, Capital rules 618
Social security benefits, Postal services 269w
Social Security Benefits Agency, Security 31w
State earnings related pension scheme, Misrepresentation 30w, 340w

Film
13–5, 64w

Finance Bill 1999/2000
Debates etc.
Procedure motions*, Money res* and 1R (27.03.00) 185–7
Questions
151w

Financial Assistance for Industry (Increase of Limit) Order 2000
Debates etc.
(27.03.00) 187

Financial services
Armed forces 28w

Fines
Personal income 364w, 373w
Speed limits 370–3w

Fire Prevention Bill 1999/2000
Debates etc.
2R order read (07.04.00) 1334

Firearms
European Police Office 600w
Licensing 381–3w

Fiscal policy
970–1

Fisher, Mr Mark
Debates etc.
Freedom of Information Bill, Rep (04.04.00) 833–4, 850, 863–6, 868–70, 877, 927–8
Freedom of Information Bill, Rep and 3R (05.04.00) 1003–6, 1027, 1056–9, 1081–2, 1103–4

Fisheries
Fleetwood 173w
Irish Sea 173w
St Helena 467w

Fishery agreements
455–6w
Morocco 254w

Fishing catches
Bass 82w

Fishing vessels
Licensing 253w
Safety measures 800–1
Spain 253w

"Fit for the Future Consultation Paper"
356w

Fitzpatrick, Jim
Questions
Child support, Maintenance 33w
Greater London Authority, Grants 225w
Greenbelt 325w

Flags
Armagh 280–1w

Fleetwood
Fisheries 173w

Flight, Mr Howard
Debates etc.
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 651–2, 729–30, 749
Questions
Excise duties, Petrol 1144–5
Pensions, Reform 333w

Flint, Caroline
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 406
Learning and Skills Bill (HL), 2R (30.03.00) 537, 549
Questions
Conditions of employment, Dept for Education and Employment 154–7w
New deal for lone parents 626
Recreation spaces 66w

Flood control
Burnt Oak 560w
Edgware 560w

Flynn, Paul
Debates etc.
Residential Care Homes and Nursing Homes (Medical Records) Bill, 1R (27.03.00) 38–40
Questions
Alternative energy, Dept of Health 219w
Analgesics, Death 114–5w, 123–4w
Ballistic missile defence, USA 209w
Business questions 496–7
Church of England, Finance 20
Drugs, Expenditure 129w
Farmers, Bankruptcy 250w
Farms, Hedges and ditches 325w
Farms, Valuation 83w
Genetically modified organisms, Crops 314–5w

Flynn, Paul—continued
Hospitals, Infectious diseases 345w
Internet, Prime Minister 38–9w
Japan, Radioactive materials 171w
Pensioners, Income support 333w, 531w
Prisons, Drugs 86w
Sheep, Radioactive fallout 174w

Foden Thompson Carmichael MWD
79–80w

Follett, Barbara
Questions
Child Support Agency, Compensation 337w
Deregulation 528w
Government departments, Procurement 330–1w

Food
Genetically modified organisms 501w
Labelling 36w
Radioactive materials 63w

Food Standards Agency
83–4w, 137w

Football
Employment 42w, 386w

Foreign and Commonwealth Office
Internet 564–5w
Parking 268w
Regulation 409w

Foreign investment in UK
Lisburn 569w
North West region 240w

Foreign relations
Sri Lanka 562w
USA 169w
Zimbabwe 265w

Foreign workers
Members' staff 43w, 235w

Forest of Bowland
Nature conservation 251–2w, 560w

Forests
Ethiopia 286–7w
Indonesia 184–5w

Forgery
Euro 632w

Forth, Mr Eric
Debates etc.
Business questions intervention (30.03.00) 498
Freedom of Information Bill, Rep and 3R (05.04.00) 1011
Ministerial statement intervention (04.04.00) 812
Warm Homes and Energy Conservation Bill, Money res (04.04.00) 936–9, 941, 943
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1285
Questions
Business questions 502, 1154–5
Excise duties, Petrol 1144

Fossil fuels
305–6w

Foster, Mr Don
Debates etc.
Housing (04.04.00) 819
Questions
Affordable warmth programme 483–4w
Empty property, Dept for Culture Media and Sport 359–60w
Empty property, Dept for Education and Employment 297w
Empty property, Dept for International Development 287w

Foster, Mr Don—continued
Empty property, Dept of Health 353–4w
Empty property, Dept of Social Security 340–1w
Empty property, Dept of Trade and Industry 278w
Empty property, Home Office 445–6w
Empty property, Lord Chancellor's Dept 364w
Empty property, Scotland Office 285w
Empty property, Treasury 330w
Fuel poverty 484w
Fuel poverty, Northern Ireland 244w
Hedges and ditches 111w
Housing, Empty property 324w
Housing, Shops 323–4w
London Regional Transport, Management 793–4
Solicitors, Rules of procedure 557w

Foster, Mr Michael Jabez, (Hastings and Rye)
Debates etc.
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 695
Questions
Small businesses, Pay 485–6
Social security benefits, Capital rules 618–9

Foster, Mr Michael John, (Worcester)
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 567–72
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1299–304
Questions
Rover Group, Longbridge 489
Students, Fees and charges 153–4w

Foulkes, Mr George, Parliamentary Under-Secretary of State for International Development
Sittings in Westminster Hall
Developing countries, Education (04.04.00) 195–200wh
Developing countries, Females (30.03.00) 118wh, 123wh, 147–56wh
Questions
Chechnya, Overseas aid 330–1
Eastern Europe, Economic situation 323–4
Indonesia, Forests 184w

Fowler, Rt Hon Sir Norman
Questions
Rover Group 635–6

Fox, Dr Liam
Debates etc.
Ministers, Points of order (28.03.00) 221
Questions
Nurses, Training 207–8

Fraser, Mr Christopher
Questions
Housing, Single people 798
Regional development agencies, Operating costs 585–6w

Fraud
NHS 468w
Prosecutions 468w

Free school meals
296w, 388w
Welfare tax credits 387–8w
Working families tax credit 259w, 538w

Freedom of Information Bill 1999/2000
Debates etc.
Rep adjourned (04.04.00) 830–935
Rep and 3R (05.04.00) 981–1123
Questions
5w, 435w

Freight
Aviation 233w
Railways 427w, 483w
Roads 427w, 433w
Taxation 460w

Fruit
Organic food 559w

Fuel poverty
484w, 548–50w
Northern Ireland 244w

Fuels
Excise duties 497w, 585w, 589w

Fujitsu
Government assistance 476w

"Fully Equipped"
336, 386w

Further education
Northern Ireland 91w
Sports 91w

Future large aircraft
277–8w, 555w
Government assistance 487–8, 532–3w, 621–2w

Fyfe, Maria
Sittings in Westminster Hall
Developing countries, Females (30.03.00) 121wh, 124wh
Questions
Burma, Refugees 471–2w
Independent Tribunal Service, Public appointments 197–8w
Mozambique, Disaster relief 329

Gale, Mr Roger
Debates etc.
Social security benefits, Widowed people (06.04.00) 1254–7, 1260
Questions
Refugees, Deportation 437–8w
Tax burden 585w

Galileo project
233w

Galloway, Mr George
Sittings in Westminster Hall
Western Sahara, Referendums (04.04.00) 184–5wh
Questions
Iraq, International assistance 263–4w

Gaming clubs
Opening hours 383w

Gaming machines
Excise duties 1149–50

Gapes, Mr Mike
Debates etc.
Armed Forces Discipline Bill (HL), Rep and 3R (06.04.00) 1202
Questions
Developing countries, Voluntary work 177–8w
NHS, Finance 209–10

Gardens
Kensington Palace 359w

Gardiner, Mr Barry
Debates etc.
Budget March 2000 (27.03.00) 118
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1304, 1313, 1317, 1325–6
Questions
Armed forces, Sri Lanka 488–9w
Business questions 502
Exports, Sri Lanka 478–9w
Multiple occupation, Licensing 546w

Gardiner, Mr Barry—continued
Refugees 593w
Sri Lanka, Armed conflict 465w
Sri Lanka, Foreign relations 562w
Trade promotion, Sri Lanka 406w

Garnier, Mr Edward
Debates etc.
Criminal Justice and Court Services Bill, 2R (28.03.00) 226
Questions
Hospitals, Private finance initiative 216

Gas fired power stations
406w

Gas Industry (Rateable Values) (England) Order 2000
Debates etc.
(28.03.00) 291

Gas Supply
see Natural gas

General practitioners
Durham County 614–5w

Genetic engineering
Patents 247–8w

Genetically modified organisms
Animal feed 325w, 502w
Crops 18w, 37–8w, 131w, 314–5w, 327w, 419–20w, 434w, 611w
Food 501w
Gloucestershire 419–20w
Herefordshire 18w
Maize 325w, 457w, 502w
Plants 361w

Genetics
Databases 381w, 597w
Insurance 256–7w, 349–50w

George, Mr Andrew
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 356–8, 361, 369, 401–3, 411–3, 418–20, 422
Questions
Bass, Fishing catches 82w
Cycling, Children 19w
EC grants and loans 1145
EC grants and loans, Departmental coordination 481w
Minorities, Languages 54–5w
Overseas aid, Environment protection 175w
Regional cultural consortiums 392w
Westminster Station, Lifts 311w

Gerrard, Mr Neil
Questions
Africa, AIDS 325
Electoral Commission, Costs 3–4w
Race relations, Standards 4w
Radio, Illegal broadcasting 238w

Gibb, Mr Nick
Questions
British Nuclear Fuels 479w
Cars, Prices 622w
Driver and Vehicle Licensing Agency, Proof of identity 321–2w
Fines, Personal income 373w
Fines, Speed limits 370–3w
Future large aircraft 277–8w
Future large aircraft, Government assistance 621–2w
Sellafield, Quality control 479–80w

Gibraltar
Spain 562w

Gibson, Dr Ian
Questions
Business, Information technology 413–4w

Gibson, Dr Ian—continued
Genetically modified organisms, Plants 361w
Genetics, Insurance 349–50w
Insurance, Genetics 256–7w
Mental health services, Racial discrimination 208–9
National Endowment for Science Technology and the Arts 13
Redundancy, EC law 492–4
Science, International cooperation 45–6w
Working families tax credit, Norwich 49w

Gill, Mr Christopher
Questions
Agriculture, Waste disposal 81w, 326–7w
Diseases, Expenditure 346–7w
Fishery agreements, Morocco 254w
Fishing vessels, Spain 253w
Offices, Intervention Board 37w
Pigs 39w
United Nations, Conferences 38w

Gillan, Mrs Cheryl
Sittings in Westminster Hall
Burma, Human rights (05.04.00) 213–6wh, 218wh, 220–1wh
Colombia, Peace negotiations (28.03.00) 8wh, 11wh, 14–8wh
Developing countries, Females (30.03.00) 119wh, 121wh, 127wh, 130wh, 141–7wh, 153wh
Questions
China, State visits 52–3w
Married personal allowance 1141–2
Mercenaries 268w
Mozambique, Disaster relief 330
Zimbabwe, Commonwealth Ministerial Action Group 265w
Zimbabwe, Diplomatic service 266w
Zimbabwe, Elections 265w
Zimbabwe, Farmers 265w
Zimbabwe, Foreign relations 265w
Zimbabwe, Human rights 266w
Zimbabwe, Land 265w
Zimbabwe, Military aid 282w
Zimbabwe, Overseas aid 254w
Zimbabwe, Overseas residence 265–6w
Zimbabwe, Visas 266w
Zimbabwe, Work permits 266w

Gilroy, Mrs Linda
Debates etc.
Pathology, Petitions (06.04.00) 1253
Questions
Electronic government 525w
Fuel poverty 548–50w
Health action zones 204–5
Naval Recruiting and Training Agency, Standards 552w
Pensioners, Income 971–2
Pensioners, Income support 337

Glass
Recycling 23w

Global Cultural Diversity Congress
87w, 378w

Global enterprise initiative
46w

Gloucestershire
Genetically modified organisms 419–20w

Godman, Dr Norman A
Debates etc.
Armed Forces Discipline Bill (HL), Rep and 3R (06.04.00) 1191–2
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 689–90
Royal Ulster Constabulary (06.04.00) 1235–7

***Godman, Dr Norman A**—continued*
Questions
Fishing vessels, Safety measures 800–1
Kosovo, Overseas aid 175–6w
Winter fuel payments, Inverclyde 334w
Working families tax credit, Scotland 145–6w

Godsiff, Mr Roger
Questions
Entry clearances 440–5w
Small businesses, Company accounts 405–6w

Goggins, Mr Paul
Sittings in Westminster Hall
Colombia, Peace negotiations (28.03.00) 10–3wh
Questions
Industrial injuries disablement benefit, Statistics 531w
Long term unemployed 584w
Social security benefits, Taxation 334w

Government departments
Annual reports 494w
Deregulation 522w
Employers' Forum on Disability 566w
Procurement 330–1w

Government Powers (Limitations) Bill 1999/2000
Debates etc.
2R order read (07.04.00) 1263

Government Technical Assistance Centre
596w

Graffiti
(27.03.00) 191–200

Grammar schools
Trafford 539w, 973

Gray, Mr James
Debates etc.
Armed Forces Discipline Bill (HL), Rep and 3R (06.04.00) 1174, 1176
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1268, 1272, 1289, 1292, 1299–300, 1302, 1306, 1309, 1312, 1314–5, 1317, 1326, 1329–33
Questions
Business questions 1159
Cancer, Health services 339
Fishing vessels, Safety measures 801
Hospitals, Parking 581w
Parking, Cabinet Office 565w
Parking, Dept for Education and Employment 295w
Parking, Dept for International Development 254w
Parking, Dept of Health 217w
Parking, Dept of Social Security 272w
Parking, Dept of Trade and Industry 278w
Parking, Foreign and Commonwealth Office 268w
Parking, Home Office 215w
Parking, Lord Chancellor's Dept 223w
Parking, Ministry of Agriculture Fisheries and Food 327w
Parking, Ministry of Defence 303w
Parking, Northern Ireland Office 244w
Parking, Office of the Secretary of State for Wales 209w
Parking, Scotland Office 249w
Parking, Treasury 260w
Sixth form education, Finance 71–2w
Teachers, Pay 71w

Greater London
Bus services 414w
Council housing 803–4
Doctors 58w
Housing 17w

***Greater London**—continued*
Housing improvement 605–6w
Listed buildings 547–8w
Low pay 151–2w
Migration 257–8w
Museums and galleries 625w
NHS trusts 341w
Nurses 58w
Police stations 642w
Schools 538w
Secure psychiatric units 126w
Sports 8–9

Greater London Authority
Electronic voting 112w
Grants 225w
Property transfer 420–1w

Green, Mr Damian
Questions
Employment agencies, Correspondence 624w
Housing, Single people 799–800

Green, Keith
379w

Greenbelt
325w

Greenham and Crookham Commons Bill 1999/2000
Debates etc.
2R order read (28.03.00) 201, (04.04.00) 791

Greenway, Mr John
Debates etc.
Freedom of Information Bill, Rep and 3R (05.04.00) 996–9, 1002, 1008, 1023, 1043–4, 1083–4, 1097–9, 1101
Wireless Telegraphy (Television Licence Fees) (Amendment) Regulations (28.03.00) 292–7, 300, 309, 313
Questions
Tourism, Coastal areas 5

Grieve, Mr Dominic
Debates etc.
Freedom of Information Bill, Rep (04.04.00) 878–9
Freedom of Information Bill, Rep and 3R (05.04.00) 1104–5
Questions
Public appointments, NHS 523w

Griffiths, Jane
Questions
Housing, South East region 795–6
Water, Meters 547w
Water charges, Appeals 322w

Griffiths, Mr Win
Questions
Africa, Primary education 178–9w

Grogan, Mr John
Debates etc.
Budget March 2000 (27.03.00) 79–81
Wireless Telegraphy (Television Licence Fees) (Amendment) Regulations (28.03.00) 314

Guided weapons
USA 397w

Gulf Veterans' Illnesses Unit
303–4w

Habitual offenders
Canada 376w

Hague, Rt Hon William
Debates etc.
Lisbon Summit (EC) (27.03.00) 23–5
Questions
Fiscal policy 970–1

***Hague, Rt Hon William**—continued*
Local Government Act 1988, Homosexuality 337–9
Rover Group, Longbridge 333–5, 966–8

***Hain, Mr Peter**, Minister of State, Foreign and Commonwealth Office*
Questions
Bangladesh, Public order 267w
Crooks, Roger 283–4w
Democratic Republic of Congo, Armed conflict 564w
Diplomatic service, Political impartiality 103w
Internet, Foreign and Commonwealth Office 564–5w
Iran, Capital punishment 267–8w
Iran, Jews 282w, 564w
Iraq 281–2w
Iraq, Chemical and biological warfare 264–5w
Iraq, Ethnic groups 264w
Iraq, International assistance 263–4w
Iraq, Missing persons 264w
Iraq, Mustard gas 281–2w
Iraq, Oil 265w
Israel, Syrian Arab Republic 466w
Japan, Radioactive materials 171w
Kosovo, Police 564w
Levy, Lord 261–3w
Mercenaries 268w
Serbia, Sanctions 99w
Sierra Leone 284w
Sri Lanka, Armed conflict 465w
Tibet, Human rights 53–4w
United Nations, Rapid deployment forces 171w
World Summit for Social Development 466w
Zimbabwe, Commonwealth Ministerial Action Group 265w
Zimbabwe, Diplomatic service 266w
Zimbabwe, Elections 265w
Zimbabwe, Farmers 265w
Zimbabwe, Foreign relations 265w
Zimbabwe, Human rights 266w
Zimbabwe, Land 171w, 265w
Zimbabwe, Military aid 282w
Zimbabwe, Overseas residence 265–6w

Hall, Mr Patrick
Debates etc.
Freedom of Information Bill, Rep and 3R (05.04.00) 1020–1

Hamilton, Rt Hon Sir Archie
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1301

Hammond, Mr Philip
Debates etc.
House of Commons sessional orders, Points of order (28.03.00) 222
Sittings in Westminster Hall
NHS Direct (06.04.00) 269–70wh, 272–4wh, 277–92wh, 295wh, 300–4wh, 306–7wh, 309wh
Questions
Children, Abuse 60w
Children's rights 60w
NHS, Finance 210–1
NHS trusts, Public appointments 514w
Prostate cancer, Research 612–3w

Hampshire
Police 378w
Pre-school education 290–1w, 388–9w
Repossession orders 78w
Schools 536–7w

Hancock, Mr Mike
Questions
Ammunition, Procurement 160w
Animal experiments 369–70w
Animal experiments, Licensing 437w
Animal experiments, Rodents 369w, 437w
Armed forces, Higher education 161w
Customs officers, Manpower 259w
Drug seizures 259–60w
Future large aircraft 555w
Guided weapons, USA 397w
Intensive care, Hospital beds 341–2w
Laser-guided bombs 26–7w
Nyima, Gedhun Choekyi 54w
Wickham Research Laboratories, Animal experiments 369w

Handbooks
Prisoners 141w

***Hanson, Mr David**, Parliamentary Under-Secretary of State, Office of the Secretary of State for Wales*
Questions
National Council for Education and Training in Wales 539–40w

Harbour grant scheme
81–2w

Hare Coursing Bill 1999/2000
Debates etc.
2R order read (07.04.00) 1334

Harman, Rt Hon Harriet
Questions
London Underground, Public private partnerships 225–6w
Working families tax credit, Southwark 49w, 146w

Harris, Dr Evan
Questions
Detainees 599w
Heart diseases, Health services 214
Immigration controls, Operating costs 598–9w
Legal aid, Refugees 401w
Overseas aid, Basic education 185–6w
Refugees, Deportation 593w
Refugees, Finance 592–3w
Refugees, Social security benefits 452w

Harvey, Mr Nick
Questions
Hospitals, Infectious diseases 354w
Meningitis, Vaccination 395w
NHS, Capital Modernisation Fund 509w
NHS, Cleaning services 354w
Prescription drugs, Fees and charges 354w

Hawkins, Mr Nick
Debates etc.
Criminal Justice and Court Services Bill, 2R (28.03.00) 228, 231–2, 255, 257, 273, 278–85, 290
Freedom of Information Bill, Rep (04.04.00) 859–60, 862, 864, 875–7, 890, 892–7, 903, 911–2, 931–2
Freedom of Information Bill, Rep and 3R (05.04.00) 986–8, 992, 1012, 1018–20, 1035–6, 1039–40, 1044–5, 1084, 1104, 1115, 1119–20
Official Report, Points of order (05.04.00) 978
Questions
Freedom of Information Bill 1999/2000 5w
Swimming, Schools 3

Hayes, Mr John
Debates etc.
Budget March 2000 (27.03.00) 76–8, 99–101, 104, 107, 112

Hazardous materials
Lorries 432–3w

Head lice
618w

Heal, Mrs Sylvia
Questions
Nurses, Training 123w
State retirement pensions 616

Heald, Mr Oliver
Debates etc.
Freedom of Information Bill, Rep and 3R (05.04.00) 1059
Questions
Business questions 500–1
Child care tax credit 583w
Consultants, Home Office 215–6w, 640–1w

Healey, Mr John
Debates etc.
Nurses, Pay (28.03.00) 315–9
Questions
Electronic government, Digital broadcasting 524w
Meningitis, Yorkshire and Humberside 211–2
New deal for lone parents 336w
Regional development agencies 412w
Small businesses, Government assistance 241–2w

Health
Elderly 130w
Females 130w

Health action zones
203–5

Health authorities
Northern region 59w
Yorkshire and Humberside 59w

Health Care Standards for Elderly Persons Bill 1999/2000
Debates etc.
1R (04.04.00) 827–9

Health education
Smoking 614w

Health hazards
Cellular phones 580w
Mixed oxide fuel 349w
Pesticides 580–1w

Health services
Cancer 123w, 339
Chronically sick (29.03.00) 92–100wh
Elderly 355–6w
Heart diseases 119w, 212–4
Pain (29.03.00) 467–74
Private sector 579w
South East region 617–8w
Technicians 55w

Hearing
Babies 617w

Hearing impaired
Pre-school education 387w
Teachers 387w

Heart diseases
Health services 119w, 212–4
North West region 119w

Heath, Mr David
Debates etc.
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 663, 772–3
Freedom of Information Bill, Rep (04.04.00) 871–3, 881, 885–7, 929–31, 933

Heath, Mr David*—*continued
Freedom of Information Bill, Rep and 3R (05.04.00) 1001–3, 1025, 1035, 1062–5, 1068, 1117
Learning and Skills Bill (HL), 2R (30.03.00) 520–1
Questions
Genetic engineering, Patents 247–8w
Intensive care, Hospital beds 119–20w
Milk, Competition 236–7w
National Audit Office 18–9
Social security benefits, Capital rules 617–8

Heathcoat-Amory, Rt Hon David
Questions
Art works, EC action 480w
Excise duties 496w
Smuggling, Tobacco 490w
"Tackling Tobacco Smuggling" 462w

Heathrow Airport
Air routes 427–8w

Heavily indebted poor countries initiative
147–8w

Hedges and ditches
111w
Farms 132w, 172w, 325w, 327–8w

Hemp
EC action (03.04.00) 782

Henderson, Mr Doug
Sittings in Westminster Hall
River Tyne, Shipbuilding (04.04.00) 164–6wh

Henderson, Mr Ivan
Debates etc.
Budget March 2000 (27.03.00) 112–3
Questions
Maritime and Coastguard Agency, Standards 225w
Tourism, Coastal areas 4

Hendon
Community Legal Service 556w

Herefordshire
Genetically modified organisms 18w

Heritage Lottery Fund
Locomotives 68w

Hesford, Mr Stephen
Questions
Junior doctors, Working hours 575w
Royal Ulster Constabulary, Human rights 280w

***Hewitt, Ms Patricia**, Minister of State, Dept of Trade and Industry*
Questions
Arachnoiditis, Research 191w
Business, Regulation 240w
Computers, Dept of Trade and Industry 623–4w
Electronic commerce 482–3
Higher education, Finance 157w
Internet, Dept of Trade and Industry 278w
Internet, Rural areas 238w
Internet, Trade marks 236w
Radio, Illegal broadcasting 238w
Recycling, Packaging 623w
Small Business Service 239w
Small businesses, North East region 242w
Small businesses, Pay 485–6
Small businesses, Regulation 235w, 481w
Telecommunications, Regulation 239w

Higher education
Admissions 288w
Applications 91–2w
Armed forces 161w

***Higher education**—continued*
Finance 157w
Northern Ireland 91–2w
Overseas students 387w

Highways Agency
Standards 227w

***Hill, Mr Keith**, Parliamentary Under-Secretary of State, Dept of the Environment Transport and the Regions*
Questions
Agriculture, Waste disposal 326–7w
Air pollution, Fees and charges 224–5w
British Transport Police 486w
Bus services 481–3w
Bus services, Greater London 414w
Company cars 317w
Cycling 316w
Cycling, Children 19w
Dial-a-ride 324w
Driver and Vehicle Licensing Agency, Proof of identity 321–2w
Driving, Disabled 21–2w
Driving under influence, EC action 430–1w
EC Transport Council 230–2w
Electronic voting, Greater London Authority 112w
Fishing vessels, Safety measures 800–1
Greater London Authority, Grants 225w
Greater London Authority, Property transfer 420–1w
Highways Agency, Standards 227w
Lighting, Pollution control 432w, 605w
Listed buildings, Greater London 547–8w
London Regional Transport, Consultants 310w
London Underground, Escalators 310–1w
London Underground, Public private partnerships 225–6w, 544w
London Underground, Standards 309–10w
Lorries, Excise duties 433w
Lorries, Hazardous materials 432–3w
M4, Bus lanes 313–4w
Manchester Metrolink 232w
Maritime and Coastguard Agency, Standards 225w
Mayor of London, Elections 433–4w
Ministerial policy advisors, Dept of the Environment Transport and the Regions 605w
Motor vehicle type approval 607w
Motor vehicles 431w
Motor vehicles, Taxation 111–2w
Motor vehicles, Testing 19–20w, 431w
Park and ride schemes 17w
Pedestrians, Safety 608w
Piccadilly line, Rolling stock 544–5w
Railways, Euxton 802–3
Railways, Freight 427w, 483w
Rapid transit systems 410w
Road traffic 322–3w
Roads 607w
Roads, Accidents 545–6w
Roads, Rural areas 17w
Roads, Safety 545w
Safety belts, Disabled 411–2w
Thameslink, Planning 432w
Transport, Disabled 485–6w
Transport, Infrastructure 24w
Transport, Local plans 13–6w, 412w
Vehicle number plates 131w
Wembley Stadium, Transport 23–4w
Westminster Station, Jubilee line 314w
Westminster Station, Lifts 311w

Hinchliffe, Mr David
Questions
Negligence 514–5w
NHS, Finance 210

HM Land Registry
see Land Registry

HM Prison Service
see Prison Service

***Hodge, Ms Margaret**, Parliamentary Under-Secretary of State, Dept for Education and Employment*
Debates etc.
Sign language (05.04.00) 1128–32
Questions
Access to work programme 74w, 294w
Children, Day care 41w
Disability aids 386w
Early years development plans 41w
Education, Disabled 204w
Employment, Discrimination 73w
Employment, Football 42w, 386w
Internet, Disabled 72–3w
Pre-school education, Hampshire 290–1w, 388–9w
Regulation, Dept for Education and Employment 387w

***Hoey, Miss Kate**, Parliamentary Under-Secretary of State, Dept for Culture Media and Sport*
Debates etc.
Points of order intervention (05.04.00) 975
Questions
Athletics, Sportsgrounds 540w
Heritage Lottery Fund, Locomotives 68w
National Lottery, Morecambe 470w
National Lottery, Sports 540w
Sport action zones 65w
Sports, Finance 66–7w
Sports, Greater London 8–9
Sports, Museums and galleries 67w
Sports, Schools 66w
Sportsgrounds, Belgium 471w
Swimming, Schools 2–4
Wembley Stadium 104–5w
World class performance programme 469–70w

Hogg, Rt Hon Douglas
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1269–85

Home detention curfews
9–12w, 85–6w, 139–40w, 144–5w, 446w, 636–40w
Sexual offences 599–600w

Home improvement agencies
Contracts 228w

Home Office
Consultants 215–6w, 640–1w
Empty property 445–6w
Non-departmental public bodies 87–8w
Parking 215w
Public appointments 215w

Home Robertson, Mr John
Debates etc.
Budget March 2000 (27.03.00) 103–5

Home visits
Social Security Benefits Agency 166–7w

Homosexuality
British dependent territories 170w
Local Government Act 1988 337–9

Hong Kong
Ministry of Defence 27w

Hood, Mr Jimmy
Questions
EC Foreign Affairs Council 167–9w
EC Internal Market Council 106–7w
EC Transport Council 230–2w

***Hood, Mr Jimmy**—continued*
EU Justice and Home Affairs Council 373–6w

***Hoon, Rt Hon Geoffrey**, Secretary of State for Defence*
Questions
Chapelcross power station, Tritium 303w
Levy, Lord 25w, 489w
Military aircraft, Iraq 27w
Nuclear weapons 487w
UNMIK 556w

Hope, Mr Phil
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 520
Questions
Business questions 506–7
Children, Poverty 333w
Employment agencies, Regulation 236w
Land Registry, Standards 220–1w
Prison Service, Standards 213–4w
Social Exclusion Unit 964

Hopkins, Mr Kelvin
Debates etc.
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 698

Hops
Subsidies 174–5w

Horn of Africa
Famine 182w

Horses
35w

Horticulture
Climate change levy 586–7w

Hospices
Contracts 345–6w
Finance 346w

Hospital beds
351w
Broomfield Hospital 62–3w
Intensive care 119–20w, 341–2w

Hospital ships
207w

Hospital wards
West Sussex 509–10w

Hospitals
Berkshire 508w
Consultants 127w
Hygiene 122w
Infectious diseases 345w, 354w
Parking 581w
Private finance initiative 215–7
Waiting lists 62w, 119w, 135w, 508w, 575w

House of Commons Liaison Committee
(30.03.00) 599, (06.04.00) 1253

House of Commons Works of Art Advisory Committee
235w

Household Division
Correspondence 51w

Housing
410–1w
Armed forces 29w
Chelmsford 111w, 807–8
East Anglia 608–9w
Empty property 324w
Greater London 17w
Minimum wage 237w
Ministerial statements (04.04.00) 811–26
Petitions (29.03.00) 465
Public transport 17w, 413w
Radon gas 419w

Housing*—*continued
Refugees 366w, 439w
Shops 323–4w
Single people 798–800
South East region 321w, 428w, 608–10w, 795–8
Standards 801–2
Surrey 414w

Housing benefit
Abuse 118w, (05.04.00) 222–42wh, 332w, 629w
Child care tax credit 271w
Expenditure 332w
Housing occupancy 446–7w
Lone parents 626

Housing improvement
Disabled 324w
Greater London 605–6w

Housing occupancy
Housing benefit 446–7w

Housing revenue accounts
21w
New towns 809–10

Howard, Rt Hon Michael
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 550–3
Royal Ulster Constabulary (06.04.00) 1220, 1249

***Howarth, Mr Alan**, Parliamentary Under-Secretary of State, Dept for Culture Media and Sport*
Questions
Art works, Dept for Culture Media and Sport 392–3w
Kensington Palace, Gardens 359w
Museums and galleries, Children 15–6
Museums and galleries, Fees and charges 625w
National Endowment for Science Technology and the Arts 13
National Lottery, Cultural heritage 470–1w
Public libraries 65w
Public libraries, Voluntary work 358–9w
Stonehenge 261w, 625w
Theatre, Young people 64–5w

***Howarth, Mr George**, Parliamentary Under-Secretary of State, Northern Ireland Office*
Sittings in Westminster Hall
Social security benefits, Northern Ireland (04.04.00) 180–3wh
Questions
Camperdown Garden Village, Planning permission 98w
Council housing, Northern Ireland 50–1w
Equal opportunities, Northern Ireland 519w, 570w
Fuel poverty, Northern Ireland 244w
Northern Ireland Equality Commission 281w
Nursery schools, Northern Ireland 133–5w
Royal Victoria Hospital Belfast, Repairs and maintenance 568w
Schools, Northern Ireland 570w

Howarth, Mr Gerald
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 517, 521–2, 533
Questions
Children 497–8w
Developing countries, Debts 327
Lone parents 498w
Maintenance, Children 630w
Military bases, Aldershot 207w

Howarth, Mr Gerald*—*continued
National insurance contributions, Lone parents 530w

***Howells, Dr Kim**, Parliamentary Under-Secretary of State, Dept of Trade and Industry*
Questions
Arms trade, Pakistan 188–9w
Arms trade, Uganda 620–1w
Arms trade, Zimbabwe 194–5w
Art works, Dept of Trade and Industry 479w
Art works, EC action 480w
Astra Holdings, Company investigations 188w
Blue Arrow, Company investigations 187–8w
Cars, Prices 404w, 622w
Computers, Competition 622–3w
Contract compliance, EC law 195–6w
Empty property, Dept of Trade and Industry 278w
Exports, Sri Lanka 478–9w
Ice cream, Competition 191w, 403w
Insolvency 403w
Manufactured goods, Imports 193–4w
Mergers 186–7w
Metrication, Retail trade 404–5w
Microsoft, Telewest Communications 194w
Non-departmental public bodies, Public appointments 277w
Parking, Dept of Trade and Industry 278w
Public appointments, Dept of Trade and Industry 277w
Trade associations, Consumer protection 240w
Unigate, Dairy Crest 624w

Hoyle, Mr Lindsay
Questions
Air pollution, Fees and charges 224–5w
Disabled, Employment 334w
Excise duties, Petrol 1144
Kosovo, C17 aircraft 300w
Manufacturing industries, West Midlands 490–1
National Lottery 10
Railways, Euxton 802–3
State retirement pensions, Uprating 624–5
Tourism 65–6w

***Hughes, Ms Beverley**, Parliamentary Under-Secretary of State, Dept of the Environment Transport and the Regions*
Sittings in Westminster Hall
Railway network (28.03.00) 33–6wh
Questions
Advantage West Midlands 430w
Aerials, Planning permission 429w
Alternative energy, Waste disposal 227–8w
Art works, Dept of the Environment Transport and the Regions 484–5w
Audit, Quality control 317–8w
Business, Information technology 413–4w
Construction, Standards 411w, 420w
Construction, Sustainable development 323w
Councillors 18–9w
Derelict land, North West region 411w
Education, Cheshire 316w
Greenbelt 325w
Housing, Chelmsford 111w
Housing, Greater London 17w
Housing, Public transport 17w, 413w
Housing, South East region 321w
Housing, Surrey 414w
Internet, Dept of the Environment Transport and the Regions 415–9w
Lighting, Pollution control 432w

Hughes, Ms Beverley*—*continued
Local authorities, Assets 485w
Local authorities, Pension rights 414–5w
Local government, Disclosure of information 429w
Millennium Exhibition, Land use 429w
Non-departmental public bodies 314w
Parish councils 410w
Population 321w
Public appointments, Dept of the Environment Transport and the Regions 319w
Public inquiries, Dept of the Environment Transport and the Regions 311–3w
Regional airports, South East region 229w
Regional assemblies 17w, 318–9w
Regional assemblies, Yorkshire and Humberside 320w
Regional development agencies 18w
Regional development agencies, Accountability 319w
Regional development agencies, Public appointments 319w
Regulation, Dept of the Environment Transport and the Regions 415w
Social rented housing 422w
Social services, Finance 228w
Sports centres, Planning permission 434w
Standard spending assessments, Southend 795
Standard spending assessments, Stockport 413w
Urban areas 428w, 606w

***Hughes, Mr Kevin Michael**, An Assistant Whip*
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 374
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 762

Hughes, Mr Simon
Debates etc.
Criminal Justice and Court Services Bill, 2R (28.03.00) 226–7, 235, 262–9, 285, 288, 290
Freedom of Information Bill, Rep (04.04.00) 841–2, 860–3, 870, 876–8, 880, 883, 902–4
Freedom of Information Bill, Rep and 3R (05.04.00) 1002, 1042–3, 1082–3, 1085–6, 1095–6
Questions
Church of England, Finance 17
Immigration rules 592w
Knowledge network project 68–70w
Police, Hampshire 378w
Police, Manpower 595w
Police stations, Greater London 642w
Probation and aftercare, Information technology 5w
Refugees, Finance 591–2w
Sri Lanka, Overseas aid 177w
Urban Task Force 804

Human rights
Burma (05.04.00) 201–21wh
China 285w
Indonesia 170–1w
Kazakhstan 284–5w
Royal Ulster Constabulary 280w
Tibet 53–4w
Zimbabwe 266w

Human Rights Act 1998
Questions
619–20

Humble, Mrs Joan
Questions
Social Fund 339w

Hume, Mr John
Debates etc.
Royal Ulster Constabulary (06.04.00) 1219

Hunter, Mr Andrew
Sittings in Westminster Hall
Housing benefit, Abuse (05.04.00) 222–5wh, 228–9wh
Questions
Lorries, Hazardous materials 432–3w
Mortgages, Arrears 473w
Prisoners' release, Northern Ireland 95–6w
Victim support schemes, Northern Ireland 569w

Hunting
(07.04.00) 1264–333

Huntingdon Life Sciences
Animal experiments 436–7w

Hurst, Mr Alan
Questions
Drug prevention schemes 68w

***Hutton, Mr John**, Minister of State, Dept of Health*
Debates etc.
Elderly, Residential homes (03.04.00) 787–90
Questions
Adoption 55–6w, 119w
Children, Abuse 60w
Children in care, Crimes of violence 62w
Children's rights 60w
Dental services 349w
Dental services, Lincolnshire 124w
Dental services, Shropshire 507–8w
Elderly, Doctors' list of patients 121w
Elderly, Health services 355–6w
Elderly, Institutional care 63w, 581w
"Fit for the Future Consultation Paper" 356w
Health, Females 130w
Hospitals, Private finance initiative 215–7
Institutional care, Correspondence 59w
Institutional care, Local government services 509w
Mental health services, Racial discrimination 208–9
Mental patients, Acute beds 59–60w
Mentally disturbed offenders, Inquiries 56–7w
Munchausen's syndrome 507–8w
NHS, Voluntary work 220w
Nursing homes, Durham County 508w
Nursing homes, Fees and charges 124–5w
Prescription drugs, Children in care 59w
Residential allowance 220w
Secure psychiatric units, Greater London 126w
Social services 205–6
Social services, Voluntary work 347w

Hydro Agri (UK)
Redundancy 44w

Hydrography
Navy 207–8w

Hygiene
Hospitals 122w

Ice cream
Competition 191w, 403w

Iddon, Dr Brian
Sittings in Westminster Hall
Radiation, Research (29.03.00) 57wh
Questions
Business questions 1160
Immigration, Applications 520–1w

Illegal broadcasting
Radio 238w

Illegal immigrants
84w

Illsley, Mr Eric
Questions
Mineworkers' pension scheme 481–2

Immigration
Administrative delays 88w, (29.03.00) 109–16wh
Appeals 592w
Applications 520–1w
Correspondence 439–40w, 634w

Immigration and Nationality Directorate
Correspondence 440w
Documents 434–5w

Immigration controls
Disclosure of information 590–1w
Operating costs 598–9w

Immigration rules
592w

Imports
Beef 249w, 560–2w
Manufactured goods 193–4w
Milk 251w, 500–1w
Motor vehicles 463w

In vitro fertilisation
502w

Incapacity benefit
162–3w
Administrative delays 34w

Incinerators
306–9w

Income support
Capital rules 453–4w
Mortgages 341w, 454w
Pensioners 166w, 333w, 337, 447–8w, 473w, 531–2w

Income tax
585w
Construction 24–5w
Pensioners 151w
Tax yields 149–50w

Independent Commissioner for the Holding Centres
604w

Independent Tribunal Service
Public appointments 197–8w
Scotland 197–8w

India
Overseas trade 484–5

Individual learning accounts
295w

Individual savings accounts
459w

Indonesia
Forests 184–5w
Human rights 170–1w
Kidnapping 29w

Industrial diseases
Compensation (05.04.00) 1123

Industrial health and safety
Nuclear power stations 108w

Industrial injuries
Compensation (30.03.00) 600–8

Industrial injuries disablement benefit
34w
Statistics 531w

Industry
Government assistance (27.03.00) 187

Infectious diseases
Hospitals 345w, 354w

***Infectious diseases**—continued*
Primates 357w

Inflammatory bowel disease
214–5

Information officers
Office of the Secretary of State for Wales 472w, 573w

Information technology
Business 413–4w
Dept of Social Security 115w
NHS 511–3w
Probation and aftercare 5w

Infrastructure
Transport 24w

***Ingram, Rt Hon Adam**, Minister of State, Northern Ireland Office*
Debates etc.
Royal Ulster Constabulary (06.04.00) 1248–50
Questions
Access funds, Northern Ireland 94–5w
Adult education, Northern Ireland 97–8w
Baton rounds, Northern Ireland 89–90w
Early day motions, Correspondence 135w
Employment tribunals, Northern Ireland 517w
Equal opportunities, Northern Ireland 518–9w, 569–70w
Fair Employment Tribunal for Northern Ireland, Finance 517w
Flags, Armagh 280–1w
Foreign investment in UK, Lisburn 569w
Further education, Sports 91w
Higher education, Applications 91–2w
Higher education, Northern Ireland 91w
Internet, Northern Ireland Office 571–3w
Nelson, Rosemary 244w
Northern Ireland Civil Service, Roman Catholic Church 517–8w
Northern Ireland education and library boards, Grants 90–1w
Parking, Northern Ireland Office 244w
Police, Parliamentary questions 243w
Police Authority for Northern Ireland, Offices 51w
Postgraduate education, Northern Ireland 94w
Prisoners' release, Northern Ireland 95–6w
Probation Board for Northern Ireland 244w
Regulation, Northern Ireland Office 407w
Royal Ulster Constabulary, Compensation 97w
Royal Ulster Constabulary, Complaints 516–7w
Royal Ulster Constabulary, Human rights 280w
Royal Ulster Constabulary, Oaths and affirmations 90w
Sewage, Killyleagh 132–3w
Student numbers, Northern Ireland 91–2w, 96w
Student wastage, Northern Ireland 92w
Students, Community relations 93w
Students, Fees and charges 95w
Students, Finance 93–4w
Students, Loans 566–7w
Students, Religion 94w
Terrorism, Northern Ireland 567–8w
Victim support schemes, Northern Ireland 569w

Inland Revenue
Computers 499w
Personal records 500w

Insolvency
403w

Institutional care
Correspondence 59w
Elderly 63w, 581w
Local government services 509w

Insurance
Genetics 256–7w, 349–50w

Intelligence services
Surveillance 389w

Intensive care
352w
Hospital beds 119–20w, 341–2w

Interception warrants
280w

International cooperation
Science 45–6w

Internet
Dept for Culture Media and Sport 391–2w
Dept for International Development 286w
Dept of Social Security 272–3w
Dept of the Environment Transport and the Regions 415–9w
Dept of Trade and Industry 278w
Disabled 72–3w
Foreign and Commonwealth Office 564–5w
Ministry of Agriculture Fisheries and Food 456w
Ministry of Defence 299w
Northern Ireland Office 571–3w
Office of the Secretary of State for Wales 210w
Prime Minister 38–9w
Rural areas 238w
Schools 205–6w
Scotland Office 110–1w
Trade marks 236w

Intervention Board
Offices 37w

Invalid vehicles
451w

Inverclyde
Winter fuel payments 334w

Ionizing radiation
EC law 19w

Iran
Capital punishment 267–8w
Jews 282w, 564w

Iraq
281–2w
Chemical and biological warfare 264–5w
Ethnic groups 264w
International assistance 263–4w
Military aircraft 27w
Missing persons 264w
Mustard gas 281–2w
Oil 265w
Public expenditure 1149
Temporary immigrants 410w

Irish Sea
Fisheries 173w

Iron and steel
Wales 158w

Israel
Armed forces 397w
Ballistic missile defence 398w, 488w
Ministry of Defence 397w
Syrian Arab Republic 466w

Ivory
Convention on International Trade in Endangered Species 806

Jack, Rt Hon Michael
Questions
Heart diseases, Health services 119w, 213
Police, Manpower 445w
Sellafield, Quality control 542–4w

Jackson, Ms Glenda
Debates etc.
Freedom of Information Bill, Rep and 3R (05.04.00) 1100
Housing (04.04.00) 824
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1307–9, 1313, 1328, 1330
Sittings in Westminster Hall
Barclays Bank, Suffolk (29.03.00) 77wh, 81–3wh
Developing countries, Females (30.03.00) 125–8wh, 143wh

Jackson, Helen
Debates etc.
Freedom of Information Bill, Rep (04.04.00) 925–6
Questions
Maintenance, Children 336–7w
Manufacturing industries, UK membership of EC 238w
Social services 205–6
Theatre 65w

Jackson, Mr Robert
Sittings in Westminster Hall
Radiation, Research (29.03.00) 53–60wh, 62wh

Japan
Radioactive materials 105w, 171w, 476w

Jenkin, Mr Bernard
Questions
Aircraft, Noise 232w
Aviation, Freight 233w
Aviation, Prime Minister 279w
EC Transport Council 230–2w
Essex Rivers Healthcare NHS Trust, Private sector 217w
Essex Rivers Healthcare NHS Trust, Waiting lists 351–2w, 614w
European Aviation Safety Authority 232–3w
Galileo project 233w
Local authorities, Correspondence 35w
London Underground, Public private partnerships 794–5
Lorries, Excise duties 433w
M4, Bus lanes 313–4w
Manchester Metrolink 232w
Police, Sick leave 214w

Jenkins, Mr Brian
Questions
Buildings, Dept of Trade and Industry 108w
Primary care trusts 122w

Jews
Iran 282w, 564w

Job satisfaction
NHS 612w

***Johnson, Mr Alan**, Parliamentary Under-Secretary of State, Dept of Trade and Industry*
Sittings in Westminster Hall
Radiation, Research (29.03.00) 66–9wh
River Tyne, Shipbuilding (04.04.00) 171–7wh
Questions
Employment 235w
Employment agencies, Correspondence 624w
Employment agencies, Regulation 236w

***Johnson, Mr Alan**—continued*
Future large aircraft 277–8w
Future large aircraft, Government assistance 532–3w, 621–2w
Longbridge Task Force, Political impartiality 44w
Longbridge Task Force, Public appointments 196w
Minimum wage 237w
Minimum wage, Housing 237w
Part-time employment 242w
Post offices, Electronic government 237w
Redundancy, EC law 492–4
Textiles 483–4
Welding Institute, Grants 44–5w
Working hours 239w

***Johnson, Miss Melanie**, Economic Secretary to the Treasury*
Questions
Analgesics, Death 114–5w
Art works, Treasury 496w
Bank services 152–3w
Bank services, Competition 256w
Bank services, Social security benefits 152w
Barclays Bank 47w
Children 497–8w
Credit unions 330w
Death rate, Liverpool 255w
Debts, Developing countries 460w
Debts written off, Developing countries 584w
Economic and monetary union 585w
Employment, South East region 586w
Heavily indebted poor countries initiative 147–8w
Individual savings accounts 459w
Insurance, Genetics 256–7w
Lone parents 150w, 498w
Low birthweight babies 461w
Low pay, Greater London 151–2w
Low pay, Scotland 47–8w
Migration 233–5w, 254–5w
Migration, Greater London 257–8w
Migration, South East region 587–8w
Migration, Urban areas 458w
Population, South East region 588w
Secondment, Treasury 46–7w
Statistics Commission 258w
Tax allowances, Charities 589–90w
Tax allowances, Pension funds 152w
Textiles 586w
Unemployment 329–30w
Unemployment, Local education business partnerships 1140–1

Jones, Rt Hon Barry
Debates etc.
Criminal Justice and Court Services Bill, 2R (28.03.00) 229
Questions
Aviation, Government assistance 488
Iron and steel, Wales 158w

Jones, Helen M
Questions
Armed forces, Conduct 305w
Business questions 503
Chemical and biological warfare 206–7w
Free school meals 296w
Free school meals, Welfare tax credits 387–8w
Legal Services Ombudsman 198w
Nurses, Training 355w
Public libraries 65w
School meals 296w, 538w

Jones, Mr Jon Owen
Debates etc.
Freedom of Information Bill, Rep (04.04.00) 842–3, 900–3

Jones, Mr Jon Owen*—*continued
Freedom of Information Bill, Rep and 3R (05.04.00) 1010, 1021–5

Jones, Dr Lynne
Debates etc.
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 673–5, 697, 699, 701–2, 712–4, 741–2, 744, 769, 781
Freedom of Information Bill, Rep and 3R (05.04.00) 1016–8, 1083
Sittings in Westminster Hall
Radiation, Research (29.03.00) 67wh
Questions
Higher education, Admissions 288w
Hospitals, Private finance initiative 215–6
Nuclear weapons 487w
Rover Group 639–40
State retirement pensions 617

Jowell, Rt Hon Ms Tessa, Minister for the New Deal, Dept for Education and Employment
Questions
Employment Service, Disability aids 41–2w
Females, Politics and government 535–6w
New deal for 50 plus, Expenditure 210w
New deal for long term unemployed, Expenditure 210w
New deal for young people 40–1w, 206w
New deal for young people, Expenditure 211w
New deal schemes, Ethnic groups 287–9w
New deal schemes, Local authorities 537w
Socrates programme 289–90w

Jubilee line
Westminster Station 314w

Judicial Committee of the Privy Council
see Privy Council Office Judicial Committee

Junior doctors
Working hours 575w

Kashmir
968

Kaufman, Rt Hon Gerald
Debates etc.
Housing (04.04.00) 820
Questions
Westminster Station, Jubilee line 314w

Kazakhstan
Human rights 284–5w
Press freedom 284w

Keeble, Ms Sally
Questions
Adoption 119w
Legal costs 221–3w

Keetch, Mr Paul
Questions
Agriculture, Environment protection 252w, 457–8w, 560w
Genetically modified organisms, Crops 18w
Heritage Lottery Fund, Locomotives 68w
Intensive care 352w
National Lottery, Cultural heritage 470–1w
Nature conservation, Forest of Bowland 251–2w, 560w

Kelly, Ms Ruth
Questions
Child care tax credit 328–9w
Departmental responsibilities, Families 77–8w
Working families tax credit 147w

Kennedy, Rt Hon Charles
Debates etc.
Lisbon Summit (EC) (27.03.00) 27
Questions
Pensioners, Income 968–9
Sellafield, Quality control 335–6

Kennedy, Jane, Parliamentary Under-Secretary of State, Lord Chancellor's Dept
Debates etc.
Matrimonial proceedings (04.04.00) 952–6
Questions
Empty property, Lord Chancellor's Dept 364w
Fines, Personal income 364w
Magistrates 363w
Magistrates' courts 364w
Public Trust Office 79w
Regulation, Lord Chancellor's Dept 401w
Repossession orders, Mortgages 78w

Kensington Palace
Gardens 359w

Kent
Drugs 380w

Kent County Council Bill (HL) 1998/99
Debates etc.
2R order read (30.03.00) 475, (06.04.00) 1133

Key, Mr Robert
Debates etc.
Armed Forces Discipline Bill (HL), Rep and 3R (06.04.00) 1164–7, 1173–4, 1177–82, 1189–96, 1198–203
Questions
Antenatal care, Screening 218w
Armed forces, Cadets 25–6w, 162w
Armed forces, Catering 305w
Armed forces, Financial services 28w
Artillery, Procurement 603w
British Transport Police 486w
Ministry of Defence Police 521–2w
Motor vehicles, Testing 19–20w
POLIS 42w
Roll-on roll-off ships, Deployment 208–9w
Stonehenge 261w, 625w
Territorial Army, Working hours 28w, 162w

Khabra, Mr Piara S
Debates etc.
Lisbon Summit (EC) (27.03.00) 31
Questions
Kashmir 968

Kidnapping
Indonesia 29w

Kidney, Mr David
Questions
Advantage West Midlands 430w
Empty property 482w
Insolvency 403w
Rents, Rebates 325w
Roads, Accidents 545–6w
Roads, Safety 545w
Social rented housing 422–5w
Working families tax credit, Free school meals 259w, 538w
Working families tax credit, Payments 329w
Working families tax credit, Stafford 49w

Kilfoyle, Mr Peter
Debates etc.
Budget March 2000 (27.03.00) 60–3

Killyleagh
Sewage 132–3w

King, Mr Andy
Questions
Defence Vetting Agency, Standards 550–1w
Naval Manning Agency, Standards 551–2w

King, Ms Oona
Debates etc.
Housing (04.04.00) 826
Sittings in Westminster Hall
Developing countries, Females (30.03.00) 127–8wh, 132–3wh, 136–9wh
Questions
Bangladesh, Public order 267w
Passports 84w
Refugees, Somalia 602w
Social rented housing, Tenancy agreements 807
State retirement pensions, Uprating 620–1

King, Rt Hon Tom
Debates etc.
Royal Ulster Constabulary (06.04.00) 1219
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1288, 1293, 1295, 1322

Kirkbride, Miss Julie
Debates etc.
Private notice question intervention (03.04.00) 636
Questions
Fujitsu, Government assistance 476w
Longbridge Task Force, Political impartiality 44w
Longbridge Task Force, Public appointments 196w
Rover Group 634–5

Kirkwood, Mr Archy
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 450–1
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 703–4
Questions
House of Commons Works of Art Advisory Committee 235w

Knowledge network project
68–70w, 386w

Korean War
Anniversaries 25w

Kosovo
C17 aircraft 300w
Construction 563–4w
Overseas aid 175–6w, 582w
Police 564w
Radioactivity 555w
Uranium 555w, 581w

Labelling
Drugs 509w
Food 36w

Ladyman, Dr Stephen
Debates etc.
Budget March 2000 (27.03.00) 56, 92–5
Questions
Animal experiments, Disclosure of information 213–4w, 601–2w
Animal Procedures Committee 213–4w
Council of Ministers 99–101w
Excise duties, Gaming machines 1149–50
Serbia, Sanctions 99w

Laing, Mrs Eleanor
Debates etc.
Budget March 2000 (27.03.00) 105–7

Lait, Mrs Jacqui
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 451
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 664–5, 698–700, 715–7, 720, 727–9, 733, 740–1, 747–8, 754, 771
Questions
Pensioners, Income 610–1
Smuggling, Tobacco 490–1w
Stakeholder pensions 34w
State retirement pensions, Australia 35w
State retirement pensions, Self-employed 33–4w, 271w
"Tackling Tobacco Smuggling" 462w
Tax allowances, Pension funds 152w

Lancashire
Disability aids 618w
Police 445w

Land
Ministry of Defence 27w
Zimbabwe 171w, 265w

Land Registry
Standards 220–1w

Land Rover
240w
Pension rights 622w

Land use
Millennium Exhibition 429w

Landfill tax
Alternative energy 260–1w
Environment protection 499w

Languages
Minorities 54–5w

Lansley, Mr Andrew
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1265
Questions
Electronic government 960–1
Knowledge network project 386w
Lisbon Summit (EC) 248w, 390w
Ministerial policy advisors 280w
Ministers, Aviation 248w, 391w

Laser-guided bombs
26–7w

Lawrence, Mrs Jackie
Questions
Finance Bill 1999/2000 151w
Government departments, Annual reports 494w
Statistics Commission 258w

Learning and Skills Bill (HL) 1999/2000
Debates etc.
2R and Money res* (30.03.00) 513–98

Learning disability
Weston-super-Mare 60–1w

Leeds
Poverty 115–7w

Legal aid
Maintenance 363w
Refugees 401w

Legal costs
221–3w

Legal Services Ombudsman
198w

Leigh, Mr Edward
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 388–92, 444, 447–8

***Leigh, Mr Edward**—continued*
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 645, 650–1, 653, 730, 781
Housing (04.04.00) 823–4
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1256, 1270, 1291, 1301, 1309, 1322, 1324–8, 1332
Sittings in Westminster Hall
Burma, Human rights (05.04.00) 201–6wh, 216wh, 220wh
Questions
Railways, Euxton 803
Social security benefits, Capital rules 618

Leslie, Mr Christopher
Debates etc.
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 672
Questions
Excise duties, Petrol 1144

Letwin, Mr Oliver
Questions
Electronic government 959–60
Employee share ownership schemes 1139

Levitt, Mr Tom
Debates etc.
Sign language (05.04.00) 1124–8
Sittings in Westminster Hall
Voluntary work (05.04.00) 257wh
Questions
NAW Assembly Cabinet, Dept of Trade and Industry 108–9w

Levy, Lord
25w, 76w, 245–6w, 261–3w, 489w, 574w

Lewis, Dr Julian
Debates etc.
Graffiti (27.03.00) 193
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1330
Questions
Audit, Quality control 317–8w
Business questions 510–1
Economic and monetary union 486
Intensive care, Hospital beds 342w
New deal for lone parents 626

Liaison Committee
see House of Commons Liaison Committee

"Libraries for All"
358–9w

***Liddell, Rt Hon Mrs Helen**, Minister for Energy and Competitiveness in Europe, Dept of Trade and Industry*
Debates etc.
Industrial injuries, Compensation (30.03.00) 604–8
Questions
Alternative energy 239–40w, 477–8w
Barmac 406–7w
British Nuclear Fuels 404w, 479w
British Nuclear Fuels, Directors 105–6w
British Nuclear Fuels, Public private partnerships 193w
Combined heat and power 477w
Dounreay, Inspections 403w
Dounreay, Nuclear fuel reprocessing 533–4w
EC Internal Market Council 106–7w
Economic and monetary union 486–7
Electricity, North Yorkshire 108w
Electricity generation, Safety 106w
Gas fired power stations 406w
Manufacturing industries, UK membership of EC 238w
Mineworkers' pension scheme 481–2

***Liddell, Rt Hon Mrs Helen**—continued*
Natural gas, Distribution 242–3w
Natural gas, Environment protection 107w
Nuclear power stations, Industrial health and safety 108w
Petrol, Additives 132w, 324–5w
Radioactive materials, Japan 105w, 476w
Sellafield, Quality control 105w, 404w, 479–80w
Trade competitiveness, EC countries 238–9w
United Kingdom Atomic Energy Authority, Standards 477w
United Kingdom Atomic Energy Authority Constabulary, Criminal investigation 403–4w
Utilities, Pre-payment 402w
Utilities, Prices 107–8w, 479w

Liddle, Roger
39w

Lidington, Mr David
Debates etc.
Documents, Points of order (30.03.00) 512
Freedom of Information Bill, Rep (04.04.00) 830–1, 844, 852–3
Weights and Measures (Amendment) Bill, 1R (05.04.00) 976–8
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1304–11
Questions
Buckinghamshire Health Authority, Finance 507w, 617w
Cleft palate, Buckinghamshire 218w
Drugs, Abuse 631–2w
Euro, Forgery 632w
European Monitoring Centre on Racism and Xenophobia 214–5w
Global Cultural Diversity Congress 87w, 378w
Immigration, Appeals 592w
Immigration, Correspondence 439–40w, 634w
Immigration and Nationality Directorate, Correspondence 440w
Immigration and Nationality Directorate, Documents 434–5w
Income tax 585w
National insurance contributions, Rebates 50w, 148–9w, 256w
National Insurance Contributions Office 50w
Non-departmental public bodies, Home Office 87–8w
Oakington Detention Centre 377–8w
Organised crime, EC action 634w
Police, EC countries 633w
Refugees, Begging and vagrancy 439w
Refugees, Housing 439w
Refugees, Local government services 438–9w, 633w
Refugees, Voucher schemes 86–7w
Sex offender orders 88w
Temporary immigrants 87w
Trials 365w
Tuberculosis, Vaccination 353w

Lifts
Westminster Station 311w

Lighting
Pollution control 432w, 605w

Lilley, Rt Hon Peter
Debates etc.
Ministers, Points of order (05.04.00) 978
Questions
Housing, Single people 799
Neurology, Medical treatments 611–2w
Social security benefits, Refugees 613

Lincolnshire
Dental services 124w

Lindisfarne Gospels
246w

Lisbon Summit (EC)
248w, 390–1w, 465–6w
Ministerial statements (27.03.00) 21–36

Lisburn
Foreign investment in UK 569w

Listed buildings
Greater London 547–8w

Liverpool
Death rate 255w
Pensioners 448w

Livestock
Exports (07.04.00) 1336–42

Livingstone, Mr Ken
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1264–9, 1277, 1291, 1294–7, 1310, 1317–20, 1330

Livsey, Mr Richard
Questions
Bovine Spongiform Encephalopathy and Creutzfeld Jakob Disease Inquiry 174w

Lloyd, Rt Hon Sir Peter
Debates etc.
Criminal Justice and Court Services Bill, 2R (28.03.00) 269–71

Lloyd, Mr Tony
Sittings in Westminster Hall
Colombia, Peace negotiations (28.03.00) 19wh

Llwyd, Mr Elfyn
Debates etc.
Housing (04.04.00) 822–3
Questions
Disability living allowance, Appeals 337–8w
Prescription drugs, Fees and charges 393–4w
Sri Lanka, Overseas aid 177w
Unemployment, Local education business partnerships 1141

Local authorities
Assets 485w
Correspondence 35w
Manpower 158–9w
New deal schemes 537w
Pension rights 414–5w

Local broadcasting
7–8

Local education authorities
297w

Local education business partnerships
Unemployment 1140–1

Local government
Disclosure of information 429w
Elections 634w
Reform 791–3

Local Government (Access to Information) Bill 1999/2000
Debates etc.
1R (28.03.00) 223–4

Local Government Act 1988
Questions
Homosexuality 337–9

Local government finance
(27.03.00) 188, (29.03.00) 464, (04.04.00) 935
Social services 217w

Local government services
Institutional care 509w
Refugees 438–9w, 521w, 593w, 633–4w

Local plans
Transport 13–6w, 412w

Lock, Mr David, Parliamentary Secretary, Lord Chancellor's Dept
Debates etc.
Freedom of Information Bill, Rep (04.04.00) 856–61, 867–70, 893, 901–2, 905–11
Freedom of Information Bill, Rep and 3R (05.04.00) 1035, 1040–2, 1051–3, 1084–6
Questions
Art works, Lord Chancellor's Dept 472w
Community Legal Service, Hendon 556w
Conditional fee agreements 625–6w
Independent Tribunal Service, Public appointments 197–8w
Land Registry, Standards 220–1w
Legal aid, Maintenance 363w
Legal aid, Refugees 401w
Legal costs 221–3w
Legal Services Ombudsman 198w
Monckton, Walter, Public records 401w
Parking, Lord Chancellor's Dept 223w
Prescription drugs, Compensation 362–3w
Solicitors, Rules of procedure 557w
Unified Appeal Tribunal, Public appointments 401w

Locomotives
Heritage Lottery Fund 68w

London
see Greater London

London airports
Air traffic 969

London Buses
Standards 309–10w

London Film Commission
359w

London Local Authorities Bill (HL) 1996/97
Debates etc.
Order for consideration read (30.03.00) 475, (06.04.00) 1133

London Regional Transport
Consultants 310w
Management 793–4

London Underground
Escalators 310–1w
Public private partnerships 225–6w, 544w, 793–5
Standards 309–10w

Lone parents
150w, 498w
Housing benefit 626
National insurance contributions 530w
Social security benefits 270w

Long term unemployed
584w

Longbridge
Rover Group 109–10w, 190w, 197w, 332–5, 475–80, 481w, 489–92, 966–8

Longbridge Task Force
534–5w
Political impartiality 44w
Public appointments 196w

Lord Chancellor's Dept
Art works 472w
Empty property 364w
Parking 223w
Regulation 401w

L'Organisme Conjoint de Cooperation en Matiere D'Armament
see OCCAR

Lorries
Excise duties 433w
Hazardous materials 432–3w

Loughton, Mr Tim
Sittings in Westminster Hall
Barclays Bank, Suffolk (29.03.00) 86–8wh
Questions
Brazil, Deputy Prime Minister 409w
Hospital wards, West Sussex 509–10w
Landfill tax, Environment protection 499w
Married personal allowance 491w
Ministerial policy advisors, Dept of the Environment Transport and the Regions 605w
Ministerial policy advisors, Pay 523w
Public inquiries, Dept of the Environment Transport and the Regions 311–3w
Urban areas 606w

Love, Mr Andrew
Questions
Accident and emergency departments 120w
Business questions 1162
London Underground, Public private partnerships 794
Pharmacy 394w
Prescription drugs, Children in care 59w
Public expenditure 587w
Small businesses, Regulation 235w
Sports, Greater London 8–9

Low birthweight babies
461w

Low flying
Saddleworth 556w

Low incomes
Cancer 344w

Low pay
Greater London 151–2w
Scotland 47–8w

Luff, Mr Peter
Questions
Countryside stewardship scheme 559–60w
Institutional care, Correspondence 59w
Manufacturing industries, West Midlands 490
Married personal allowance, Pensioners 965
Offices, Ministry of Agriculture Fisheries and Food 559w
Organic food, Fruit 559w
Rover Group 638
Taxation, Small businesses 152w

Lyell, Rt Hon Sir Nicholas
Debates etc.
Armed Forces Discipline Bill (HL), Rep and 3R (06.04.00) 1187–8, 1190, 1196–9, 1203–5
Criminal Justice and Court Services Bill, 2R (28.03.00) 254–7, 286–7
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1307–8, 1313, 1324
Questions
Economic and monetary union 585w

M4
Bus lanes 313–4w

McCabe, Mr Stephen
Questions
Accident and emergency departments 218–20
Chechnya, Terrorism 267w

McCabe, Mr Stephen*—*continued
Disability aids 336
Longbridge Task Force 534–5w
Mozambique, Disaster relief 176–7w, 329–30
Rover Group 638–9

McCartney, Rt Hon Ian, Minister of State, Cabinet Office
Questions
Better government programme, Elderly 76w
Civil Service College 360–1w
Drug prevention schemes 68w
Electronic government 203w, 360w, 524–5w
Electronic government, Digital broadcasting 524w
Ministers, Official cars 201w
Modernising government programme 525w

McCartney, Mr Robert
Debates etc.
Royal Ulster Constabulary (06.04.00) 1218–9, 1244–6
Questions
Northern Ireland government, Cross border cooperation 97w

McDonagh, Ms Siobhain
Questions
Arson, Crime prevention 137–8w

McDonnell, Mr John
Debates etc.
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 675–8, 706
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1310

McGrady, Mr Eddie
Debates etc.
Royal Ulster Constabulary (06.04.00) 1229–31

McIntosh, Miss Anne
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 384, 430, 432, 446–7
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1266–7, 1269, 1316–20
Questions
Air routes, USA 604w
Churches, VAT 16
Electricity, North Yorkshire 108w
Genetically modified organisms, Crops 37–8w, 327w
Housing, Public transport 17w
Levy, Lord 262–3w
Local broadcasting 8
Members, Taxis 104w
Meningitis, Yorkshire and Humberside 212
Military bases, Edinburgh 398–400w
Mozambique, Disaster relief 176w
Primary care trusts 122–3w
Social Security Benefits Agency, Employment Service 339–40w
Unemployment, Local education business partnerships 1140–1

McIsaac, Shona
Questions
Business questions 501–2
Hydro Agri (UK), Redundancy 44w
Post Office 236w

MacKay, Rt Hon Andrew
Debates etc.
Royal Ulster Constabulary (06.04.00) 1224–9, 1249

McKenna, Mrs Rosemary
Questions
Independent Commissioner for the Holding Centres 604w
Probation Board for Northern Ireland 244w
Tax allowances, Manufacturing industries 1148

Mackinlay, Mr Andrew
Debates etc.
Freedom of Information Bill, Rep (04.04.00) 840–1, 843, 849, 880, 883–4, 926–7
Questions
Crooks, Roger 283–4w, 304w, 379–80w
Drugs, Kent 380w
Green, Keith 379w
Metropolitan Police, Inquiries 380w
Nickell, Rachel 379w
Pedder, Keith 380w, 594w
Public appointments 284w
Sierra Leone 284w
Smuggling, Criminal investigation 379w

Maclean, Rt Hon David
Debates etc.
Warm Homes and Energy Conservation Bill, Money res (04.04.00) 939–45
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1275, 1278, 1326, 1332
Questions
Individual savings accounts 459w
Stocks and shares, Taxation 495–6w

Maclennan, Rt Hon Robert
Debates etc.
Freedom of Information Bill, Rep (04.04.00) 832–3, 847, 851–2, 922
Freedom of Information Bill, Rep and 3R (05.04.00) 1011–2, 1078–9, 1086–7, 1096–7, 1120–1
Questions
Assisted areas, Scotland 110w, 249w
Business questions 1157
Internet, Dept for Culture Media and Sport 391–2w
Internet, Dept for International Development 286w
Internet, Dept of Social Security 272–3w
Internet, Dept of the Environment Transport and the Regions 415–9w
Internet, Dept of Trade and Industry 278w
Internet, Foreign and Commonwealth Office 564–5w
Internet, Ministry of Agriculture Fisheries and Food 456w
Internet, Ministry of Defence 299w
Internet, Northern Ireland Office 571–3w
Internet, Office of the Secretary of State for Wales 210w
Internet, Scotland Office 110–1w
Task forces 204w

McLoughlin, Mr Patrick
Debates etc.
Agriculture, Petitions (29.03.00) 465–6
Business questions intervention (06.04.00) 1162
Learning and Skills Bill (HL), 2R (30.03.00) 518
Lisbon Summit (EC) (27.03.00) 31
Questions
Business questions 505–6

McNamara, Mr Kevin
Questions
Baton rounds, Northern Ireland 89–90w
Early day motions, Correspondence 135w
Employment tribunals, Northern Ireland 517w

McNamara, Mr Kevin*—*continued
Equal opportunities, Northern Ireland 518–9w, 569–70w
Equal opportunities, Northern Ireland Office 518w
Fair Employment Tribunal for Northern Ireland, Finance 517w
Housing revenue accounts 21w
Northern Ireland Civil Service, Roman Catholic Church 517–8w
Northern Ireland Equality Commission 281w
Police, Parliamentary questions 243w
Rents, Rebates 20–1w, 32–3w
Royal Ulster Constabulary, Compensation 97w
Royal Ulster Constabulary, Oaths and affirmations 90w
Terrorism, Northern Ireland 567–8w

MacShane, Mr Denis
Questions
Business questions 1161
Employee share ownership schemes 1139

Mactaggart, Fiona
Debates etc.
Freedom of Information Bill, Rep (04.04.00) 848, 932
Freedom of Information Bill, Rep and 3R (05.04.00) 1028
Learning and Skills Bill (HL), 2R (30.03.00) 522
Sittings in Westminster Hall
Developing countries, Females (30.03.00) 139–41wh, 143wh
Questions
Abortion 615w
Heart diseases, Health services 212–3
Modernising government programme, Civil service 524w
Part-time employment 242w
Pensioners, Income 335w
World Education Forum 331–2

McWalter, Mr Tony
Debates etc.
Elderly, Residential homes (03.04.00) 783–7
Freedom of Information Bill, Rep (04.04.00) 877–8, 886
Royal Ulster Constabulary (06.04.00) 1214
Questions
Local government, Reform 791–2
Pensioners, Income support 531–2w

Madagascar
Disaster relief 180w

Madel, Sir David
Questions
Rover Group, Longbridge 477

Maginnis, Mr Ken
Debates etc.
Royal Ulster Constabulary (06.04.00) 1228, 1246–8

Magistrates
363w
Duchy of Lancaster 524w

Magistrates' courts
364w

Mahon, Mrs Alice
Debates etc.
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 688–9
Lisbon Summit (EC) (27.03.00) 33

Maintenance
Child support 33w
Children 336–7w, 449w, 621–4, 630w

***Maintenance**—continued*
Legal aid 363w
Tax allowances 969–70

Maize
Genetically modified organisms 325w, 457w, 502w

Males
Sexual offences 4w

Mallaber, Judy
Questions
Schools, Amber Valley 291–3w

Manchester Metrolink
232w

***Mandelson, Rt Hon Peter**, Secretary of State for Northern Ireland*
Debates etc.
Royal Ulster Constabulary (06.04.00) 1216–24, 1226–7
Questions
Equal opportunities, Northern Ireland Office 518w
Household Division, Correspondence 51w
Independent Commissioner for the Holding Centres 604w
Northern Ireland government, Cross border cooperation 97w
Prisoners' release, Northern Ireland 51–2w

Manufactured goods
Imports 193–4w

Manufacturing industries
Tax allowances 1147–9
UK membership of EC 238w
West Midlands 490–1
Worcestershire 489

Marek, Dr John
Questions
St Helena, Armed forces 467w
St Helena, Economic situation 468w
St Helena, Employment 467w
St Helena, Fisheries 467w

Marine Wildlife Protection Bill 1999/2000
Debates etc.
2R order read (07.04.00) 1334

Maritime and Coastguard Agency
Standards 225w

Married personal allowance
491w, 1141–3
Pensioners 965, 1141–2

Marsden, Mr Gordon
Debates etc.
Freedom of Information Bill, Rep (04.04.00) 934–5
Learning and Skills Bill (HL), 2R (30.03.00) 525, 572–6
Questions
Cash dispensing, Fees and charges 335
Children, Poverty 333–4w
Churches, VAT 17
Disability aids, Waiting lists 618w
Disability living allowance, Mentally ill 164w
Eastern Europe, Economic situation 324

Marsden, Mr Paul
Debates etc.
Health Care Standards for Elderly Persons Bill, 1R (04.04.00) 827–9
Questions
Cancer, Low incomes 344w
Dental services, Shropshire 507–8w
Elderly, Health services 355–6w
Global enterprise initiative 46w
Paternity leave 389w
Sudan, Exports 286w

Martlew, Mr Eric
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 439, 454
Questions
Local broadcasting 7
NHS Direct, Cumbria 123w

Maternity payments
South Yorkshire 165–6w

Matrimonial proceedings
(04.04.00) 947–56

Maude, Rt Hon Francis
Questions
Embassies, Corporate hospitality 630w
Levy, Lord 245–6w, 261–2w
NATO, Disclosure of information 103w
USA, Foreign relations 169w

Mawhinney, Rt Hon Sir Brian
Questions
Members, Correspondence 129–30w

May, Mrs Theresa
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 516–7, 523–33, 571
Questions
Education, Finance 298w, 519–20w
Local education authorities 297w
Standards and Effectiveness Unit 296w
Teachers, Performance appraisal 297w

Mayor of London
Elections 433–4w

***Meacher, Rt Hon Michael**, Minister for the Environment, Dept of the Environment Transport and the Regions*
Questions
Affordable warmth programme 483–4w
Ammunition 323w
Areas of outstanding natural beauty 411w
Combined heat and power 608w
Convention on International Trade in Endangered Species, Ivory 806
Fossil fuels 305–6w
Fuel poverty 484w, 548–50w
Genetically modified organisms, Crops 18w, 37–8w, 131w, 314–5w, 419–20w, 434w, 611w
Ionizing radiation, EC law 19w
Nuclear Installations Inspectorate 313w
Radioactive wastes, Waste disposal 17–8w, 485w
Radon gas, Housing 419w
Sellafield, Quality control 542–4w
Telephone services, Working conditions 430w

Meale, Mr Alan
Questions
Parliament, Demonstrations 141w, 360w

Medical profession
Disciplinary proceedings 347–8w

Medical records
Nursing homes (27.03.00) 38–40

Medical treatments
Neurology 611–2w
Smoking related diseases 351w

Medicines Control Agency
126–7w

Medway Council Bill (HL) 1998/99
Debates etc.
2R order read (30.03.00) 475, (06.04.00) 1133

Members
Correspondence 26w, 67w, 129–30w, 140w, 522w

***Members**—continued*
Surveillance 279w
Taxis 104w

Members' staff
Foreign workers 43w, 235w

Men
see Males

Meningitis
Vaccination 218–9w, 395w, 613–4w
Yorkshire and Humberside 211–2

Mental health services
Racial discrimination 208–9

Mental patients
Acute beds 59–60w

Mentally disturbed offenders
Inquiries 56–7w

Mentally ill
Disability living allowance 164w

Mercenaries
268w

Mergers
186–7w

Merron, Ms Gillian
Questions
Dental services, Lincolnshire 124w
Training and enterprise councils, Audit 73w

Mersey Tunnels Bill 1999/2000
Debates etc.
2R order read (30.03.00) 475, (06.04.00) 1133

Merton
Nurses 615–6w

Meters
Water 547w

Methicillin resistant staphylococcus aureus
345w
Death 345w

Metrication
Retail trade 404–5w

Metropolitan Police
Inquiries 380w
Police areas 211–2w
Private finance initiative 381w
Standards 212–3w

Michie, Mr Bill
Questions
Accident and emergency departments 218–9
Primary education, Equal opportunities 974

Microsoft
Telewest Communications 194w

Mid Essex Hospital Services NHS Trust
Private sector 217w

Migration
233–5w, 254–5w
Greater London 257–8w
South East region 587–8w
Urban areas 458w

***Milburn, Rt Hon Alan**, Secretary of State for Health*
Questions
Health action zones 203–5
Heart diseases, Health services 212–4
Nurses, Training 207–8

Military aid
Zimbabwe 282w

Military aircraft
see also Low flying
East Timor 552–3w
Iraq 27w
Mozambique 299w, 552–3w
Procurement 299–300w
Transport 300w

Military bases
Air force 29w
Aldershot 207w
Edinburgh 398–400w
Scotland 28w

Military exercises
Nuclear weapons 305w
South Korea 161–2w

Milk
Competition 236–7w
Imports 251w, 500–1w

Mill Hill School
538–9w

Millennium Exhibition
Attendance 64w
Expenditure 64w
Land use 429w
Parliamentary questions 358w
Tickets 357–8w
Valuation 320w

Millennium Experience
see New Millennium Experience

Miller, Mr Andrew
Debates etc.
Child Support, Pensions and Social Security Bill, Rep and 3R (03.04.00) 760–1, 766–9, 771
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1279
Sittings in Westminster Hall
Burma, Human rights (05.04.00) 206–8wh, 212wh, 215–6wh

Mines
Research 160w

Mineworkers' pension scheme
481–2

Minimum wage
237w
Housing 237w

Ministerial Group on Rural Affairs
957–9

Ministerial policy advisors
280w, 522w
Cabinet Office 525–6w
Dept of the Environment Transport and the Regions 605w
Office of the Secretary of State for Wales 473w
Pay 523w

Ministerial statements
Housing (04.04.00) 811–26
Lisbon Summit (EC) (27.03.00) 21–36

Ministers
Aviation 248w, 391w, 465w
Official cars 201w
Rulings and statements (05.04.00) 979–80

Ministry of Agriculture Fisheries and Food
Art works 560w
Civil servants 80w
Consultants 249w
Internet 456w
Offices 559w
Operating costs 250–1w
Parking 327w

Ministry of Defence
Art works 556w
Computers 489w
Hong Kong 27w
Internet 299w
Israel 397w
Land 27w
Parking 303w
Property 27w
Regulation 397w
Wales 300–3w

Ministry of Defence Police
521–2w

Minorities
Languages 54–5w

Miscarriage
124w

Misrepresentation
State earnings related pension scheme 30w, 340w, 625

Missing persons
Iraq 264w

Misuse of Drugs Act 1971
Questions
602w

Mitchell, Mr Austin
Questions
Driving under influence, EC action 430–1w
EC common foreign and security policy 563w
EC justice and home affairs 520w
EC law, Regulatory impact assessments 268–9w
Fishery agreements 455–6w
Government assistance, EC law 242w
Health authorities, Yorkshire and Humberside 59w
Heathrow Airport, Air routes 427–8w
Medical profession, Disciplinary proceedings 347–8w
Railways, Freight 427w
Refugees 366–7w
Treaties, EC action 285w
UK membership of EC 407w

Mixed oxide fuel
Health hazards 349w

MMR vaccine
349w

Mobile phones
see Cellular phones

Modernising government programme
525w
Civil service 524w

Moffatt, Laura
Questions
Housing, South East region 428w
National Blood Authority, Personnel management 503w
NHS, Job satisfaction 612w
NHS, Pay 504w
Pension sharing 476w
Social rented housing, South East region 428w
State retirement pensions, Administrative delays 164w

Moldova
Russia 267w

Monckton, Walter
Public records 401w

Mongolia
Overseas aid 180w

Monuments
Cyprus 603w

***Moonie, Dr Lewis**, Parliamentary Under-Secretary, Ministry of Defence*
Debates etc.
Armed Forces Discipline Bill (HL), Rep and 3R (06.04.00) 1167–71, 1174–6, 1178, 1186–9, 1193, 1197–8
Questions
Aircraft carriers, Procurement 209w
Ammunition, Procurement 160w
Armed forces, Catering 305w
Armed forces, Housing 29w
Art works, Ministry of Defence 556w
Artillery, Procurement 603w
Chatham Dockyard, Correspondence 397w
Chemical and biological warfare, Research 488w, 553–5w
Computers, Ministry of Defence 489w
Defence, Diversification 303w
Defence Evaluation and Research Agency 397–8w
Foden Thompson Carmichael MWD 79–80w
Future large aircraft 555w
Guided weapons, USA 397w
Hong Kong, Ministry of Defence 27w
Hospital ships 207w
Korean War, Anniversaries 25w
Kosovo, C17 aircraft 300w
Land, Ministry of Defence 27w
Laser-guided bombs 26–7w
Low flying, Saddleworth 556w
Members, Correspondence 26w
Military aircraft, Mozambique 552–3w
Military aircraft, Procurement 299–300w
Military aircraft, Transport 300w
Military bases, Scotland 28w
Monuments, Cyprus 603w
Navy, Hydrography 207–8w
Parking, Ministry of Defence 303w
Property, Ministry of Defence 27w
Regulation, Ministry of Defence 397w
Tankers, Procurement 79w
Tanks 554w
Tanks, Diesel fuel 554w
Type 45 destroyers 208w
Wales, Ministry of Defence 300–3w

Moore, Mr Michael
Questions
Low pay, Scotland 47–8w
Transport, Local plans 13–6w

Moran, Ms Margaret
Debates etc.
Housing (04.04.00) 825–6

Morecambe
National Lottery 470w
Winter fuel payments 33w
Working families tax credit 48w

Morgan, Mr Alasdair
Questions
Armed forces, Housing 29w
Army, Training 28–9w
Military bases, Scotland 28w
Mineworkers' pension scheme 482

***Morley, Mr Elliot**, Parliamentary Under-Secretary of State, Ministry of Agriculture, Fisheries and Food*
Debates etc.
Livestock, Exports (07.04.00) 1339–42
Questions
Agriculture, Environment protection 252w, 457–8w, 560w
Agriculture, Waste disposal 81w
Art works, Ministry of Agriculture Fisheries and Food 560w

***Morley, Mr Elliot**—continued*
Bass, Fishing catches 82w
Civil servants, Ministry of Agriculture Fisheries and Food 80w
Common fisheries policy 79–81w
Consultants, Ministry of Agriculture Fisheries and Food 249w
Countryside stewardship scheme 559–60w
Drift nets, Dolphins 455w
Farmers, Early retirement 82–3w
Fisheries, Fleetwood 173w
Fishery agreements 455–6w
Fishery agreements, Morocco 254w
Fishing vessels, Licensing 253w
Fishing vessels, Spain 253w
Flood control, Edgware 560w
Harbour grant scheme 81–2w
Horses 35w
Internet, Ministry of Agriculture Fisheries and Food 456w
MV Cap Afrique 455w
Nature conservation, Forest of Bowland 251–2w, 560w
Offices, Ministry of Agriculture Fisheries and Food 559w
Organic aid scheme 252–3w
Organic farming 557w
Organic farming, Government assistance 456w
Organic food 457w
Parking, Ministry of Agriculture Fisheries and Food 327w

Morocco
Fishery agreements 254w

***Morris, Rt Hon Ms Estelle**, Minister for School Standards, Dept for Education and Employment*
Questions
Class sizes 296–7w
Class sizes, Essex 75w
Education, Finance 298w
Education, Standard spending assessments 293–4w
Education action zones 73w
Free school meals 296w
Grammar schools, Trafford 539w
Local education authorities 297w
Mill Hill School 538–9w
Pupil exclusions 206w
Pupils, South East region 537–8w
School meals 538w
Schools, Amber Valley 291–3w
Schools, Hampshire 536–7w
Secondary education, Capitation allowances 604w
Sixth form education, Finance 71–2w
Standards and Effectiveness Unit 296w
Standards Fund 537w
Teachers, Dismissal 72w
Teachers, Pay 71w
Teachers, Performance appraisal 297w
Teachers, Recruitment 206w

Mortgages
Arrears 473w
Income support 341w, 454w
Repossession orders 78w

Moss, Mr Malcolm
Questions
Common fisheries policy 79–81w
Fisheries, Fleetwood 173w
Fishing vessels, Licensing 253w
Harbour grant scheme 81–2w

Motor vehicle type approval
607w

Motor vehicles
431w
Imports 463w

***Motor vehicles**—continued*
Taxation 111–2w
Testing 19–20w, 431w

Mountford, Kali
Debates etc.
Budget March 2000 (27.03.00) 48, 55
Child Support Pensions and Social Security Bill, Rep (29.03.00) 368
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 691–2, 695–8
Sittings in Westminster Hall
NHS Direct (06.04.00) 269–70wh, 273wh, 299–306wh
Questions
Information technology, Dept of Social Security 115w

***Mowlam, Rt Hon Marjorie**, Minister for the Cabinet Office*
Questions
Civil servants, Equal opportunities 523w
Civil servants, Ethnic groups 525w
Drugs, Young people 961–3
Duchy of Lancaster, Magistrates 524w
Economic and monetary union, Cabinet Office 70w
Equal opportunities, Public appointments 76–7w
Genetically modified organisms, Plants 361w
Knowledge network project 68–70w, 386w
Levy, Lord 76w
Members, Correspondence 522w
Ministerial Group on Rural Affairs 957–9
Ministerial policy advisors 522w
Ministerial policy advisors, Cabinet Office 525–6w
Regulation, Cabinet Office 385w
Rural areas, Banks 68w
Social Exclusion Unit 523–4w, 963–4

Mozambique
Disaster relief 176–7w, 328–30
Military aircraft 299w, 552–3w

***Mullin, Mr Chris**, Parliamentary Under-Secretary of State, Dept of the Environment Transport and the Regions*
Debates etc.
Warm Homes and Energy Conservation Bill, Money res (04.04.00) 945–6
Sittings in Westminster Hall
Barclays Bank, Suffolk (29.03.00) 88–91wh
Questions
Air routes, USA 604w
Aircraft, Noise 232w
Aircraft, Seating 431w
Aircraft, Violence 421–2w
Aviation, Freight 233w
Birds, Special protection areas 112w
Council housing 412–3w
Council housing, Greater London 803–4
Empty property 482w
European Aviation Safety Authority 232–3w
Galileo project 233w
Heathrow Airport, Air routes 427–8w
Hedges and ditches 111w
Home improvement agencies, Contracts 228w
Housing, South East region 428w
Housing improvement, Greater London 605–6w
Housing revenue accounts 21w
Housing revenue accounts, New towns 809–10
Incinerators 306–9w
Multiple occupation, Licensing 546w

***Mullin, Mr Chris**—continued*
Neighbourhood nuisance, Rented housing 414w
Recycling, Glass 23w
Regional airports, South East region 228–9w
Rents, Rebates 20–1w
Second homes 410w
Second homes, South East region 484w
Social rented housing 423–5w
Social rented housing, South East region 428w
Social rented housing, Tenancy agreements 807
Turtles, Trade 421w
Water, Meters 547w
Water abstraction 420w
Water charges, Appeals 322w
Water treatment, Drinking water 320–1w
Weed control 608w

Multiple occupation
Licensing 546w

Munchausen's syndrome
507–8w

Murphy, Mr Jim
Questions
Export credit guarantees, Romania 533w

***Murphy, Rt Hon Paul**, Secretary of State for Wales*
Questions
Information officers, Office of the Secretary of State for Wales 472w, 573w
Internet, Office of the Secretary of State for Wales 210w
Iron and steel, Wales 158w
Local authorities, Manpower 158–9w
Ministerial policy advisors, Office of the Secretary of State for Wales 473w
National Assembly for Wales 158w
Operating costs, Office of the Secretary of State for Wales 158w
Parking, Office of the Secretary of State for Wales 209w
Regulation, Office of the Secretary of State for Wales 458w
Task forces, Wales 158w

Museums and galleries
Children 15–6
Fees and charges 625w
Greater London 625w
Sports 67w

Mustard gas
Iraq 281–2w

MV Cap Afrique
455w

National Assembly for Wales
158w

National Audit Office
18–9, (29.03.00) 464

National Blood Authority
Personnel management 503w

National Council for Education and Training in Wales
539–40w

National Endowment for Science Technology and the Arts
13, 261w

National Institute for Clinical Excellence
122w

National insurance
627w

National insurance contributions
Lone parents 530w

National insurance contributions *—continued*
Rebates 50w, 148–9w, 256w

National Insurance Contributions Office
50w

National Insurance Contributions Unit
see Social Security Contributions Agency

National Lottery
5–7, 9–13, 67w
Cultural heritage 470–1w
Morecambe 470w
Sports 540w

"National Strategy for the UK Textile and Clothing Industry"
236w

National Weights and Measures Laboratory
Standards 191–3w

NATO
Disclosure of information 103w
Nuclear weapons 247w

Natural gas
Distribution 242–3w
Environment protection 107w

Nature conservation
Forest of Bowland 251–2w, 560w

Naval Manning Agency
Standards 551–2w

Naval Recruiting and Training Agency
Standards 552w

Navy
Hydrography 207–8w

NAW
see National Assembly for Wales

NAW Assembly Cabinet
Dept of Trade and Industry 108–9w

Naysmith, Dr Douglas
Questions
Agriculture 249w
Dental services 218
Food Standards Agency 83–4w
Future large aircraft, Government assistance 487–8

Negligence
514–5w
Compensation 394–5w

Neighbourhood nuisance
Rented housing 414w

Nelson, Rosemary
171–2w, 244w

Neurology
Consultants 120w
Medical treatments 611–2w

New deal for 50 plus
Expenditure 210w

New deal for lone parents
336w, 626
Yorkshire and Humberside 336w

New deal for long term unemployed
Expenditure 210w

New deal for young people
40–1w, 206w
Expenditure 211w

New deal schemes
Ethnic groups 287–9w
Local authorities 537w
Northern Ireland 519w

New Millennium Experience
Contracts 358w

New Scotland Yard
see Metropolitan Police

New towns
Housing revenue accounts 809–10

News 24
359w

NHS
Ancillary staff 136w, (05.04.00) 259–68wh
Capital Modernisation Fund 509w
Cleaning services 354w
Complaints 513–4w
Conditions of employment 120–1w
Debts 130w, 343–4w, 515w
Finance 61w, 104w, 121–2w, 209–11, 502–3w, 507w, 575–9w, 617–8w
Fraud 468w
Information technology 511–3w
Job satisfaction 612w
Pay (05.04.00) 259–68wh, 342w, 504w
Pensions 343w
Public appointments 220w, 523w
Rationing 120w
Research 216–7w
Voluntary work 136w, 220w

NHS Direct
(06.04.00) 269–312wh
Cumbria 123w

NHS trusts
Buckinghamshire 617w
Finance 341w
Greater London 341w
Public appointments 514w

Nicholls, Mr Patrick
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 436, 442–8, 451
Questions
Business questions 1158–9
EC staff, Allowances 631w
Excise duties, Aviation 459–60w
UK membership of EC, Exhibitions 630–1w

Nickell, Rachel
379w

Noise
Aircraft 232w

Non-departmental public bodies
314w
Accountability 959
Home Office 87–8w
Prime Minister 244–5w
Public appointments 277w, 523w

Non-domestic rates
Scotland 540–2w

Non-Domestic Rating (Chargeable Amounts) (Amendment) (England) Regulations 2000
Debates etc.
(28.03.00) 291

Norman, Mr Archie
Debates etc.
Housing (04.04.00) 815–6
Questions
Housing, South East region 608–10w, 796–7
Migration, South East region 587–8w
NHS, Finance 61w
Population, South East region 588w
Prescott, John, Correspondence 390w
Pupils, South East region 537–8w

North American Free Trade Agreement
278–9w, 285w, 361w, 524w

North East region
Small businesses 242w

North West region
Derelict land 411w
Foreign investment in UK 240w
Heart diseases 119w
Poverty 333–4w
Working families tax credit 587w

North Yorkshire
Electricity 108w

Northern Ireland
Access funds 94–5w
Adult education 97–8w
Baton rounds 89–90w
Climate change levy 113w
Council housing 50–1w
Disabled (04.04.00) 935
Employment tribunals 517w
Equal opportunities 518–9w, 569–70w
Fuel poverty 244w
Further education 91w
Higher education 91–2w
New deal schemes 519w
Nursery schools 133–5w
Postgraduate education 94w
Prisoners' release 51–2w, 95–6w
Schools 570w
Social security benefits (04.04.00) 178–83wh
Student numbers 91–2w, 96w
Student wastage 92w
Students 93–5w, 566–7w
Terrorism 567–8w
Victim support schemes 569w

Northern Ireland Affairs Select Committee
(03.04.00) 782

Northern Ireland Civil Service
Roman Catholic Church 517–8w

Northern Ireland education and library boards
Grants 90–1w

Northern Ireland Equality Commission
281w

Northern Ireland government
Cross border cooperation 97w

Northern Ireland Grand Committee
(03.04.00) 782

Northern Ireland Human Rights Commission
281w

Northern Ireland Independent Commissioner for the Holding Centres
see Independent Commissioner for the Holding Centres

Northern Ireland Office
Equal opportunities 518w
Internet 571–3w
Parking 244w
Regulation 407w

Northern Ireland Police Authority
see Police Authority for Northern Ireland

Northern region
Health authorities 59w

Northumberland
Schools 973–4

Norwich
Child care tax credit 49w
Working families tax credit 49w

Nuclear disarmament
247w

Nuclear fuel reprocessing
Dounreay 533–4w

Nuclear Installations Inspectorate
313w

Nuclear power stations
Industrial health and safety 108w

Nuclear weapons
487w
Military exercises 305w
NATO 247w
USA 488w

Nursery schools
Northern Ireland 133–5w

Nurses
127–8w
East Surrey Hospital 618–9w
Greater London 58w
Merton 615–6w
Paediatrics 504–7w
Pay (28.03.00) 315–22
Recruitment 332, 965–6
Training 123w, 207–8, 355w, 615–6w

Nursing homes
Durham County 508w
Fees and charges 124–5w
Medical records (27.03.00) 38–40

Nutrition
353w, 357w

Nyima, Gedhun Choekyi
54w

Oakington Detention Centre
377–8w

Oaten, Mr Mark
Sittings in Westminster Hall
Burma, Human rights (05.04.00) 210–3wh
Developing countries, Education (04.04.00) 192–5wh
Questions
Children, Poverty 449–50w
Dental services 217–8
Driving, Disabled 21–2w
Employment Service, Disability aids 41–2w
Head lice 618w
Hospitals, Waiting lists 62w
Kazakhstan, Human rights 284–5w
Kazakhstan, Press freedom 284w
Members' staff, Foreign workers 43w, 235w
Organic aid scheme 252–3w
Pensioners, Income 451–2w
Pre-school education, Hampshire 290–1w, 388–9w
Prescribing Supply and Administration of Medicines Review Team 218w
Repossession orders, Mortgages 78w
Road traffic 322–3w
Schools, Hampshire 536–7w

Oaths and affirmations
Royal Ulster Constabulary 90w

O'Brien, Mr Mike, Parliamentary Under-Secretary of State, Home Office
Debates etc.
Freedom of Information Bill, Rep (04.04.00) 842–52, 872, 880–5
Freedom of Information Bill, Rep and 3R (05.04.00) 988–91, 1057–61, 1066–8, 1115–6, 1118
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1320–4
Questions
Absent voting 376–7w
Animal experiments 369–70w

O'Brien, Mr Mike—continued
Animal experiments, Disclosure of information 213–4w, 601–2w
Animal experiments, Dogs 435–6w
Animal experiments, Huntingdon Life Sciences 436–7w
Animal experiments, Inspections 598w
Animal experiments, Licensing 437w
Animal experiments, Primates 436w
Animal experiments, Rodents 369w, 437w
Animal experiments, Wickham Research Laboratories 369w
Animal Procedures Committee 213–4w
Arson, Crime prevention 137–8w
Bingo, Fees and charges 593–4w
European Monitoring Centre on Racism and Xenophobia 214–5w
Freedom of Information Bill 1999/2000 5w
Gaming clubs, Opening hours 383w
Global Cultural Diversity Congress 87w, 378w
Local government, Elections 634w
Royal prerogative 143w

O'Brien, Mr Stephen
Debates etc.
Unparliamentary expressions, Points of order (27.03.00) 187
Questions
Business questions 511, 1162
Cancer, Surgery 350–1w
Radiation, Research 481

OCCAR
(29.03.00) 464

Office of the Secretary of State for Wales
Information officers 472w, 573w
Internet 210w
Ministerial policy advisors 473w
Operating costs 158w
Parking 209w
Regulation 458w

Offices
Intervention Board 37w
Ministry of Agriculture Fisheries and Food 559w
Police Authority for Northern Ireland 51w

Official cars
Ministers 201w

Official engagements
Prime Minister 171w, 471w

Official Listing of Securities (Change of Competent Authority) Regulations 2000
Debates etc.
(27.03.00) 187

Oil
Iraq 265w

O'Neill, Mr Martin
Questions
Rover Group 634
Rover Group, Longbridge 477

Opening hours
Gaming clubs 383w

Opik, Mr Lembit
Debates etc.
Royal Ulster Constabulary (06.04.00) 1232–5
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1267, 1273, 1284–300, 1303–4
Questions
Access funds, Northern Ireland 94–5w
Further education, Sports 91w
Higher education, Applications 91–2w
Higher education, Northern Ireland 91w
Northern Ireland education and library boards, Grants 90–1w

Opik, Mr Lembit—continued
Postgraduate education, Northern Ireland 94w
Student numbers, Northern Ireland 91–2w, 96w
Student wastage, Northern Ireland 92w
Students, Community relations 93w
Students, Fees and charges 95w
Students, Finance 93–4w
Students, Loans 566–7w
Students, Religion 94w

Opposition days
Royal Ulster Constabulary (06.04.00) 1210–53

Organ, Mrs Diana
Questions
State retirement pensions 332w

Organic aid scheme
252–3w

Organic farming
339–40, 557w
Government assistance 456w

Organic food
457w
Fruit 559w

Organisation for Joint Armament Cooperation
see OCCAR

Organisation for Joint Armament Cooperation (Immunities and Privileges) Order 2000
Debates etc.
(29.03.00) 464

Organised crime
EC action 634w

Osborne, Ms Sandra
Questions
Maintenance, Children 622–3
Pensioners, Income 1135–7

Ottaway, Mr Richard
Questions
Income tax, Pensioners 151w
Liddle, Roger 39w
PAYE 150–1w
Tax allowances 328w
Tax allowances, Manufacturing industries 1148–9
Tax avoidance, Self-employed 494–5w

Overcrowding
Prisons 6–9w

Overpayments
Social security benefits 447w

Overseas aid
Basic education 185–6w
Chechnya 330–1
Environment protection 175w
Kosovo 175–6w, 582w
Mongolia 180w
Seychelles 185w
Southern Africa 183w
Sri Lanka 177w
Zimbabwe 186w, 254w

Overseas investment
Azerbaijan 106w
Burma 465w

Overseas residence
Zimbabwe 265–6w

Overseas students
Higher education 387w

Overseas trade
India 484–5
Primates 558–9w

Overseas trade—continued
USA (29.03.00) 101–8wh

Oxaliplatin
62w

Oxted and Limpsfield Hospital
61w

Packaging
Recycling 623w

Paediatrics
Nurses 504–7w

Page, Mr Richard
Sittings in Westminster Hall
River Tyne, Shipbuilding (04.04.00) 168–71wh
Questions
Business, Regulation 203–4w

Paice, Mr James
Questions
Animal feed, Additives 579–80w
Dairy products, Exports 174w
Farms, Hedges and ditches 327–8w
Genetically modified organisms, Crops 434w
Hops, Subsidies 174–5w
Welding Institute, Grants 44–5w

Pain
Health services (29.03.00) 467–74

Paisley, Rev Ian
Debates etc.
Royal Ulster Constabulary (06.04.00) 1218, 1237–9

Pakistan
Arms trade 188–9w
Customs and Excise 496–7w

Palmer, Dr Nick
Debates etc.
Royal Ulster Constabulary (06.04.00) 1211, 1243–4
Questions
Habitual offenders, Canada 376w
Post offices, Electronic government 237w

Parish councils
410w

Park and ride schemes
17w

Parking
Cabinet Office 565w
Dept for Education and Employment 295w
Dept for International Development 254w
Dept of Health 217w
Dept of Social Security 272w
Dept of Trade and Industry 278w
Foreign and Commonwealth Office 268w
Home Office 215w
Hospitals 581w
Lord Chancellor's Dept 223w
Ministry of Agriculture Fisheries and Food 327w
Ministry of Defence 303w
Northern Ireland Office 244w
Office of the Secretary of State for Wales 209w
Scotland Office 249w
Treasury 260w

Parliament
Demonstrations 141w, 360w

Parliamentary Commissioner (Amendment) Bill (HL) 1999/2000
Debates etc.
2R order read (07.04.00) 1334

Parliamentary procedure
Rulings and statements (28.03.00) 30wh

Parliamentary questions
Millennium Exhibition 358w
Police 243w
Treasury 330w

Part-time employment
242w

Passports
84w

Patents
Genetic engineering 247–8w

Paternity leave
389w

Paterson, Mr Owen
Debates etc.
Budget March 2000 (27.03.00) 90, 93, 100
Oral question time intervention (28.03.00) 214
Sittings in Westminster Hall
USA, Overseas trade (29.03.00) 103wh
Questions
Business questions 508–9
Hospitals, Waiting lists 119w
Millennium Exhibition, Expenditure 64w
Redundant churches, Property transfer 52w

Pathology
Petitions (06.04.00) 1253

PAYE
150–1w

Peace keeping operations
Zimbabwe 29w

Peace negotiations
Colombia (28.03.00) 1–22wh

Pearson, Mr Ian
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 579–80
Lisbon Summit (EC) (27.03.00) 28
Questions
BMW 339
Regional development agencies, Small businesses 43–4w
Rover Group 636
Sports centres, Planning permission 434w

Pedder, Keith
380w, 594w

Pedestrians
Safety 608w

Pendry, Mr Tom
Debates etc.
Budget March 2000 (27.03.00) 57–9
Questions
National Lottery 67w

Pension funds
31–2w
Tax allowances 152w

Pension rights
Land Rover 622w
Local authorities 414–5w

Pension sharing
476w

Pensioners
Basildon 473w
Income 31w, 335w, 451–2w, 609–11, 968–9, 971–2, 1135–8
Income support 166w, 333w, 337, 447–8w, 473w, 531–2w
Income tax 151w
Liverpool 448w
Married personal allowance 965, 1141–2
Personal savings 530–1w
Scotland 973, 1135–7
Social security benefits 32w

Pensioners—continued
Torbay 166w

Pensions
(29.03.00) 347–464, (03.04.00) 644–781
Bankruptcy 111w
Cohabitation 343w
NHS 343w
Reform 333w
Teachers 204–5w

Performance and Innovation Unit
Post offices 238w

Performance appraisal
Teachers 297w

Perham, Ms Linda
Questions
Better government programme, Elderly 76w, 527w
Cars, Prices 404w
Pensioners, Income 1135–6

Personal income
Fines 364w, 373w

Personal records
Inland Revenue 500w

Personal savings
Pensioners 530–1w

Personnel management
National Blood Authority 503w

Pesticides
Health hazards 580–1w

Petitions
Agriculture (29.03.00) 465–6
Housing (29.03.00) 465
Pathology (06.04.00) 1253
Telecommunications (29.03.00) 466

Petrol
Additives 132w, 324–5w
Excise duties 114w, 589w, 1143–5
Smuggling 491w

Pharmacy
394w

Phillips Inquiry
see Bovine Spongiform Encephalopathy and Creutzfeld Jakob Disease Inquiry

Phoenix Fund
188w

Piccadilly line
Rolling stock 544–5w

Pickles, Mr Eric
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 347–54, 359, 362–8, 372–85, 390, 392, 394, 415, 427–8, 437–40, 447–8, 450, 460
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 653–4, 687
Housing (04.04.00) 821
Sittings in Westminster Hall
Housing benefit, Abuse (05.04.00) 226wh, 228–34wh, 236wh, 239–41wh
Questions
Maintenance, Children 623–4
Overseas trade, India 485

Pickthall, Mr Colin
Questions
Dial-a-ride 324w
Hospices, Finance 346w
Prison Service, Females 380–1w
Prisoners' release, Northern Ireland 51–2w
Radon gas, Housing 419w
Transport, Infrastructure 24w

Pigs
39w

Pike, Mr Peter L
Debates etc.
Housing (04.04.00) 825
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1332
Questions
Dental services 349w
Duchy of Lancaster, Magistrates 524w
Maintenance, Children 623
Prisoners on remand 142w
Tax credit, Research 583w

Planning
Thameslink 432w

Planning Inspectorate
227w

Planning permission
317w
Aerials 429w
Camperdown Garden Village 98w
East Anglia 22–3w
South East region 22–3w
Sports centres 434w
Wind power 336–7

Plants
Genetically modified organisms 361w

Pneumoconiosis Etc (Workers Compensation) (Payment of Claims) (Amendment) Regulations 2000
Debates etc.
(05.04.00) 1123

Police
EC countries 601w, 633w
Essex 214w
Finance 84–5w, 597w
Hampshire 378w
Kosovo 564w
Lancashire 445w
Manpower 88–9w, 445w, 595w
Parliamentary questions 243w
Recruitment 595–6w
Sick leave 214w
Training 141w

Police areas
Metropolitan Police 211–2w

Police Authority for Northern Ireland
Offices 51w

Police interrogation
Video recordings 595w

Police stations
Greater London 642w

POLIS
42w

Political impartiality
Diplomatic service 103w
Longbridge Task Force 44w

Political refugees
see Refugees

Politics and government
Females 535–6w

Pollution control
Lighting 432w, 605w

Pond, Mr Chris
Debates etc.
Budget March 2000 (27.03.00) 42–3, 51, 54
Questions
Civil servants, Resignations 361w
Construction, Standards 420w
Developing countries, Debts 326–7
Planning permission, East Anglia 22–3w

Portillo, Mr Michael
Debates etc.
Budget March 2000 (27.03.00) 116–20, 124–5
Questions
Economic and monetary union, Cabinet Office 70w
Working families tax credit 1134–5

Portland Young Offender Institution
Abuse 440w

Post Office
236w

Post offices
Cash dispensing 340
Electronic government 237w
Performance and Innovation Unit 238w
Rural areas 340–2
Social security benefits 613–5

Postal services
Social security benefits 269w

Postgraduate education
Northern Ireland 94w

Pound, Mr Stephen
Debates etc.
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 696

Poverty
Children 333–4w, 449–50w
Leeds 115–7w
North West region 333–4w

Prentice, Mr Gordon
Debates etc.
Budget March 2000 (27.03.00) 48
Freedom of Information Bill, Rep and 3R (05.04.00) 1010–1
Questions
Aircraft, Violence 421–2w
Appointments Commission, Public appointments 407w
Barclays Bank 47w
Business questions 499
Drugs, Abuse 602w
Earnings limits 489–90w
Housing, Standards 801–2
Millennium Exhibition, Valuation 320w
Prescription drugs, Waste disposal 393w
Radiation, Research 277w, 533w, 623w

Pre-school education
Hampshire 290–1w, 388–9w
Hearing impaired 387w
Refugees 71w

Prescott, John
Correspondence 390w

***Prescott, Rt Hon John**, Deputy Prime Minister and Secretary of State for the Environment Transport and the Regions*
Debates etc.
Housing, Ministerial statements (04.04.00) 811–26
Oral question time intervention (04.04.00) 801
Questions
Departmental expenditure limits, Dept of the Environment Transport and the Regions 223–4w
Fares, Concessions 805–6
London Regional Transport, Management 793–4
London Underground, Public private partnerships 794–5

Prescribing Supply and Administration of Medicines Review Team
218w

Prescription drugs
Children in care 59w
Compensation 362–3w
Fees and charges 354w, 393–4w
Prices 202–3
Waste disposal 393w

Press freedom
Kazakhstan 284w

Press releases
Cabinet Office 76w, 526w

***Primarolo, Ms Dawn**, Paymaster General*
Questions
Cellular phones, Licensing 590w
Child care tax credit 328–30w, 583w
Customs and Excise, Pakistan 496–7w
Customs officers, Manpower 259w
Disabled person's tax credit, South Yorkshire 50w
Drug seizures 259–60w
Earnings limits 489–90w
Excise duties, Petrol 1143–5
Finance Bill 1999/2000 151w
Income tax 585w
Income tax, Construction 24–5w
Income tax, Pensioners 151w
Income tax, Tax yields 149–50w
Inland Revenue, Personal records 500w
Married personal allowance 491w
Motor vehicles, Imports 463w
National insurance contributions, Rebates 50w, 148–9w, 256w
National Insurance Contributions Office 50w
PAYE 150–1w
Proof of identity, Social Security Contributions Agency 590w
Public finance 461–2w
Regulation, Treasury 461w
Smuggling, Alcoholic drinks 462–3w
Smuggling, Petrol 491w
Smuggling, Telephone services 493–4w
Smuggling, Tobacco 490–3w
Stocks and shares, Taxation 495–6w
"Tackling Tobacco Smuggling" 462w
Tax allowances 328w
Tax allowances, Disabled 491w
Tax avoidance, Self-employed 489w, 494–5w
"Tax Benefit Reference Manual, 1999/00" 150w, 590w
Tax burden 490w, 584–5w
Tax exemption certificates, Business 491–2w
Tax rates and bands 461w, 499–500w
Taxation, Companies 149w
Taxation, Small businesses 152w
Valuation Office, Standards 459w
VAT, Churches 583–4w
Welfare tax credits, Publicity 49–50w
Working families tax credit 48w, 114w, 146–7w
Working families tax credit, Cumbria 48w
Working families tax credit, Free school meals 259w
Working families tax credit, Morecambe 48w
Working families tax credit, North West region 587w
Working families tax credit, Norwich 49w
Working families tax credit, Payments 329w
Working families tax credit, Scotland 145–6w
Working families tax credit, Southwark 49w, 146w
Working families tax credit, Stafford 49w

Primary care groups
Public appointments 128w

Primary care trusts
122–3w
Public appointments 128w, 514w

Primary education
Africa 178–9w
Conferences 573–4w
Equal opportunities 574w, 974

Primates
Animal experiments 436w
Infectious diseases 357w
Overseas trade 558–9w

Prime Minister
Aviation 279w
Internet 38–9w
Non-departmental public bodies 244–5w
Official engagements 171w, 471w
Task forces 244–5w
Visits abroad 574w

Prior, Mr David
Questions
NHS, Debts 515w
NHS, Finance 502–3w

Prison accommodation
596–7w

Prison Service
Females 380–1w
Standards 213–4w

Prisoners
Handbooks 141w
Rehabilitation 13w

Prisoners on remand
142w

Prisoners' release
365–6w
Northern Ireland 51–2w, 95–6w

Prisons
Drugs 86w, 370w
Overcrowding 6–9w

Private finance initiative
588–9w
Hospitals 215–7
Metropolitan Police 381w

Private Members' bills
Rulings and statements (07.04.00) 1264

Private sector
Essex Rivers Healthcare NHS Trust 217w
Health services 579w
Mid Essex Hospital Services NHS Trust 217w

Privy Council Office Judicial Committee
Scotland 361–2w

Probation and aftercare
Information technology 5w
Public appointments 12–3w

Probation Board for Northern Ireland
244w

Procurement
Aircraft carriers 209w
Ammunition 160w
Artillery 603w
Government departments 330–1w
Military aircraft 299–300w
Roll-on roll-off ships 339
Tankers 79w

Proof of identity
Dept of Social Security 529w
Driver and Vehicle Licensing Agency 321–2w
Social Security Contributions Agency 590w

Property
Ministry of Defence 27w

Prosecutions
Fraud 468w

Prosser, Mr Gwyn
Debates etc.
Livestock, Exports (07.04.00) 1336–9
Questions
Employment, South East region 586w
MV Cap Afrique 455w
Refugees 970

Prostate cancer
Research 612–3w
Waiting lists 612w

Prozac
62w

Public Administration Select Committee
(30.03.00) 599

Public appointments
284w, 523w
Appointments Commission 407w
Dept for Education and Employment 154w
Dept of Health 136w
Dept of the Environment Transport and the Regions 319w
Dept of Trade and Industry 277w
Equal opportunities 76–7w
Home Office 215w
Independent Tribunal Service 197–8w
Longbridge Task Force 196w
NHS 220w, 523w
NHS trusts 514w
Non-departmental public bodies 277w, 523w
Primary care groups 128w
Primary care trusts 128w, 514w
Probation and aftercare 12–3w
Regional development agencies 319w
Unified Appeal Tribunal 401w

Public expenditure
259w, 587w
Dept of Health 63–4w
Iraq 1149

Public finance
461–2w

Public Finance and Accountability (Scotland) Act 2000 (Transfer of NAO Staff Etc) Order 2000
Debates etc.
(29.03.00) 464

Public inquiries
Dept of the Environment Transport and the Regions 311–3w

Public libraries
65w
Voluntary work 358–9w

Public order
Bangladesh 267w

Public private partnerships
British Nuclear Fuels 193w
London Underground 225–6w, 544w, 793–5

Public Record Office
Standards 220–1w

Public records
Monckton, Walter 401w

Public safety radio communications project
597–8w

Public transport
Housing 17w, 413w

Public Trust Office
79w

Publicity
Welfare tax credits 49–50w

Pupil exclusions
206w

Pupils
South East region 537–8w

Purchase, Mr Ken
Questions
Rover Group 635

"Quality and Choice a Decent Home for All Consultation Paper"
(04.04.00) 811–26

Quality control
Audit 317–8w
Sellafield 105w, 335–6, 404w, 479–80w, 542–4w

Quarantine
Animal welfare 37w

Quin, Rt Hon Ms Joyce, Minister of State, Ministry of Agriculture Fisheries and Food
Questions
Animal products, Waste disposal 36–7w
Beef, Argentina 173–4w
Beef, Imports 249w
Bovine spongiform encephalopathy 558w
Bovine spongiform encephalopathy, EC countries 174w
Bovine spongiform encephalopathy, Waste disposal 250w
Bovine Spongiform Encephalopathy and Creutzfeld Jakob Disease Inquiry 174w
Dairy products, Exports 174w
Dietary supplements 35–6w
Dogs, Exports 501w
Farmers, Bankruptcy 250w
Farms, Hedges and ditches 132w, 172w, 325w, 327–8w
Farms, Valuation 83w
Genetically modified organisms, Crops 327w
Genetically modified organisms, Maize 457w
Hops, Subsidies 174–5w
Milk, Imports 251w, 500–1w
Offices, Intervention Board 37w
Operating costs, Ministry of Agriculture Fisheries and Food 250–1w
Organic food, Fruit 559w
Primates, Infectious diseases 357w
Primates, Overseas trade 558–9w
Quarantine, Animal welfare 37w
Sheep, Radioactive fallout 174w
Slaughterhouses, Contracts 172–3w

Quinn, Mr Lawrie
Questions
Construction, Standards 411w
Non-departmental public bodies, Public appointments 277w
Public appointments, Dept for Education and Employment 154w
Public appointments, Dept of Health 136w
Public appointments, Dept of the Environment Transport and the Regions 319w
Public appointments, Dept of Trade and Industry 277w
Public appointments, Home Office 215w
Regional assemblies 318–9w
Regional assemblies, Yorkshire and Humberside 320w
Regional development agencies 18w

Quinn, Mr Lawrie*—*continued
Regional development agencies, Accountability 319w
Regional development agencies, Public appointments 319w
Regulation, Cabinet Office 385w

Race relations
Standards 4w

Racial discrimination
Mental health services 208–9

Radiation
Research 38w, 45–6w, (29.03.00) 47–69wh, 194w, 277w, 481, 533w, 623w

Radiation exposure
War pensions 164–5w

Radice, Rt Hon Giles
Debates etc.
Freedom of Information Bill, Rep (04.04.00) 925–6
Freedom of Information Bill, Rep and 3R (05.04.00) 1020, 1026, 1029, 1097

Radio
Illegal broadcasting 238w

Radioactive fallout
Sheep 174w

Radioactive materials
Food 63w
Japan 105w, 171w, 476w

Radioactive wastes
Waste disposal 17–8w, 485w

Radioactivity
Kosovo 555w

Radon gas
Housing 419w

Railway network
(28.03.00) 30–6wh

Railways
Euxton 802–3
Freight 427w, 483w

Railways (Rateable Values) (England) Order 2000
Debates etc.
(28.03.00) 291

Rammell, Mr Bill
Debates etc.
Lisbon Summit (EC) (27.03.00) 29
Sittings in Westminster Hall
Disability living allowance (05.04.00) 243–7wh, 250wh
Questions
Housing revenue accounts, New towns 809–10
Married personal allowance 1143

Randall, Mr John
Questions
Refugees 972
Slaughterhouses, Contracts 172–3w

Rapid deployment forces
United Nations 171w

Rapid transit systems
410w

Rapson, Mr Syd
Debates etc.
Wireless Telegraphy (Television Licence Fees) (Amendment) Regulations (28.03.00) 302
Questions
Tourism 65–6w

Rates and rating
(28.03.00) 291

Rationing
NHS 120w

Raynsford, Mr Nick*, *Minister of State, Dept of the Environment Transport and the Regions
Questions
Housing 410–1w
Housing, Chelmsford 807–8
Housing, Empty property 324w
Housing, Shops 323–4w
Housing, Single people 798–800
Housing, South East region 608–10w, 795–8
Housing, Standards 801–2
Housing improvement, Disabled 324w
Planning Inspectorate 227w
Planning permission 317w
Planning permission, East Anglia 22–3w

Recreation spaces
66w

Recruitment
Nurses 332, 965–6
Police 595–6w
Teachers 206w

Recycling
Glass 23w
Packaging 623w

Redundancy
EC law 492–4
Hydro Agri (UK) 44w

Redundant churches
Property transfer 52w

Redwood, Rt Hon John
Debates etc.
Oral question time intervention (30.03.00) 492
Questions
BMW 196w
BMW, Retail trade 196w
EC grants and loans 624w
Regional selective assistance 189–90w
Rover Group 639
Rover Group, Longbridge 190w, 197w, 478–9
Rover Group, Retail trade 190–1w, 196–7w

Reed, Mr Andrew
Questions
Church of England, Finance 18
Electronic government 960
Hospitals, Private finance initiative 216
Swimming, Schools 3–4

Referendums
Western Sahara (04.04.00) 184–91wh

Refugees
144w, 366–7w, 593w, 970, 972
Begging and vagrancy 439w
Burma 471–2w
Deportation 437–8w, 593w
East Timor 54w
Education 538w
Finance 143–4w, 591–3w
Housing 366w, 439w
Legal aid 401w
Local government services 438–9w, 521w, 593w, 633–4w
Pre-school education 71w
Social security benefits 115w, 452w, 612–3
Somalia 602w
Sri Lanka 593w
Voucher schemes 86–7w

Reg(EEC)422/67
631w

Regional airports
South East region 228–9w

Regional arts boards
Manpower 153w

Regional assemblies
17w, 318–9w
Yorkshire and Humberside 320w

Regional crime squads
635w

Regional cultural consortiums
392w

Regional development agencies
18w, 412w
Accountability 319w
Operating costs 585–6w
Public appointments 319w
Small businesses 43–4w

Regional selective assistance
189–90w

Regulatory impact assessments
EC law 268–9w

Rehabilitation
Prisoners 13w

Reid, Rt Hon Dr John*, *Secretary of State for Scotland
Questions
Assisted areas, Scotland 110w, 249w
Bankruptcy, Pensions 111w
Empty property, Scotland Office 285w
Internet, Scotland Office 110–1w
Non-domestic rates, Scotland 540–2w
Parking, Scotland Office 249w
River Clyde, Shipbuilding 110w

Religion
Students 94w

Rendel, Mr David
Questions
Atomic Weapons Establishment 486–7w
Council tax, Second homes 808
Hospitals, Waiting lists 508w
Second homes, South East region 484w
State earnings related pension scheme, Misrepresentation 625

Rented housing
Neighbourhood nuisance 414w

Rents
Rebates 20–1w, 32–3w, 325w

Repossession orders
Hampshire 78w
Mortgages 78w

Reserve forces
Army 396–7w

Residential allowance
220w

Residential Care Homes and Nursing Homes (Medical Records) Bill 1999/2000
Debates etc.
1R (27.03.00) 38–40

Residential homes
Elderly (03.04.00) 783–90

Resignations
Civil servants 361w
Surrey and Sussex NHS Trust 618w

Retail Packaging Recycling Bill 1999/2000
Debates etc.
2R order read (07.04.00) 1334

Retail trade
BMW 196w
Metrication 404–5w
Rover Group 190–1w, 196–7w

Riser, Jon
216w

River Clyde
Shipbuilding 110w

River Tyne
Shipbuilding (04.04.00) 157–77wh

Road traffic
322–3w
South East region 609w

Road Traffic Bill 1999/2000
Debates etc.
2R order read (07.04.00) 1335

Roads
607w
Accidents 545–6w
Freight 427w, 433w
Rural areas 17w
Safety 545w

Robathan, Mr Andrew
Sittings in Westminster Hall
Developing countries, Females (30.03.00) 119wh, 124wh
Questions
Africa, AIDS 324–5
Council housing, Greater London 803–4
Cycling 316w
Inflammatory bowel disease 214–5
Social security benefits, Abuse 619–20

Robertson, Mr Laurence
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 362–71, 385
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 647, 678–80
Questions
"Fit for the Future Consultation Paper" 356w
Genetically modified organisms, Crops 419–20w
Metrication, Retail trade 404–5w
National Lottery 67w
Portland Young Offender Institution, Abuse 440w
Recycling, Glass 23w
State earnings related pension scheme, Misrepresentation 30w
Tax exemption certificates, Business 491–2w
Unigate, Dairy Crest 624w

Robinson, Mr Peter D
Debates etc.
Royal Ulster Constabulary (06.04.00) 1231

Roche, Mrs Barbara, Minister of State, Home Office
Sittings in Westminster Hall
Immigration, Administrative delays (29.03.00) 114–6wh
Questions
Deportation 367w, 599w
Detainees 599w
EC justice and home affairs 520w
Entry clearances 440–5w
Illegal immigrants 84w
Immigration, Administrative delays 88w
Immigration, Appeals 592w
Immigration, Applications 520–1w
Immigration, Correspondence 439–40w, 634w
Immigration and Nationality Directorate, Correspondence 440w
Immigration and Nationality Directorate, Documents 434–5w
Immigration controls, Disclosure of information 590–1w

Roche, Mrs Barbara*—*continued
Immigration controls, Operating costs 598–9w
Immigration rules 592w
Oakington Detention Centre 377–8w
Passports 84w
Refugees 144w, 366–7w, 593w
Refugees, Begging and vagrancy 439w
Refugees, Deportation 437–8w, 593w
Refugees, Finance 143–4w, 591–3w
Refugees, Housing 366w, 439w
Refugees, Local government services 438–9w, 521w, 593w, 633–4w
Refugees, Somalia 602w
Refugees, Voucher schemes 86–7w
Temporary immigrants 87w
Temporary immigrants, Iraq 410w

Rodents
Animal experiments 369w, 437w

Roe, Mrs Marion
Questions
All party groups 42–3w
Health action zones 204
House of Commons Works of Art Advisory Committee 235w
Members, Taxis 104w
Members' staff, Foreign workers 43w, 235w

Rogers, Mr Allan
Debates etc.
Freedom of Information Bill, Rep (04.04.00) 897, 903, 905
Industrial injuries, Compensation (30.03.00) 600–1, 604

Rogers of Riverside Task Force
see Urban Task Force

Rolling stock
Piccadilly line 544–5w

Roll-on roll-off ships
Deployment 208–9w
Procurement 339

Roman Catholic Church
Northern Ireland Civil Service 517–8w

Romania
Export credit guarantees 533w

Romsey
By-election writs (06.04.00) 1133

Rooker, Rt Hon Jeff, Minister of State, Dept of Social Security
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 368, 377, 400–1, 411, 413–7, 434–5, 443, 447–53
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 652–4, 658–62, 665, 685, 694, 700–6, 715, 718–22, 726–7, 730–3, 747, 749–54, 762–6, 773–4, 778
Sittings in Westminster Hall
Housing benefit, Abuse (05.04.00) 234–42wh
Questions
Art works, Dept of Social Security 531w
Empty property, Dept of Social Security 340–1w
National insurance 627w
National insurance contributions, Lone parents 530w
Pension funds 31–2w
Pension sharing 476w
Pensioners, Income 31w, 335w, 451–2w
Pensioners, Income support 333w
Pensioners, Personal savings 530–1w
Pensioners, Social security benefits 32w
Pensions, Reform 333w

Rooker, Rt Hon Jeff*—*continued
Proof of identity, Dept of Social Security 529w
Regulation, Dept of Social Security 453–4w
Social security benefits, Abuse 335–6w, 619–20, 627–9w
Social security benefits, Automated credit transfer 454w, 532w
Social security benefits, Bank services 331–2w
Social security benefits, Taxation 334w
Social Security Benefits Agency, Security 31w
Stakeholder pensions 34w, 337w, 475w, 529w
State earnings related pension scheme, Misrepresentation 30w, 340w, 625
State retirement pensions 332w, 338–9w, 616–7
State retirement pensions, Administrative delays 164w, 611–2
State retirement pensions, Australia 35w
State retirement pensions, Self-employed 33–4w, 271w
State retirement pensions, Uprating 334–5w, 624–5

Ross, Mr Ernie
Questions
Army, Reserve forces 396–7w
Defence Geographic and Imagery Intelligence Agency 395–6w
Pensioners, Income 609

Ross, Mr William
Debates etc.
Budget March 2000 (27.03.00) 49, 90–2
Questions
Council housing, Northern Ireland 50–1w
Local broadcasting 8
Nelson, Rosemary 244w
Police Authority for Northern Ireland, Offices 51w
Royal Ulster Constabulary, Complaints 516–7w
Smuggling, Petrol 491w

Rover Group
489–90, 629–42
Apprentices 74w
Longbridge 109–10w, 190w, 197w, 332–5, 475–80, 481w, 489–92, 966–8
Retail trade 190–1w, 196–7w

Rowlands, Mr Ted
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 517, 534–8, 540, 551–2, 571
Questions
New deal for 50 plus, Expenditure 210w
New deal for long term unemployed, Expenditure 210w
New deal for young people, Expenditure 211w

Roy, Mr Frank
Questions
Social security benefits, Post offices 615

Royal prerogative
143w

Royal Ulster Constabulary
Compensation 97w
Complaints 516–7w
Human rights 280w
Oaths and affirmations 90w
Opposition days (06.04.00) 1210–53

Royal Victoria Hospital Belfast
Repairs and maintenance 568w

Ruane, Mr Chris
Questions
Children in care, Crimes of violence 62w
Housing 410–1w
Organic farming 557w
Organic food 457w
Smuggling, Telephone services 493–4w
Smuggling, Tobacco 492–3w

Ruddock, Joan
Questions
Cellular phones, Health hazards 580w
Genetically modified organisms, Crops 131w, 611w
Genetically modified organisms, Maize 325w, 457w, 502w
Pesticides, Health hazards 580–1w

Ruffley, Mr David
Debates etc.
Budget March 2000 (27.03.00) 49, 85–8
Questions
Tax burden 584–5w

Rules of procedure
Solicitors 557w

Rural Affairs Ministerial Group
see Ministerial Group on Rural Affairs

Rural areas
428w
Banks 47w, 68w
Chemists' shops 619w
Internet 238w
Post offices 340–2
Roads 17w

Russell, Bob
Debates etc.
Graffiti (27.03.00) 195
Transfer of questions, Points of order (27.03.00) 37
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1278, 1286, 1289, 1296, 1299, 1328
Questions
Business questions 506
Crimestoppers 142–3w
Essex Police, Compensation 600w
Monuments, Cyprus 603w
Neurology, Consultants 120w
Rapid transit systems 410w
St Helena, Airports 182–3w
Severalls Hospital 136–7w
Sports, Museums and galleries 67w
Wembley Stadium, Transport 23–4w

Russia
Moldova 267w

Rutland College
Tresham College (28.03.00) 23–9wh

Ryan, Ms Joan
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 546–50, 555

SA80 rifle
298–9w

Saddleworth
Low flying 556w

Safety belts
Disabled 411–2w

Safety measures
Fishing vessels 800–1

St Aubyn, Mr Nick
Debates etc.
Budget March 2000 (27.03.00) 94, 97
Learning and Skills Bill (HL), 2R (30.03.00) 534, 585–7

St Aubyn, Mr Nick—continued
Unparliamentary expressions, Points of order (27.03.00) 186–7
Questions
Aviation, Government assistance 488–9
Corporation tax, EC countries 1146–7
Education, Standard spending assessments 294w
Housing, Public transport 413w
National Lottery 9–10
Standards Fund 537w
State retirement pensions, Administrative delays 611–2
Tanks 554w
Tanks, Diesel fuel 554w
Tax burden 585w

St Helena
Airports 182–3w
Armed forces 467w
Economic situation 468w
Employment 467w
Fisheries 467w

Salmond, Mr Alex
Questions
Air force, Military bases 29w
Arms trade, Zimbabwe 194–5w
Diplomatic service, Political impartiality 103w
Farmers, Early retirement 82–3w
Peace keeping operations, Zimbabwe 29w
USA, Scotland 103w, 169–70w

Salmonella
616–7w

Salter, Mr Martin
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1301–2, 1305–6, 1311–6
Sittings in Westminster Hall
Barclays Bank, Suffolk (29.03.00) 75–8wh, 87wh
Questions
Atomic Weapons Establishment 159–60w
Highways Agency, Standards 227w

Sanctions
Serbia 99w

Sanders, Mr Adrian
Questions
Absent voting 376–7w
Council of Ministers, Disclosure of information 389–90w
Deportation 367w
Housing benefit, Abuse 118w
Local authorities, Assets 485w
Paediatrics, Nurses 504–7w
Pensioners, Income support 166w
Refugees, Local government services 521w, 593w
Roads 607w
Social security benefits, Abuse 117–8w
Unemployment 329–30w

Sarwar, Mr Mohammad
Questions
River Clyde, Shipbuilding 110w
Roll-on roll-off ships, Procurement 339

Savidge, Mr Malcolm
Questions
Azerbaijan, Arms trade 631w

Sawford, Mr Phil
Questions
Secondary education, Capitation allowances 604w

Sayeed, Mr Jonathan
Debates etc.
Armed Forces Discipline Bill (HL), Rep and 3R (06.04.00) 1175, 1177, 1185–6, 1189, 1191
Questions
Bananas, EC external trade 46w
Small businesses 460w
Smuggling, Alcoholic drinks 462–3w
Taxation, Business 496w
Taxation, Freight 460w

School Crossings (Amendment) Bill 1999/2000
Debates etc.
2R order read (07.04.00) 1334

School libraries
Computers 154w

School meals
296w, 538w

Schools
Amber Valley 291–3w
Greater London 538w
Hampshire 536–7w
Internet 205–6w
Northern Ireland 570w
Northumberland 973–4
Sports 66w
Standards 388w
Swimming 2–4

Schools access initiative
74w

Science
Departmental coordination 480–1
International cooperation 45–6w

Scotland
Armed forces 29w
Army 28–9w
Assisted areas 110w, 249w
Average earnings 47–8w
Bank services 152–3w
Bankruptcy 111w
Child care tax credit 145–6w
Independent Tribunal Service 197–8w
Low pay 47–8w
Military bases 28w
Non-domestic rates 540–2w
Pensioners 973, 1135–7
Privy Council Office Judicial Committee 361–2w
Social security benefits 115w, 166–7w, 331–2w
Students 153–4w
USA 103w, 169–70w
Winter fuel payments 334w
Working families tax credit 145–6w

Scotland Office
Empty property 285w
Internet 110–1w
Parking 249w
Regulation 402w

Scotland Yard
see Metropolitan Police

Scottish Power
Debts 113–4w

Second homes
410w
Council tax 808–9
South East region 484w

Secondary education
Capitation allowances 604w

Secondment
Civil service 198–201w
Treasury 46–7w

Secure psychiatric units
Greater London 126w

Security
Social Security Benefits Agency 31w

Segregation of prisoners
370w

Select Committee on Public Administration
see Public Administration Select Committee

Self-employed
State retirement pensions 33–4w, 271w
Tax avoidance 489w, 494–5w

Sellafield
533w
Quality control 105w, 335–6, 404w, 479–80w, 542–4w

Serbia
Sanctions 99w

Severalls Hospital
136–7w

Sewage
Killyleagh 132–3w

Sex offender orders
88w

Sexual offences
Home detention curfews 599–600w
Males 4w

Seychelles
Overseas aid 185w

Shares
Charities 589–90w
Disclosure of information (27.03.00) 187

Shaw, Mr Jonathan
Questions
Business questions 504
Chatham Dockyard, Correspondence 397w
Working hours 239w

Sheep
Radioactive fallout 174w

Sheerman, Mr Barry
Questions
Domestic violence 377–8w
Fines, Personal income 364w
Magistrates 363w
Magistrates' courts 364w
Tax allowances, Manufacturing industries 1147
Trade competitiveness, EC countries 238–9w

Sheldon, Rt Hon Robert
Debates etc.
Budget March 2000 (27.03.00) 65–8
Questions
National Audit Office 18–9

Shephard, Rt Hon Gillian
Sittings in Westminster Hall
Barclays Bank, Suffolk (29.03.00) 73–5wh, 79wh, 84wh
Questions
Chemists' shops, Rural areas 619w

Shepherd, Mr Richard
Debates etc.
Freedom of Information Bill, Rep (04.04.00) 838–9, 844, 866–7, 879–80, 924, 927, 929
Freedom of Information Bill, Rep and 3R (05.04.00) 1013–6, 1049–51, 1053–6, 1061–2, 1100–3, 1106, 1114, 1116–9, 1121–2

Shepherd, Mr Richard—continued
Questions
Business questions 503

Shipbuilding
River Clyde 110w
River Tyne (04.04.00) 157–77wh

Shops
Housing 323–4w

Short, Rt Hon Clare, Secretary of State for International Development
Questions
Africa, AIDS 179w, 324–5
Africa, Primary education 178–9w
Burma, Refugees 471–2w
Cuba, EC aid 183w
Developing countries, Debts 175w, 181w, 326–8
Developing countries, Debts written off 472w
Developing countries, Drugs 184w
Developing countries, Uruguay Round 185w
Developing countries, Voluntary work 177–8w
Disaster relief 178w
EC aid 180–1w
Empty property, Dept for International Development 287w
Ethiopia, Forests 286–7w
Horn of Africa, Famine 182w
Indonesia, Forests 184–5w
Internet, Dept for International Development 286w
Kosovo, Overseas aid 175–6w, 582w
Kosovo, Uranium 581w
Madagascar, Disaster relief 180w
Mongolia, Overseas aid 180w
Mozambique, Disaster relief 176–7w, 328–30
Overseas aid, Basic education 185–6w
Overseas aid, Environment protection 175w
Parking, Dept for International Development 254w
Regulation, Dept for International Development 582w
St Helena, Airports 182–3w
Seychelles, Overseas aid 185w
Southern Africa, Overseas aid 183w
Sri Lanka, Overseas aid 177w
Sub-Saharan Africa, Arms trade 183–4w
Sudan, Exports 286w
UN international drugs control programme 184w
World Education Forum 181–2w, 331–2
Zimbabwe, AIDS 325–6
Zimbabwe, Overseas aid 186w, 254w

Shropshire
Dental services 507–8w

Sick leave
Police 214w

Sierra Leone
284w

Sign language
(05.04.00) 1124–32

Simpson, Mr Alan
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 455–6
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 677, 702
Questions
Atomic Weapons Establishment 552w
Genetically modified organisms, Crops 315w

Simpson, Mr Keith
Sittings in Westminster Hall
Barclays Bank, Suffolk (29.03.00) 71wh, 78–81wh

Singh, Mr Marsha
Questions
Customs and Excise, Administration of justice 468–9w
Customs and Excise, Pakistan 496–7w

Single parents
see Lone parents

Single people
Housing 798–800

Sixth form education
Finance 71–2w

Skinner, Mr Dennis
Debates etc.
Lisbon Summit (EC) (27.03.00) 34
Private notice question intervention (03.04.00) 642
Questions
Business questions 1156–7
National Lottery 6–7
Textiles 484

Slaughterhouses
Contracts 172–3w

Small Business Service
239w

Small businesses
460w
Company accounts 405–6w
Government assistance 241–2w
North East region 242w
Pay 485–6
Regional development agencies 43–4w
Regulation 235w, 481w
Taxation 152w

Smith, Rt Hon Andrew, Chief Secretary to the Treasury
Debates etc.
Budget March 2000 (27.03.00) 120–5
Questions
Capital Modernisation Fund 258w
Corporation tax, EC countries 1146–7
EC grants and loans 1145–6
Exchange rates 329w
Government departments, Annual reports 494w
Government departments, Procurement 330–1w
Iraq, Public expenditure 1149
Long term unemployed 584w
Married personal allowance 1141–3
Married personal allowance, Pensioners 1141–2
Private finance initiative 588–9w
Public expenditure 259w, 587w
Public expenditure, Dept of Health 63–4w
Regional development agencies, Operating costs 585–6w
Scottish Power, Debts 113–4w
Social services, Finance 259w

Smith, Angela
Questions
Birds, Special protection areas 112w
Cuba, EC aid 183w
Disabled, Safety belts 411–2w
Disabled, Tax allowances 491w
Electronic government 203w
Family credit, Basildon 473–5w
Fares, Concessions 805
National Lottery 12
NHS, Research 216–7w
Pensioners, Income support 473w

***Smith, Rt Hon Chris**, Secretary of State for Culture Media and Sport*
Debates etc.
Television Licences (Disclosure of Information) Bill, 1R (30.03.00) 512
Questions
Arts Council of England, Manpower 153w
Empty property, Dept for Culture Media and Sport 359–60w
Internet, Dept for Culture Media and Sport 391–2w
Local broadcasting 7–8
London Film Commission 359w
Millennium Exhibition, Expenditure 64w
National Endowment for Science Technology and the Arts 261w
National Lottery 5–7, 9–13, 67w
News 24 359w
Recreation spaces 66w
Regional arts boards, Manpower 153w
Regional cultural consortiums 392w
Sportsgrounds, Belgium 471w
Theatre 65w

Smith, Miss Geraldine
Debates etc.
Budget March 2000 (27.03.00) 74–6
Questions
National Lottery, Morecambe 470w
Tourism, Coastal areas 4–5, 67w
Winter fuel payments, Morecambe 33w
Working families tax credit, Morecambe 48w

***Smith, Jacqui**, Parliamentary Under-Secretary of State, Dept for Education and Employment*
Questions
Dyslexia 294–5w
Education, Refugees 538w
Free school meals, Welfare tax credits 387–8w
Free school meals, Working families tax credit 538w
Pre-school education, Hearing impaired 387w
Pre-school education, Refugees 71w
School meals 296w
Schools, Standards 388w
Schools access initiative 74w
Teachers, Hearing impaired 387w

Smith, Mr John
Questions
Hospitals, Private finance initiative 217
Motor vehicle type approval 607w
Motor vehicles, Imports 463w

Smith, Mr Llew
Debates etc.
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 676, 678
Questions
Access to work programme 294w
Aerials, Planning permission 429w
Antidepressants, Costs 394w
British Nuclear Fuels 390w, 404w
Dounreay, Inspections 403w
Dyslexia 294–5w
Kosovo, Uranium 581w
Local government, Disclosure of information 429w
Local government, Reform 792
Meningitis, Vaccination 613–4w
Millennium Exhibition, Land use 429w
Non-departmental public bodies, Prime Minister 244–5w
Nuclear Installations Inspectorate 313w
Prescription drugs, Compensation 362–3w
Prostate cancer, Waiting lists 612w

***Smith, Mr Llew**—continued*
Radioactive materials, Japan 105w
Sellafield, Quality control 404w
Telephone services, Working conditions 430w
UK membership of EC 408w
United Kingdom Atomic Energy Authority, Standards 477w
United Kingdom Atomic Energy Authority Constabulary, Criminal investigation 403–4w
Urban areas 428w
USA, Ballistic missile defence 563w
War pensions, Radiation exposure 164–5w

Smith, Sir Robert
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1312, 1320

Smoking
Health education 614w

Smoking related diseases
Medical treatments 351w

Smuggling
Alcoholic drinks 462–3w, 492–3w
Criminal investigation 379w
Petrol 491w
Telephone services 493–4w
Tobacco 490–3w

Smyth, Rev Martin
Debates etc.
Royal Ulster Constabulary (06.04.00) 1225, 1250
Sittings in Westminster Hall
Burma, Human rights (05.04.00) 208–10wh
Social security benefits, Northern Ireland (04.04.00) 178–80wh, 182–3wh
Questions
Business questions 501
Tax allowances, Manufacturing industries 1147–8

Soames, Mr Nicholas
Debates etc.
Royal Ulster Constabulary (06.04.00) 1226
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1265–6, 1280–2, 1284, 1287, 1290, 1303
Questions
Excise duties, Petrol 1143–4
National Lottery 12–3
NHS, Finance 210
Rover Group 640

Social Exclusion Unit
523–4w, 963–4

Social Fund
339w

Social rented housing
422–5w
South East region 428w
Tenancy agreements 807

Social security benefits
(29.03.00) 347–464, (03.04.00) 644–781
Abuse 117–8w, 335–6w, 619–20, 627–9w
Automated credit transfer 454w, 532w
Bank services 152w, 331–2w
Capital rules 617–9
Children 117w
Contracts for services (27.03.00) 187
Disabled 454w
Lone parents 270w
Northern Ireland (04.04.00) 178–83wh
Overpayments 447w
Pensioners 32w
Post offices 613–5
Postal services 269w

***Social security benefits**—continued*
Refugees 115w, 452w, 612–3
Scotland 115w, 166–7w, 331–2w
Take-up 626–8
Taxation 334w
Telephone services 626–7w
War widows 453w
Widowed people 272w, 339w, (06.04.00) 1254–62

Social Security Benefits Agency
Administrative delays 338w
Employment Service 339–40w
Home visits 166–7w
Security 31w

Social Security Contributions Agency
Proof of identity 590w

Social Security (Work-Focused Interviews) Regulations 2000
Debates etc.
(27.03.00) 188

Social services
205–6
Finance 228w, 259w
Local government finance 217w
Voluntary work 347w

Socrates programme
289–90w

Soley, Mr Clive
Debates etc.
Housing (04.04.00) 821

Solicitors
Fees and charges (30.03.00) 600–8
Rules of procedure 557w

Somalia
Refugees 602w

South East region
Employment 586w
Health services 617–8w
Housing 321w, 428w, 608–10w, 795–8
Migration 587–8w
Planning permission 22–3w
Population 588w
Pupils 537–8w
Regional airports 228–9w
Road traffic 609w
Second homes 484w
Social rented housing 428w
Water supply 609–10w

South Korea
Military exercises 161–2w

South Yorkshire
Disabled person's tax credit 50w
Maternity payments 165–6w

Southend
Standard spending assessments 795

Southern Africa
Overseas aid 183w

Southwark
Child care tax credit 146w
Family credit 49w
Working families tax credit 49w, 146w

Southworth, Ms Helen
Sittings in Westminster Hall
Radiation, Research (29.03.00) 50–5wh, 57wh, 59wh
Questions
Beta-interferon 510–1w
Climate change levy 587w
Radiation, Research 45–6w

Spain
Fishing vessels 253w
Gibraltar 562w

Speaker and deputies
Debates etc.
Amendments and new clauses (29.03.00) 347, 379, 400–1, 413, 455, 457, (30.03.00) 523, (03.04.00) 644, 658, 666, 670, 709, 727, 739, 751, 756, 766, 778, (04.04.00) 830, 856, 871, 890, 915, (05.04.00) 981, 992, 1035–6, 1054, 1062, 1078, 1094, (06.04.00) 1164, 1173, 1179, 1194, 1210
Conduct of proceedings (27.03.00) 9, 16, 74, 93, 100, 117–8, 120, (28.03.00) 214, 220, 250, 274, 277, 293, 300, (29.03.00) 335, 338, 340, 363, 366, 370–1, 376, 378, 431–2, 435, 440, 455–6, 460, 474, (30.03.00) 479, 485, 489, 546, 552, 571, 598, 605, (03.04.00) 629, 631, 637, 675, 692, 748, (04.04.00) 816, 818, 826, 847, 850–1, 867, 884, 925, (05.04.00) 967–8, 970–1, 974, 1011, 1017–9, 1035, 1079, (06.04.00) 1165, 1168, 1170, 1187, 1189, 1196, 1199, 1219, 1221, 1223, 1228–9, 1231, 1239, 1245, 1260, (07.04.00) 1269–70, 1276, 1282, 1285, 1300, 1319, 1327, 1332–3
Disallowed questions (04.04.00) 803
Orders and regulations motions (27.03.00) 187, (28.03.00) 291, (29.03.00) 464, (04.04.00) 935
Points of order (27.03.00) 37, 77, 94, 187, (28.03.00) 221–2, 251, (29.03.00) 343, (30.03.00) 512, 598, (03.04.00) 643, 653, 706–7, (04.04.00) 929, 932, (05.04.00) 978–80, (06.04.00) 1168, (07.04.00) 1270, 1300, 1319
Private Members' bill orders (07.04.00) 1334
Rulings and statements, Documents (30.03.00) 512, (05.04.00) 975
Rulings and statements, Ministers (05.04.00) 979–80
Rulings and statements, Private Members' bills (07.04.00) 1264
Rulings and statements, Ten minutes rule (27.03.00) 41, (06.04.00) 1210
Rulings and statements, Transfer of questions (27.03.00) 37
Rulings and statements, Unparliamentary expressions (03.04.00) 634, 696, (06.04.00) 1137, 1138
Select committee motions (30.03.00) 598, (03.04.00) 782
Sittings in Westminster Hall
Conduct of proceedings (28.03.00) 9wh, 23wh, 29wh, 36wh, (29.03.00) 47–8wh, 51wh, 55wh, 69wh, 92wh, 97wh, (30.03.00) 124–5wh, 143wh, 148wh, (04.04.00) 162wh, 164–5wh, 185wh, (05.04.00) 242wh, 253wh, 263wh, (06.04.00) 273wh, 298–9wh, 305wh
Points of order (29.03.00) 108wh, (06.04.00) 282wh
Rulings and statements, Parliamentary procedure (28.03.00) 30wh
Questions
Railways, Euxton 803

Special protection areas
Birds 112w

Speed limits
Fines 370–3w

***Spellar, Mr John**, Minister for the Armed Forces, Ministry of Defence*
Debates etc.
Armed Forces Discipline Bill (HL), Rep and 3R (06.04.00) 1199–200
Questions
Air force, Military bases 29w
Armed forces, Cadets 25–6w, 162w
***Spellar, Mr John**—continued*
Armed forces, Conduct 305w
Armed forces, Financial services 28w
Armed forces, Higher education 161w
Armed forces, Israel 397w
Armed forces, Manpower 304w
Armed forces, Sri Lanka 488–9w
Army, Reserve forces 396–7w
Army, Training 28–9w
Atomic Weapons Establishment 159–60w, 486–7w, 552w
Ballistic missile defence 400w
Ballistic missile defence, Israel 398w, 488w
Ballistic missile defence, USA 209w, 487w
Chemical and biological warfare 206–7w
Crooks, Roger 304w
Defence Geographic and Imagery Intelligence Agency 395–6w
Defence Vetting Agency, Standards 550–1w
Exservicemen 160–1w
Gulf Veterans' Illnesses Unit 303–4w
Internet, Ministry of Defence 299w
Israel, Ministry of Defence 397w
Kosovo, Radioactivity 555w
Kosovo, Uranium 555w
Military aircraft, Mozambique 299w
Military bases, Aldershot 207w
Military bases, Edinburgh 398–400w
Military exercises, Nuclear weapons 305w
Military exercises, South Korea 161–2w
Mines, Research 160w
Naval Manning Agency, Standards 551–2w
Naval Recruiting and Training Agency, Standards 552w
Nuclear weapons, USA 488w
Peace keeping operations, Zimbabwe 29w
Roll-on roll-off ships, Deployment 208–9w
SA80 rifle 298–9w
Territorial Army, Working hours 28w, 162w
Warships, Deployment 28w

Spelman, Mrs Caroline
Questions
Adoption 55–6w
Bone diseases, Children 356w
Health services, Private sector 579w
Maintenance, Tax allowances 969–70
Meningitis, Vaccination 218–9w
Prescription drugs, Prices 203
Rover Group 637–8
Vaccination 219w
Vaccination, Correspondence 357w

Sport action zones
65w

Sports
Finance 66–7w
Further education 91w
Greater London 8–9
Museums and galleries 67w
National Lottery 540w
Schools 66w

Sports centres
Planning permission 434w

Sportsgrounds
Athletics 540w
Belgium 471w

Spring, Mr Richard
Questions
EC institutions, Vocational training 53w, 167w
Lisbon Summit (EC) 465–6w

Sri Lanka
Armed conflict 465w
***Sri Lanka**—continued*
Armed forces 488–9w
Exports 478–9w
Foreign relations 562w
Overseas aid 177w
Refugees 593w
Trade promotion 406w

Stafford
Working families tax credit 49w

Stakeholder pensions
34w, 337w, 475w, 529w

Standard spending assessments
412–3w
Education 293–4w
Southend 795
Stockport 413w

Standards and Effectiveness Unit
296w

Standards Fund
537w

Stanley, Rt Hon Sir John
Questions
All party groups 42–3w

Stansted Airport
Accidents 600w

Starkey, Dr Phyllis
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 525, 529, 533
Lisbon Summit (EC) (27.03.00) 30
Sittings in Westminster Hall
Railway network (28.03.00) 30–3wh
Questions
Ballistic missile defence 400w
Elderly, Doctors' list of patients 121w
Kosovo, Overseas aid 176w
Legal aid, Maintenance 363w
Science, Departmental coordination 480–1
USA, Ballistic missile defence 408w

State earnings related pension scheme
Misrepresentation 30w, 340w, 625

State retirement pensions
332w, 338–9w, 616–7
Administrative delays 164w, 611–2
Australia 35w
Self-employed 33–4w, 271w
Uprating 334–5w, 620–1, 624–5

State visits
China 52–3w

Statistics
Industrial injuries disablement benefit 531w

Statistics Commission
258w

Steen, Mr Anthony
Questions
Pre-school education, Refugees 71w
Social security benefits, Refugees 115w

Steinberg, Mr Gerry
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 518
Questions
Ambulance services, Durham County 353w
Business questions 498–9, 1156
General practitioners, Durham County 614–5w
Home detention curfews 446w
Nursing homes, Durham County 508w
Small businesses, North East region 242w

Stevenson, Mr George
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 383
Learning and Skills Bill (HL), 2R (30.03.00) 562–5
Questions
Tibet, Human rights 53–4w

Stewart, Mr David
Questions
Barmac 406–7w
Maintenance, Children 449w
Natural gas, Environment protection 107w

Stewart, Mr Ian
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1270, 1279, 1294
Sittings in Westminster Hall
Radiation, Research (29.03.00) 56wh, 58wh, 64wh
Questions
Food Standards Agency 137w
Married personal allowance 1143
Working families tax credit, North West region 587w

Stinchcombe, Mr Paul
Questions
Munchausen's syndrome 507–8w

Stoate, Dr Howard
Sittings in Westminster Hall
Chronically sick, Health services (29.03.00) 92–6wh

Stockport
Standard spending assessments 413w

Stocks and shares
Taxation 495–6w

Stonehenge
261w, 625w

***Straw, Rt Hon Jack**, Secretary of State for the Home Dept*
Debates etc.
Criminal Justice and Court Services Bill, 2R (28.03.00) 225–37, 239, 241–2, 245–6, 283–5
Freedom of Information Bill, Rep (04.04.00) 917–30, 932–4
Freedom of Information Bill, Rep and 3R (05.04.00) 995, 998, 1020–30, 1094–7, 1105–6, 1119
Questions
Antisocial behaviour orders 634–5w
Channel Islands, Taxation 594w
Consultants, Home Office 215–6w
Crime, Finance 1–3w
Crime and disorder partnerships 635w
Departmental responsibilities, Families 77–8w
Detention and training orders 138–9w
Electoral Commission, Costs 3–4w
Electoral register 89w
Empty property, Home Office 445–6w
EU Justice and Home Affairs Council 373–6w
Freedom of Information Bill 1999/2000 435w
Genetics, Databases 597w
Government Technical Assistance Centre 596w
Home detention curfews 636–40w
Members, Correspondence 140w
Metropolitan Police, Police areas 211–2w
Metropolitan Police, Standards 212–3w
Non-departmental public bodies, Home Office 87–8w

***Straw, Rt Hon Jack**—continued*
Parking, Home Office 215w
Police, Finance 84–5w, 597w
Police, Manpower 88–9w, 445w, 595w
Police, Recruitment 595–6w
Police interrogation, Video recordings 595w
Prison accommodation 596–7w
Public appointments, Home Office 215w
Race relations, Standards 4w
Regional crime squads 635w
Riser, Jon 216w
Sexual offences, Home detention curfews 599–600w

Streeter, Mr Gary
Questions
Riser, Jon 216w
Zimbabwe, AIDS 325–6

***Stringer, Mr Graham**, Parliamentary Secretary, Cabinet Office*
Questions
Advertising, Cabinet Office 198w
Art works, Cabinet Office 385–6w
Better government programme, Elderly 527w, 964–5
Business, Regulation 203–4w
Civil servants, Resignations 361w
Civil service, Secondment 198–201w
Deregulation 528w
EC law, Regulatory impact assessments 268–9w
Electronic government 959–61
Employers' Forum on Disability, Government departments 566w
Government departments, Deregulation 522w
Ministerial policy advisors, Pay 523w
Modernising government programme, Civil service 524w
Non-departmental public bodies, Accountability 959
Non-departmental public bodies, Public appointments 523w
North American Free Trade Agreement 361w, 524w
Parking, Cabinet Office 565w
Press releases, Cabinet Office 76w, 526w
Public appointments 523w
Public appointments, NHS 523w
Task forces 204w, 565–6w

***Stuart, Ms Gisela**, Parliamentary Under-Secretary of State, Dept of Health*
Debates etc.
Pain, Health services (29.03.00) 470–4
Sittings in Westminster Hall
NHS Direct (06.04.00) 269–83wh, 286wh, 306–12wh
Questions
Accident and emergency departments 120w, 218–20
Alternative energy, Dept of Health 219w
Alternative medicine, EC law 125–6w
Ambulance services, Durham County 353w
Ambulance services, Standards 351w
Animal feed, Additives 579–80w
Antidepressants, Costs 394w
Avon Health Authority, Finance 61w
Chemists' shops, Rural areas 619w
Chronic fatigue syndrome 395w
Cleft palate, Buckinghamshire 218w
Dental services 217–8
Diseases, Expenditure 346–7w
Drugs, Expenditure 129w
East Surrey Hospital, Nurses 618–9w
Empty property, Dept of Health 353–4w

***Stuart, Ms Gisela**—continued*
Essex Rivers Healthcare NHS Trust, Private sector 217w
Food Standards Agency 137w
Genetically modified organisms, Food 501w
Genetically modified organisms, Maize 325w, 502w
Health services, Private sector 579w
Hospitals, Parking 581w
Hospitals, Waiting lists 575w
Intensive care, Hospital beds 119–20w
Learning disability, Weston-super-Mare 60–1w
Medicines Control Agency 126–7w
Members, Correspondence 129–30w
Mid Essex Hospital Services NHS Trust, Private sector 217w
Negligence 514–5w
Negligence, Compensation 394–5w
NHS, Cleaning services 354w
NHS, Information technology 511–3w
NHS, Public appointments 220w
NHS Direct, Cumbria 123w
Nurses, Training 355w
Nutrition 353w, 357w
Oxaliplatin 62w
Parking, Dept of Health 217w
Pesticides, Health hazards 580–1w
Pharmacy 394w
Prescribing Supply and Administration of Medicines Review Team 218w
Prescription drugs, Fees and charges 354w, 393–4w
Prozac 62w
Regulation, Dept of Health 509w
Social services, Local government finance 217w
Surgery, Death 63w
Surrey and Sussex NHS Trust, Resignations 618w

Student numbers
Northern Ireland 91–2w, 96w

Student wastage
Northern Ireland 92w

Students
Community relations 93w
Fees and charges 95w, 153–4w, 520w
Finance 93–4w, 97–8w
Loans 566–7w
Northern Ireland 93–5w, 566–7w
Religion 94w
Scotland 153–4w

Stunell, Mr Andrew
Sittings in Westminster Hall
Radiation, Research (29.03.00) 62–3wh
Questions
Alternative energy 239–40w
Beta-interferon 201–2
Climate change levy, Horticulture 586–7w
Fossil fuels 305–6w

Sub-Saharan Africa
Arms trade 183–4w

Sudan
Exports 286w

Suffolk
Barclays Bank (29.03.00) 70–91wh

Surgery
Cancer 350–1w
Death 63w

Surrey
Housing 414w

Surrey and Sussex NHS Trust
Resignations 618w

Surveillance
Intelligence services 389w
Members 279w

Sustainable development
Construction 323w

Sutcliffe, Mr Gerry, An Assistant Whip
Sittings in Westminster Hall
NHS Direct (06.04.00) 283wh

Swayne, Mr Desmond
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 355–6, 360, 362, 364, 367, 370–3, 376–7, 380, 391–2, 437–8
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 647–8
Housing, Petitions (29.03.00) 465
Learning and Skills Bill (HL), 2R (30.03.00) 522, 565–7
Questions
Business questions 509, 1160–1
Clergy, Manpower 52w
Foden Thompson Carmichael MWD 79–80w
Hospices, Contracts 345–6w
Maintenance, Children 621–2
Married personal allowance 1141–2
Minimum wage, Housing 237w
NHS, Debts 130w
NHS, Finance 121w
School libraries, Computers 154w

Swimming
Schools 2–4

Swinney, Mr John
Debates etc.
Budget March 2000 (27.03.00) 47, 81–4
Lisbon Summit (EC) (27.03.00) 32
Questions
Climate change levy, Northern Ireland 113w

Syms, Mr Robert
Questions
Film 64w
Heart diseases, Health services 119w

Syrian Arab Republic
Israel 466w

"Tackling Tobacco Smuggling"
462w

Taiwan
Technology 45–6w

Tankers
Procurement 79w

Tanks
554w
Diesel fuel 554w

Tapsell, Sir Peter
Debates etc.
Budget March 2000 (27.03.00) 63–5, 123
Lisbon Summit (EC) (27.03.00) 29
Questions
Official engagements, Prime Minister 171w, 471w

Targeting social need initiative
569–70w

Task forces
204w, 565–6w
Prime Minister 244–5w
Wales 158w

Tax allowances
328w
Charities 589–90w
Disabled 491w

Tax allowances—continued
Maintenance 969–70
Manufacturing industries 1147–9
Pension funds 152w

Tax avoidance
Self-employed 489w, 494–5w

"Tax Benefit Reference Manual, 1999/00"
150w, 590w

Tax burden
490w, 584–5w

Tax collection
Climate change levy 112–3w

Tax credit
Research 583w

Tax exemption certificates
Business 491–2w

Tax rates and bands
461w, 499–500w

Tax yields
Income tax 149–50w

Taxation
(27.03.00) 185–7
Business 496w
Channel Islands 594w
Companies 149w
Freight 460w
Motor vehicles 111–2w
Small businesses 152w
Social security benefits 334w
Stocks and shares 495–6w

Taxis
Members 104w

Taylor, Ms Dari
Sittings in Westminster Hall
River Tyne, Shipbuilding (04.04.00) 162wh
Questions
Equal opportunities, Public appointments 76–7w

Taylor, Mr David
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1272, 1275, 1277–1279, 1281, 1289, 1292–3, 1296, 1303, 1306, 1314, 1323, 1327
Questions
Arachnoiditis, Research 191w
Business questions 505
Departmental expenditure limits, Dept of the Environment Transport and the Regions 223–4w

Taylor, Mr Ian
Debates etc.
Lisbon Summit (EC) (27.03.00) 30

Taylor, Rt Hon John D
Questions
Camperdown Garden Village, Planning permission 98w
Flags, Armagh 280–1w
Nursery schools, Northern Ireland 133–5w
Sewage, Killyleagh 132–3w

Taylor, Mr John M
Questions
Developing countries, Debts written off 472w
Health services, Private sector 579w
Land Rover 240w
Land Rover, Pension rights 622w
Rover Group 636–7
Rover Group, Longbridge 476–7

Taylor, Mr Matthew
Debates etc.
Budget March 2000 (27.03.00) 113–6
Questions
Ballistic missile defence, USA 487w
Capital Modernisation Fund 258w
Cellular phones, Licensing 590w
Chemical and biological warfare, Research 488w, 553–5w
Clinton, Bill 280w
Defence Evaluation and Research Agency 397–8w
Education, Finance 205w
Gulf Veterans' Illnesses Unit 303–4w
Income tax, Tax yields 149w
Military exercises, Nuclear weapons 305w
Ministerial policy advisors, Cabinet Office 525–6w
Monckton, Walter, Public records 401w
Nuclear weapons, USA 488w
Pensioners, Income 1137–8
Private finance initiative 588–9w
Public expenditure 259w
"Tax Benefit Reference Manual, 1999/00" 590w
Tax rates and bands 461w
Training, Expenditure 539w
USA 623w
USA, Ballistic missile defence 409w

Taylor, Sir Teddy
Questions
Housing benefit, Abuse 332w

Teachers
Computers 40w
Dismissal 72w
Hearing impaired 387w
Pay 71w
Pensions 204–5w
Performance appraisal 297w
Recruitment 206w

Technicians
Health services 55w

Technology
Taiwan 45–6w

Telecommunications
38w
Petitions (29.03.00) 466
Regulation 239w

Telecommunication masts
see Aerials

Telephone services
Smuggling 493–4w
Social security benefits 626–7w
Working conditions 430w

Television
Disability aids 1–2

Television Licences (Disclosure of information) Bill 1999/2000
Debates etc.
1R (30.03.00) 512

Telewest Communications
Microsoft 194w

Temporary immigrants
87w
Iraq 410w

Ten minutes rule
Rulings and statements (27.03.00) 41, (06.04.00) 1210

Tenancy agreements
Social rented housing 807

Territorial Army
Working hours 28w, 162w

Terrorism
Chechnya 267w
Northern Ireland 567–8w

Textiles
236w, 483–4, 586w

Thameslink
Planning 432w

Theatre
65w
Young people 64–5w

Thomas, Mr Gareth
Debates etc.
Criminal Justice and Court Services Bill, 2R (28.03.00) 271–3, 284
Local Government (Access to Information) Bill, 1R (28.03.00) 223–4
Questions
Detention and training orders 138–9w

Thomas, Mr Gareth R
Questions
Air traffic, London airports 969
Cancer, Health services 123w
NHS, Debts 343–4w
Nurses, Greater London 58w

Thomas, Simon
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 407
Questions
Social security benefits, Post offices 614–5
Wind power, Planning permission 336–7

Tibet
Human rights 53–4w

***Timms, Mr Stephen**, Financial Secretary to the Treasury*
Debates etc.
Finance Bill, 1R (27.03.00) 186
Questions
Climate change levy 112w, 260w, 587w
Climate change levy, Horticulture 586–7w
Climate change levy, Northern Ireland 113w
Climate change levy, Tax collection 112–3w
Computers, Treasury 499w
Employee share ownership schemes 1138–40
Empty property, Treasury 330w
Excise duties 496w
Excise duties, Aviation 459–60w
Excise duties, Fuels 497w, 585w, 589w
Excise duties, Gaming machines 1149–50
Excise duties, Petrol 114w, 589w
Landfill tax, Alternative energy 260–1w
Landfill tax, Environment protection 499w
Parking, Treasury 260w
Parliamentary questions, Treasury 330w
Small businesses 460w
Tax credit, Research 583w
Taxation, Business 496w
Taxation, Freight 460w

Tobacco
Smuggling 490–3w
Subsidies 180–1w
World Health Organisation 342–3w

Todd, Mr Mark
Questions
Beef, Imports 249w
Ministerial Group on Rural Affairs 958

Tonge, Dr Jenny
Sittings in Westminster Hall
Colombia, Peace negotiations (28.03.00) 6–9wh

***Tonge, Dr Jenny**—continued*
Developing countries, Education (04.04.00) 192–3wh
Developing countries, Females (30.03.00) 120wh, 128–33wh
Western Sahara, Referendums (04.04.00) 184wh
Questions
British dependent territories, Homosexuality 170w
Developing countries, Drugs 184w
Ethiopia, Forests 286–7w
Females, Politics and government 535–6w
Heavily indebted poor countries initiative 147–8w
Indonesia, Forests 184–5w
Indonesia, Human rights 170–1w
Mozambique, Disaster relief 329
Primary education, Conferences 573–4w
Primary education, Equal opportunities 574w
Seychelles, Overseas aid 185w
Turtles, Trade 421w
UN international drugs control programme 184w
United Nations, Rapid deployment forces 171w
Zimbabwe, Land 171w

Torbay
Pensioners 166w

Tourism
65–6w
Coastal areas 4–5, 67w

Townend, Mr John
Debates etc.
Budget March 2000 (27.03.00) 44–5, 68–70
Questions
Deportation 599w

Trade
Turtles 421w

Trade associations
Consumer protection 240w

Trade competitiveness
EC countries 238–9w

Trade marks
Internet 236w

Trade promotion
Sri Lanka 406w

Trafford
Grammar schools 539w, 973

Training
Army 28–9w
European Police Office 600–1w
Expenditure 539w
Nurses 123w, 207–8, 355w, 615–6w
Police 141w

Training and enterprise councils
Audit 73w

Transfer of questions
Rulings and statements (27.03.00) 37

Transplant surgery
Research 127–8w

Transport
Disabled 485–6w
Infrastructure 24w
Local plans 13–6w, 412w
Military aircraft 300w
Wembley Stadium 23–4w

Treasury
Art works 496w
Computers 499w
Empty property 330w

***Treasury**—continued*
Parking 260w
Parliamentary questions 330w
Regulation 461w
Secondment 46–7w

Treaties
EC action 285w

Tredinnick, Mr David
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R adjourned (07.04.00) 1280–3, 1285, 1290, 1300
Sittings in Westminster Hall
NHS Direct (06.04.00) 296–9wh, 303–5wh, 310wh
Questions
Ministerial Group on Rural Affairs 957–8
Pensioners, Income 1138
Textiles 586w

Tresham College
Rutland College (28.03.00) 23–9wh

Trials
365w

Trickett, Mr Jon
Questions
Unemployment, Local education business partnerships 1140

Trimble, Rt Hon David
Debates etc.
Royal Ulster Constabulary (06.04.00) 1210–6, 1231, 1243

Tritium
Chapelcross power station 303w

Tuberculosis
Vaccination 353w

Turkey
Export credit guarantees 476–7w

Turner, Mr Dennis
Questions
Heart diseases, Health services 213–4
Rover Group 637
Social security benefits, Children 117w

Turner, Dr George
Questions
Business questions 508
Council tax, Second homes 808–9
Electronic government 961
Post offices, Cash dispensing 340
Stakeholder pensions 337w

Turner, Mr Neil
Questions
Dounreay, Nuclear fuel reprocessing 533–4w
EC grants and loans 480–1w
Modernising government programme 525w

Turtles
Trade 421w

Twigg, Mr Derek
Debates etc.
Budget March 2000 (27.03.00) 117

Tyler, Mr Paul
Debates etc.
Child Support Pensions and Social Security Bill, Rep (29.03.00) 431
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 676–7
Housing (04.04.00) 824–5
Questions
Business questions 497–8, 1153
Kensington Palace, Gardens 359w
Organic farming 339–40

Tyler, Mr Paul—continued
Second homes 410w
VAT, Churches 583–4w

Tynan, Mr Bill
Questions
Corporation tax, EC countries 1146

Type 45 destroyers
208w

Tyrie, Mr Andrew
Debates etc.
Budget March 2000 (27.03.00) 90, 95–7

Uganda
Arms trade 620–1w

UK delegations
EC institutions 102–3w

UK membership of EC
407–8w
Exhibitions 630–1w
Manufacturing industries 238w

UN international drugs control programme
184w

Unemployment
see also Long term unemployed
329–30w
Local education business partnerships 1140–1

Unemployment benefits
Construction 338w

Unified Appeal Tribunal
Public appointments 401w

Uniforms
European Police Office 601w

Unigate
Dairy Crest 624w

United Kingdom Atomic Energy Authority
Standards 477w

United Kingdom Atomic Energy Authority Constabulary
Criminal investigation 403–4w

United Kingdom Passport Agency
see also Passports

United Nations
Conferences 38w
Rapid deployment forces 171w

UNMIK
556w

Unparliamentary expressions
Rulings and statements (03.04.00) 634, 696, (06.04.00) 1137, 1138

Uprating
State retirement pensions 334–5w, 620–1, 624–5

Uranium
Kosovo 555w, 581w

Urban aid
412w, 482w

Urban areas
428w, 606w
Migration 458w

Urban Task Force
804–5

Uruguay Round
Developing countries 185w

USA
623w
Air routes 604w

USA—continued
Ballistic missile defence 209w, 408–9w, 487w, 563w
Foreign relations 169w
Guided weapons 397w
Nuclear weapons 488w
Overseas trade (29.03.00) 101–8wh
Scotland 103w, 169–70w

Utilities
Pre-payment 402w
Prices 107–8w, 479w

Vaccination
219w
Animal products (28.03.00) 37–46wh
Correspondence 357w
Meningitis 218–9w, 395w, 613–4w
Tuberculosis 353w

Valuation
Farms 83w
Millennium Exhibition 320w

Valuation Office
Standards 459w

VAT
Churches 16–7, 583–4w

Vaz, Mr Keith, Minister for Europe, Foreign and Commonwealth Office
Sittings in Westminster Hall
Burma, Human rights (05.04.00) 216–21wh
Western Sahara, Referendums (04.04.00) 188–91wh
Questions
Azerbaijan, Arms trade 631w
Council of Ministers 99–101w
EC common foreign and security policy 563w
EC Foreign Affairs Council 167–9w
EC institutions, Operating costs 101–2w
EC institutions, UK delegations 102–3w
EC institutions, Vocational training 53w, 167w
EC law 562w
EC staff, Allowances 631w
European Communities, Anniversaries 157w
Gibraltar, Spain 562w
Kazakhstan, Human rights 284–5w
Kazakhstan, Press freedom 284w
Kosovo, Construction 563–4w
Minorities, Languages 54–5w
Moldova, Russia 267w
NATO, Disclosure of information 103w
North American Free Trade Agreement 278–9w, 285w
Public appointments 284w
Sri Lanka, Foreign relations 562w
Treaties, EC action 285w
UK membership of EC 407–8w
UK membership of EC, Exhibitions 630–1w
USA, Ballistic missile defence 408–9w, 563w
USA, Foreign relations 169w
Zimbabwe, Visas 266w
Zimbabwe, Work permits 266w

Vehicle number plates
131w

Victim support schemes
Northern Ireland 569w

Video recordings
Police interrogation 595w

Viggers, Mr Peter
Debates etc.
Armed Forces Discipline Bill (HL), Rep and 3R (06.04.00) 1181, 1183–4, 1196–7

Viggers, Mr Peter—continued
Questions
Local government, Reform 792

Violence
Aircraft 421–2w

Visas
Zimbabwe 266w

Visits abroad
Prime Minister 574w

Vocational guidance
Standards 293w

Vocational training
EC institutions 53w, 167w

Voluntary work
(05.04.00) 252–8wh
Developing countries 177–8w
NHS 136w, 220w
Public libraries 358–9w
Social services 347w

Voucher schemes
Refugees 86–7w

Waiting lists
Avon Health Authority 60w
Disability aids 618w
Essex Rivers Healthcare NHS Trust 351–2w, 614w
Hospitals 62w, 119w, 135w, 508w, 575w
Prostate cancer 612w

Wales
EC grants and loans 1141
Iron and steel 158w
Ministry of Defence 300–3w
Task forces 158w

Wales Office
see Office of the Secretary of State for Wales

Walker, Mr Cecil
Questions
Royal Victoria Hospital Belfast, Repairs and maintenance 568w

Walley, Ms Joan
Debates etc.
Warm Homes and Energy Conservation Bill, Money res (04.04.00) 937
Questions
Alternative energy 477–8w
Combined heat and power 477w, 608w
Disability living allowance, Administrative delays 627–8w
Petrol, Additives 132w, 324–5w
Residential allowance 220w
Weed control 608w

Walter, Mr Robert
Questions
Post offices, Rural areas 340–2
Schools access initiative 74w
Wales, Ministry of Defence 300–3w

War pensions
453–4w
Radiation exposure 164–5w

War widows
Social security benefits 453w

Ward, Ms Claire
Questions
Council housing 412–3w

Warm Homes and Energy Conservation Bill 1999/2000
Debates etc.
Money res (04.04.00) 936–46

Warships
Deployment 28w

Waste disposal
Agriculture 81w, 326–7w
Alternative energy 227–8w
Animal products 36–7w
Bovine spongiform encephalopathy 250w
Prescription drugs 393w
Radioactive wastes 17–8w, 485w

Water
Meters 547w

Water abstraction
420w

Water charges
Appeals 322w

Water supply
South East region 609–10w

Water treatment
Drinking water 320–1w

Water Undertakers (Rateable Values) (England) Order 2000
Debates etc.
(28.03.00) 291

Waterson, Mr Nigel
Debates etc.
Budget March 2000 (27.03.00) 100–3
Questions
Local government, Reform 792–3
Surgery, Death 63w

Watts, Mr Dave
Debates etc.
Budget March 2000 (27.03.00) 52
Sittings in Westminster Hall
Radiation, Research (29.03.00) 58–9wh
Questions
Business questions 501
EC grants and loans 1145–6
National Lottery 5–6
NHS, Conditions of employment 120–1w
Standard spending assessments 412–3w
Vehicle number plates 131w

Weapons
Standards 298–9w

Webb, Mr Steve
Debates etc.
Budget March 2000 (27.03.00) 59–60, 89
Child Support Pensions and Social Security Bill, Rep (29.03.00) 353–5, 359, 385–8, 405–9, 430–5, 441, 453–5
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 645, 660–4, 687–8, 709–12, 722, 725–7, 780–1
Wireless Telegraphy (Television Licence Fees) (Amendment) Regulations (28.03.00) 301–4, 307
Sittings in Westminster Hall
Housing benefit, Abuse (05.04.00) 225–9wh
Questions
Child benefit 30w
Employment schemes 34–5w
Genetics, Databases 381w
Oxaliplatin 62w
Pensioners, Income 31w
Pensioners, Income support 448w, 532w
Pensioners, Social security benefits 32w
Social security benefits, Automated credit transfer 532w
Social security benefits, Lone parents 270w
Social security benefits, Post offices 614
Stakeholder pensions 475w, 529w

Weed control
608w

Weights and Measures (Amendment) Bill 1999/2000
Debates etc.
1R (05.04.00) 976–8

Welding Institute
Contracts 44–5w
Grants 44–5w

Welfare of Broiler Chickens Bill 1999/2000
Debates etc.
2R order read (07.04.00) 1334

Welfare tax credits
Free school meals 387–8w
Publicity 49–50w

Wells, Mr Bowen
Sittings in Westminster Hall
Developing countries, Females (30.03.00) 117–25wh, 132wh, 134wh, 144–5wh, 153–4wh
Questions
Africa, AIDS 325

Welsh, Mr Andrew
Questions
Chapelcross power station, Tritium 303w
Exchange rates 329w
Excise duties, Fuels 497w
Excise duties, Petrol 114w
Immigration, Administrative delays 88w
Social security benefits, Scotland 115w
Social Security Benefits Agency, Home visits 166–7w

Welsh Assembly
see National Assembly for Wales

Wembley Stadium
104–5w
Transport 23–4w

West Midlands
EC grants and loans 638
Manufacturing industries 490–1

West Midlands Task Force
see Longbridge Task Force

West Sussex
Hospital wards 509–10w

Western Sahara
Referendums (04.04.00) 184–91wh

Westminster City Council
Audit 318w

Westminster Hall sittings
(28.03.00) 30wh

Westminster Station
Jubilee line 314w
Lifts 311w

Weston-super-Mare
Learning disability 60–1w

White, Mr Brian
Debates etc.
Freedom of Information Bill, Rep (04.04.00) 878, 883, 892, 904–5, 921
Freedom of Information Bill, Rep and 3R (05.04.00) 1024, 1066
Questions
Drugs, Young people 962
Electronic government 524–5w
Nurses, Training 207

Whitehead, Dr Alan
Sittings in Westminster Hall
Western Sahara, Referendums (04.04.00) 185wh
Questions
Housing, South East region 797–8
Sports, Finance 66–7w

Whitney, Sir Ray
Debates etc.
Lisbon Summit (EC) (27.03.00) 29

Wickham Research Laboratories
Animal experiments 369w

Wicks, Mr Malcolm, Parliamentary Under-Secretary of State, Dept for Education and Employment
Debates etc.
Learning and Skills Bill (HL), 2R (30.03.00) 532, 543–4, 591–5
Questions
Higher education, Admissions 288w
Higher education, Overseas students 387w
Individual learning accounts 295w
Rover Group, Apprentices 74w
Students, Fees and charges 520w
Teachers, Pensions 204–5w
Training and enterprise councils, Audit 73w
Vocational guidance, Standards 293w

Widdecombe, Rt Hon Ann
Debates etc.
Criminal Justice and Court Services Bill, 2R (28.03.00) 227–8, 230–1, 237–49, 251, 253, 274–7, 286–8
Questions
Antisocial behaviour orders 634–5w
Channel Islands, Taxation 594w
Crime and disorder partnerships 635w
Drugs, Screening 12w
Electoral register 89w
Genetics, Databases 597w
Government Technical Assistance Centre 596w
Home detention curfews 9–12w, 85–6w, 139–40w, 144–5w, 636–40w
Local government, Elections 634w
Police, Finance 84–5w, 597w
Police, Manpower 88–9w
Police, Recruitment 595–6w
Police interrogation, Video recordings 595w
Prison accommodation 596–7w
Prisoners, Rehabilitation 13w
Prisoners' release 365–6w
Prisons, Overcrowding 6–9w
Probation and aftercare, Public appointments 12–3w
Public safety radio communications project 597–8w
Refugees 144w
Refugees, Finance 143–4w
Refugees, Local government services 633–4w
Regional crime squads 635w
Sexual offences, Home detention curfews 599–600w

Widowed people
271–2w
Social security benefits 272w, 339w, (06.04.00) 1254–62

Wigley, Rt Hon Dafydd
Debates etc.
Budget March 2000 (27.03.00) 46, 76–8
Learning and Skills Bill (HL), 2R (30.03.00) 519, 535, 538
Lisbon Summit (EC) (27.03.00) 30
Questions
Debts, Developing countries 460w
Economic and monetary union 487
Future large aircraft, Government assistance 532–3w
Ice cream, Competition 191w, 403w
National Assembly for Wales 158w
National Lottery, Sports 540w
State retirement pensions 338–9w

Wigley, Rt Hon Dafydd*—*continued
Tax burden 490w
Tourism, Coastal areas 4

Wild Mammals (Hunting with Dogs) Bill 1999/2000
Debates etc.
2R adjourned (07.04.00) 1264–333

Wilkinson, Mr John
Debates etc.
Lisbon Summit (EC) (27.03.00) 35
Questions
Aviation, Government assistance 241w
Business questions 507
EC aid 180–1w
Future large aircraft, Government assistance 488

Willetts, Mr David
Debates etc.
Budget March 2000 (27.03.00) 49–57
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 644–7, 654, 660, 702, 772, 774, 778–80
Oral question time intervention (03.04.00) 611
Questions
National insurance 627w
Pensioners, Personal savings 530–1w
Proof of identity, Dept of Social Security 529w
Proof of identity, Social Security Contributions Agency 590w
Public finance 461–2w
Social security benefits, Abuse 620
Social security benefits, Automated credit transfer 454w
Social security benefits, Telephone services 626–7w
State retirement pensions 616–7
"Tax Benefit Reference Manual, 1999/00" 150w
Tax rates and bands 499–500w
Welfare tax credits, Publicity 49–50w
Working families tax credit 48w, 114w

Williams, Mr Alan W
Debates etc.
Industrial injuries, Compensation (30.03.00) 600
Questions
NHS, Finance 121–2w

Williams, Mrs Betty
Questions
Working families tax credit 1133–4

Willis, Mr Phil
Questions
Consultants, Ministry of Agriculture Fisheries and Food 249w
Secondment, Treasury 46–7w

Wills, Mr Michael, Parliamentary Under-Secretary of State, Dept for Education and Employment
Sittings in Westminster Hall
Rutland College, Tresham College (28.03.00) 27–9wh
Questions
Advertising, Dept for Education and Employment 40w
Conditions of employment, Dept for Education and Employment 154–7w
Empty property, Dept for Education and Employment 297w
Parking, Dept for Education and Employment 295w
Public appointments, Dept for Education and Employment 154w
School libraries, Computers 154w
Schools, Internet 205–6w

Wills, Mr Michael*—*continued
Teachers, Computers 40w

Wilson, Mr Brian, Minister of State, Scotland Office
Questions
Regulation, Scotland Office 402w

Wind power
Planning permission 336–7

Winnick, Mr David
Debates etc.
Child Support Pensions and Social Security Bill, Rep and 3R (03.04.00) 672, 698, 705–6
Lisbon Summit (EC) (27.03.00) 29
Wireless Telegraphy (Television Licence Fees) (Amendment) Regulations (28.03.00) 295–6, 309–11
Questions
Members, Correspondence 67w
Non-departmental public bodies, Accountability 959
Rover Group, Longbridge 478
Social security benefits, Refugees 612–3

Winter fuel payments
Chelmsford 118w
Inverclyde 334w
Morecambe 33w
Scotland 334w

Winterton, Mrs Ann
Sittings in Westminster Hall
Radiation, Research (29.03.00) 67wh
Questions
Beta-interferon 202
Developing countries, Debts 181w
Drugs, Young people 961–2
Excise duties, Fuels 585w

Winterton, Mr Nicholas
Debates etc.
Royal Ulster Constabulary (06.04.00) 1222
Questions
Business questions 499–500
Child care tax credit 583w
Dental services 218
Education, Cheshire 316w
Fares, Concessions 805–6
Government departments, Deregulation 522w
Hospitals, Consultants 127w
Parish councils 410w
Zimbabwe, Overseas aid 186w

Winterton, Ms Rosie
Questions
Electronic voting, Greater London Authority 112w
Housing improvement, Disabled 324w
National Lottery 11
Pensioners, Income 1135–6
Pensioners, Income support 333w

Wireless Telegraphy (Television Licence Fees) (Amendment) Regulations 2000
Debates etc.
(28.03.00) 292–314

Wise, Audrey
Questions
Miscarriage 124w

Women
see Females

Wood, Mr Mike
Questions
Business questions 1157
Defence, Diversification 303w
Disability living allowance 449w

Woolas, Mr Phil
Questions
Low flying, Saddleworth 556w

Worcestershire
Manufacturing industries 489

Work permits
Zimbabwe 266w

Working conditions
Telephone services 430w

Working families tax credit
48w, 114w, 146–7w, 340w, 1133–5
Cumbria 48w
Free school meals 259w, 538w
Morecambe 48w
North West region 587w
Norwich 49w
Payments 329w
Scotland 145–6w
Southwark 49w, 146w
Stafford 49w

Working hours
239w
Junior doctors 575w
Territorial Army 28w, 162w

World class performance programme
469–70w

World Education Forum
181–2w, 331–2

World Health Organisation
Tobacco 342–3w

World Summit for Social Development
466w

Worthington, Mr Tony
Sittings in Westminster Hall
Developing countries, Females (30.03.00) 133–6wh
Questions
World Summit for Social Development 466w

Wray, Mr James
Questions
Bank services 152–3w
Bank services, Competition 256w
Bank services, Social security benefits 152w, 331–2w
Elderly, Institutional care 581w

Wright, Mr Anthony D
Questions
Accident and emergency departments 120w
National Weights and Measures Laboratory, Standards 191–3w

Wright, Tony
Debates etc.
Freedom of Information Bill, Rep (04.04.00) 836–8, 845–8, 868, 873–4, 884–5, 897–9, 915–7, 923, 934–5
Freedom of Information Bill, Rep and 3R (05.04.00) 992–7, 1028–31, 1065–6, 1079–80, 1099, 1120
Questions
Civil service, Secondment 198–201w
Nurses 127–8w
Public appointments 523w
Trade associations, Consumer protection 240w

Wyatt, Derek
Questions
Computers, Competition 622–3w
Israel, Syrian Arab Republic 466w
Motor vehicles, Taxation 111–2w
Primates, Overseas trade 558–9w

Yeo, Mr Tim
Questions
Beef, Animal products 560–2w, 641–2w

Yorkshire and Humberside
Health authorities 59w
Meningitis 211–2
New deal for lone parents 336w
Regional assemblies 320w

Young, Sir George
Questions
Business statements 495–6, 1151–2

Young people
Drugs 961–3

***Young people**—continued*
Theatre 64–5w

Zimbabwe
AIDS 325–6
Arms trade 194–5w, 620–1w
Commonwealth Ministerial Action Group 265w
Diplomatic service 266w
EC aid 254w
Elections 265w
Farmers 265w
Foreign relations 265w
Human rights 266w

***Zimbabwe**—continued*
Land 171w, 265w
Military aid 282w
Overseas aid 186w, 254w
Overseas residence 265–6w
Peace keeping operations 29w
Visas 266w
Work permits 266w

Zoo Licensing (Amendment) Bill 1999/2000
Debates etc.
1R (29.03.00) 344–6